



COUNTRY OPERATIONS PLANS

OVERVIEW

Regional Operations Plan for Central Europe

Planning Year: 2006

2006 REGIONAL OPERATIONS PLAN FOR CENTRAL EUROPE

Part I: OVERVIEW

1. Protection and socio-economic operational environment

This Regional Operations Plan primarily covers four countries, Hungary, Poland, the Slovak Republic and Slovenia, which fall under the management and oversight of the Regional Office located in Budapest (ROB). It also provides some support to the countries in the Western CIS. It has been established as part of the Regional Bureau for Europe's larger strategic plan to respond to the protection challenges in an enlarged Europe through more coordinated and harmonized approaches at the regional level on common themes and to achieve strategic goals and objectives.

The Regional Office in Budapest covers the four countries which now form the eastern frontier of the European Union (EU) all of whom joined in May 2004. The four countries now not only share a common present, but also a common past, having emerged in the last dozen or so years from being single party states with centrally planned economies to multi-party states with market economies. This transition process, although one might have expected it has been completed with EU accession, is still on-going and the results are mixed. While economic growth has been generally high, so has unemployment. While more opportunities exist than ever, actual access to them is decreasing for the poor and minority groups, especially for women, because they don't have money to pay for previously free services. Demographic and migration trends are also worrying as populations in the sub-region have continued a trend of shrinking and aging which began some years ago. Pluralistic political structures have been created and there have been smooth democratic transitions of power, but the governments in the sub-region are characterized by coalition arrangements and are neither very stable nor very strong. Problems related to corruption, which in some cases are a legacy of the past as well as a consequence of the free-wheeling present, are an obstacle to more rapid improvement in the rule of law and in generating the confidence of the public in governmental institutions.

It is in this mixed social, economic and political environment that UNHCR has been engaged in establishing asylum systems with similarly mixed results. All the countries in the region have acceded to 1951 Convention and 1967 Protocol and any geographic limitations first adhered to have been removed. All the countries have established national refugee legislation and created administrative structures to manage the refugee status determination procedure (RSDP), receive and accommodate asylum-seekers, refugees and persons in need of subsidiary protection, provide second instance reviews, sometimes more. In some respects, the asylum systems established in the sub-region are already better than in older EU member states. However, they are not yet deeply rooted in their respective legal and political national institutional frameworks and they are easily destabilized by changes in staffing, funding and increased or decreased refugee flows. Thus, while the basic asylum structures are in place and are of a relatively high quality from a legal normative point of view, several practical protection problems and gaps remain to be effectively addressed in the region. These include, but are not limited to, access to territory, detention, problems related to trafficking and mixed migration flows, SGBV prevention, reliable statistical information, the return of rejected asylum-seekers and integration as a durable solution.

In view of these problems in the actual provision and implementation of protection and asylum on one hand, and the process of creating a common, harmonized EU asylum space on the other, there is still considerable work for UNCHR to do in the sub-region. First, UNHCR needs to ensure that the protection and assistance problems and gaps are addressed and to the extent possible resolved. Second, it needs to ensure that EU harmonization process does not, in fact, lower the relatively high standards in place in the region. Third, it needs address these issues in a consistent and coherent manner.

The task will not be easy. The four countries now are the first countries of asylum to which asylum-seekers arrive in the EU. Given the increasingly restrictive asylum practices in the older EU states and the politicization of refugee and migrant issues in many domestic political agendas, there is a clear, if unspoken, expectation that the new guardians of the EU eastern frontier will help keep refugees out of Europe. This pressure is likely to become more acute when the countries join the Schengen visa regime currently expected in 2007. Moreover, the Dublin II procedures are designed to ensure that asylum-seekers who have registered in the countries of the sub-region will be returned to have their cases adjudicated should they later be found elsewhere in the EU. This could lead to a build-up in refugees in the sub-region with which they may not be able to cope both in terms of reception and integration.

