



# Central Europe and the Baltic States

## Major developments

The countries of this region recorded a total of 43,320 asylum applications in 2003 (compared with 39,560 in 2002, and 54,000 in 2001). In Lithuania, the number of asylum-seekers fell by 38 per cent from 2002 to 2003, in Bulgaria the number fell by 46 per cent, and in Hungary by 63 per cent (75 per cent since 2001). Some of the new EU Member States notably Cyprus, the Czech Republic, Malta, Poland and Slovenia, received much higher numbers of asylum claims.

The year 2003 was a critical transitional period for the acceding States. Maximum efforts were deployed to fulfil the remaining accession requirements through the transposition into domestic legislation of the EU *acquis*. Acceding States rose to the challenge of revising or generating legislation to meet international standards while, at the same time, ensuring that this was consonant with the EU's harmonized asylum laws, which, with lowered standards, have been largely emptied of meaningful content.

Bulgaria  
Cyprus  
Czech Republic  
Estonia  
Hungary  
Latvia  
Lithuania  
Poland  
Romania  
Slovakia  
Slovenia  
Turkey



## Challenges and concerns

Upon accession, the new EU Member States concerned will have to face multiple responsibilities, both within the EU and along its border. Accession States will have to adapt to the realities of a wider asylum space, with its own rules and regulations, the most important being the Dublin II Convention and EURODAC, which are automatically applicable to new Member States. This means that a large number of asylum-seekers could be returned for the determination of their asylum claims to the new border States. The combined implementation of Dublin II and EURODAC in the acceding States could be a formidable test of the resilience of their new asylum systems.

These new Member States will become responsible for managing secondary movements and checking irregular migration. This will call for intensified dialogue with non-EU border States and a further mobilization of resources. As their concerns mount, many States are already introducing restrictive bilateral visa regimes. For its part, UNHCR is concerned that the additional pressure on new Member States could weaken their political will to maintain high protection standards. Transitional measures and increased support will be needed from the rest of the EU. Conversely, any reduction in EU funding or weakening of the role of NGOs could well herald the collapse of the new asylum system.

In readiness for this major event, which will transform UNHCR's operational landscape in Europe, the Office has been taking stock of its programmes as well as its management structure in the region. With the issue of secondary movements continuing to dominate regional discourse, and in anticipation of the imminent expansion of the EU's external borders, UNHCR is poised to reposition its resources along the new border areas where they will be most needed.

A description of UNHCR's operations in Turkey is provided separately in the next chapter. The following covers the rest of Central Europe, Cyprus and the Baltic States.

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challenged by its implementation. For example, access to territory was often influenced by broader EU policies, such as the pressure to reinforce border controls and tighten visa regimes. In a number of States, these measures effectively prevented access to territory and procedures, effectively barring applicants with genuine asylum claims. Unfortunately, UNHCR often lacked the resources to ensure adequate, sustained monitoring in the more problematic border areas.

Despite the efforts to build capacity among eligibility officers and improve the quality of refugee status determination decisions, Convention recognition rates remained low in the accession States. Though the reasons for this are usually rather complex, one partial explanation is doubtless the extra financial burden of integrating recognized refugees. It is a cause for concern that persons with compelling claims could be denied full Convention status simply because of integration-related challenges.

The absence of effective policies and opportunities for the sustainable integration of recognized refugees continued to encourage secondary movements among asylum-seekers and recognized refugees. Other areas of concern included inadequate safety conditions in reception and detention centres for asylum-seekers, the continued incidences of disappearance of separated children from reception facilities, as well as increased reports of sexual and

gender-based violence (SGBV). Discrepancies in asylum procedure between accession States continued to be exploited by asylum-seekers, who tended to choose the more generous asylum systems.

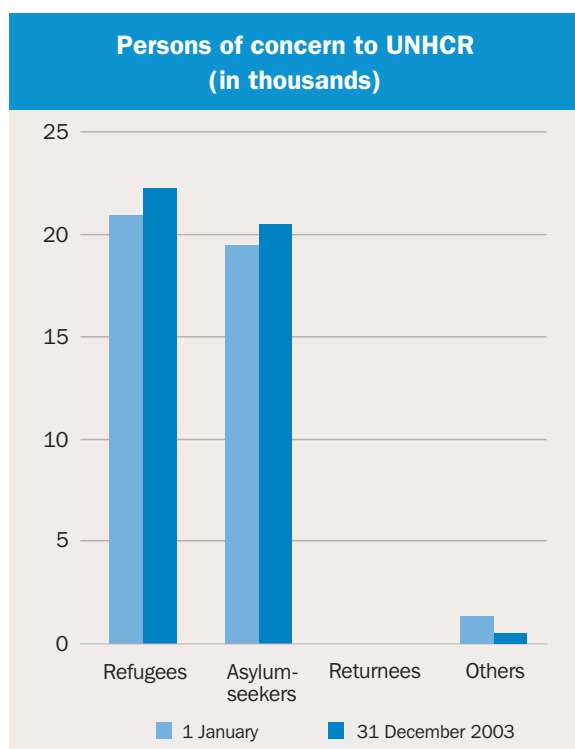
Operations were also constrained in varying degrees by weaknesses in the implementation capacity and coordination channels of the main government interlocutors and asylum actors, by the lack of accurate data needed for effective planning and service delivery, and by the limitations of operating with under-funded NGO partners, enjoying little or no government support.

## Progress towards solutions

Despite the challenges and constraints mentioned above, considerable progress was made in the strengthening of asylum structures and procedures. Research showed enhanced skills and expertise among eligibility officers as well as an improvement in the quality of legal representation and judicial decisions and the overall quality of RSD decisions. A number of States granted status on the basis of gender-related persecution. There was an increase in the number of successful appeals against first instance rejections and cases of detention, and the quality of NGO interventions also improved.

Through joint efforts by academics, refugee practitioners and UNHCR, guidelines were finalized on minimum standards for curriculum development on social work with refugees (and translated into ten Central European languages). The guidelines incorporate all of UNHCR's policy priorities on gender issues, refugee women and children and refugee empowerment. Six Central European States were supported to launch local training initiatives to mainstream gender and age empowerment perspectives into refugee-related social work.

With respect to the High Commissioner's five commitments to refugee women, a special emphasis was placed on preventing and responding to SGBV at all stages of the asylum process, and improving protection of refugee women and their participation in decisions affecting them. UNHCR created a mechanism, linked to the Competence Development Network Programme, to prevent and respond to SGBV in refugee hosting facilities. Pilot projects and action plans on SGBV were implemented in refugee facilities in six countries.





Czech Republic: Chechen asylum-seekers in a library in Vysni Choty Reception Centre. UNHCR/L. Taylor

In recognition of their invaluable contribution to the empowerment of refugee women and improving the lot of refugees in general, two refugee women representing refugee associations in the Czech Republic and Bulgaria received the High Commissioner's excellence award for 2003.

Integration, the most important component of a functioning asylum system unfortunately remained a remote prospect for the majority of refugees in Central Europe. Much effort and resources were dedicated to other aspects of the asylum procedure, like reception and processing of applications, with scant attention paid to the integration of recognized refugees. The brunt of integration work is borne by NGOs which receive very limited funds from UNHCR and, in the absence of full government support, are unable to make much impact. UNHCR continued to explain to governments why integration must be a priority, and helped NGOs to design and implement integration programmes with the participation of refugees.

## Operations

In pursuit of their commitment to improve the protection of children and to institute child-friendly asylum procedures, several States took measures to set up new reception facilities for children, or improve existing ones. For example, **Hungary** created a reception centre, the first of its kind, dedicated entirely to housing and caring for separated children caught up in the asylum process, while **Poland** set aside a section for unaccompanied minors in the refugee reception centre. In Poland, separated children were assisted by legal counselors and assigned guardians in accordance with the provisions of the new asylum legislation. **Bulgaria** also made legal representation, appointed by the asylum authorities, compulsory for unaccompanied asylum seeking children. Specialized centres also provided psychological assistance to children to facilitate their integration.

In the countries covered by this chapter, a 25 per cent increase was noted in the use in 2003 of the UNHCR-sponsored electronic country of origin information website. An increasing number of universities expressed interest in and took steps to include refugee law courses in their law school curriculum, in collaboration with the Legal Assistance through Refugee Law Clinics (LARC) project. Three new refugee law clinics (RLCs) became operational and one new social clinic was also established in the region, providing services free of charge to persons of concern.

An increased number of asylum-seekers sought legal aid provided by RLCs and an equally large number of applicants were granted subsidiary forms of protection. In late 2003, the first on-line curriculum guide on refugee law, the 'Refugee Law Reader', was completed. The Reader was warmly received in the academic world and by other asylum stakeholders. The availability of this tool will greatly enhance refugee law studies. Twenty three RLCs in thirteen countries, representing three subregions, benefited from LARC facilitated training and support.

## Partnerships, public awareness and advocacy

NGOs which have served refugees and UNHCR in the past have come under increasing financial pressure due to the phasing down of direct assistance. However, thanks to training by UNHCR and its partner, the European Council on Refugees and Exiles, many NGOs acquired new skills, enabling them to diversify their donor base, with the result that some have been able to secure up to 50 per cent of their required funding from other sources. UNHCR encourages governments to make more funds available to these NGOs, which have contributed greatly to keeping asylum structures in place.

UNHCR multiplied its public awareness campaigns on the occasion of World Refugee Day, and a number of high profile media events were organized to raise general awareness on refugee protection and asylum matters. Press releases were also issued in various countries to address asylum topics of concern to the public.

UNHCR's regional project partners have played a significant role in building synergies and disseminating best practices as well as lessons learned in the region. They also helped to secure significant alternative funding, benefiting UNHCR's regional projects and target groups, and in two instances, exceeding UNHCR's own annual contribution. They have frequently intensified their focus on gender and age sensitive protection and empowerment strategies throughout the region.

## Funding

From the financial resource perspective, UNHCR's operations in Central Europe were particularly hard hit by the severe depreciation of the US dollar, upon which UNHCR's budget had been established. In some cases, up to 30 per cent of the project value was eroded. This led to a significant cut back on programme budgets and the cancellation of major activities and events touching on the core functions of the Office. The exchange rate losses had a negative impact across the board, on activities implemented directly by UNHCR or by its partners, giving rise to unforeseen difficulties and stress for field staff, NGO implementing partners, and persons of concern.

The exchange rate problems that beset UNHCR's operations in Central Europe over the past two years have been compounded by steadily diminishing annual budgets, especially as the majority of its NGO implementing partners in the region depend almost entirely on UNHCR funds. UNHCR is concerned that a continued squeeze on its slim operational budgets in Central Europe could jeopardize the consolidation of gains made to date in the development of asylum systems.

Voluntary contributions - Restricted / Earmarked (USD)			
Earmarking <sup>1</sup>	Donor	Annual programme budget	
		Income	Contribution
Czech Republic			
	Czech Republic	11,236	11,236
Central Europe and the Baltic States			
	Sweden	342,075	342,075
	United States of America	2,900,000	2,900,000
Turkey			
	United States of America	171,800	171,800
<b>Total</b>		<b>3,425,111</b>	<b>3,425,111</b>

<sup>1</sup> For more information on the various earmarkings, please refer to the donor profiles.

Budget and expenditure (USD)						
Country	Revised budget			Expenditure		
	Annual programme budget	Supplementary programme budget	Total	Annual programme budget	Supplementary programme budget	Total
Baltic States	230,126	0	230,126	230,125	0	230,125
Bulgaria	966,994	0	966,994	959,652	0	959,652
Cyprus	859,975	0	859,975	787,665	0	787,665
Czech Republic	948,496	0	948,496	933,917	0	933,917
Hungary	2,126,152	0	2,126,152	2,125,026	0	2,125,026
Poland	708,485	0	708,485	659,897	0	659,897
Romania	1,101,037	0	1,101,037	1,098,022	0	1,098,022
Slovak Republic	659,997	0	659,997	606,097	0	606,097
Slovenia	663,020	0	663,020	648,706	0	648,706
Turkey	5,646,210	1,736,038	7,382,248	5,443,626	1,551,520	6,995,146
Regional projects <sup>1</sup>	240,160	0	240,160	231,171	0	231,171
<b>Total</b>	<b>14,150,652</b>	<b>1,736,038</b>	<b>15,886,690</b>	<b>13,723,904</b>	<b>1,551,520</b>	<b>15,275,424</b>

<sup>1</sup> Includes activities relating to promotion of refugee law and emergency preparedness.

Note: The Supplementary programme budgets do not include a 7 per cent charge (support costs) that is recovered from contributions to meet indirect costs for UNHCR.