All of these circumstances are putting pressure on the asylum systems in the sub-region. In keeping with the mixed reality of these countries, the numbers of asylum-seekers have been increasing in Poland and the

Slovak Republic, largely due to Chechen asylum-seekers, while they have remained stable in Slovenia and significantly decreased in Hungary. In this dynamic operational environment, it is essential for UNHCR to identify those problems and issues which are common in the sub-region and address them in as consistent a manner as possible while taking into account national, even local, differences. There is also significant scope to develop and share good practices with nearby countries which will soon join the EU such as Romania and Bulgaria and with the Western CIS, (Belarus, Moldova and The Ukraine) whose asylum systems need to improve. It is expected that the Regional Office will effectively address the key operational issues and work towards closing the gaps in such a way as to safeguard the considerable progress already made in the sub-region but also to improve it.

2. Operational goals and potential for durable solutions

The operational goals and objectives for the Central European sub-region are based on the Bureau for Europe's Strategic Framework 2005-2010 and are also closely aligned with UNHCR's Global Strategic Objectives 2006-2007, as well as with the Agenda for Protection. A matrix showing these relationships is attached as Appendix 1.

The agreed goals and objectives for the Central European sub-region are as follows:

Goal 1: Persons seeking asylum have access to the territories of States in the Central European sub-region

Objectives:

- Ensure access to RSD procedures at all borders
- Ensure respect for the principle of non-refoulement, especially through effective monitoring systems focused on borders, reception and detention facilities
- Put in place and/or strengthen training for border guards incorporating gender and age issues in cooperation with the new EU Border Management Agency
- Work towards minimizing detention of asylum-seekers in line with UNCHR Guidelines
- Ensure that asylum-seekers have access to gender and age sensitive legal representation
- Strengthen cross-border and cross-regional cooperation in order to address return/readmission to the first country of asylum.

Goal 2: The quality of asylum systems is safeguarded and the misuse of asylum procedures is avoided in the Central European sub-region.

Objectives:

- Ensure access to asylum procedures in an appropriate location and reception environment
- Ensure that asylum procedures are efficient, fair and properly resourced, in conformity with international standards and best practice with UNHCR involvement as required
- Continue to provide training and support to national RSD units (including asylum officers, interpreters and judges).
- Ensure access to and promote the effective use of appropriate and reliable country of origin information
- Promote burden sharing mechanisms for the return of persons not in need of international protection within/by the sub-region and in wider Europe
- Ensure access of victims of trafficking to asylum procedures.

Goal 3: Asylum systems and practices are responsive to issues of gender and age in the Central European sub-region

Objectives:

- Ensure due recognition is given in law and practice to gender based and age specific forms of persecution
- Ensure asylum systems and practices are properly equipped and concerned staff trained to deal with claims from asylum seeking women and children, including victims of trafficking
- Ensure appropriate systems are in place to deal with the particular rights and needs of women, men, girls and boys and other groups at risk
- Ensure reception facilities meet UNHCR standards on the prevention of and response to SGBV
- Ensure access to adequate reception facilities, conforming to international standards, which include adequate safeguards for women and children

Goal 4: Xenophobia and racism towards refugees and asylum-seekers decrease and their integration of refugees is effectively promoted.

Objectives:

- Raise awareness on UNHCR's Mandate and activities in the region
- Develop and implement a comprehensive sub-regional public information strategy aimed at generating positive attitudes to persons of concern among national authorities, civil society and policy makers and increase their understanding of the asylum/migration nexus
- Increase efforts with governments and civil society to support the local integration of refugees
- Generate greater understanding of the protection needs of persons of concern through public awareness and education programmes

Goal 5: Refugee protection in the EU is enhanced through the development of a common asylum system that conforms to international standards

Objectives:

- Monitor and review the development of asylum legislation at the sub-regional level
- Ensure consistent transposition of EU instruments in the sub-region in accordance with international standards
- Mobilize other actors to advocate for and monitor the transposition of EU asylum law
- Monitor and assess the impact of transposed asylum legislation

Goal 6: Strengthened support is provided to UNHCR programmes and activities worldwide

Objectives:

- Increase the understanding of and support for UNHCR's worldwide activities among the public, private sector and governmental bodies in the countries in the sub-region.
- Identify and implement specific strategies to increase the voluntary contributions to UNHCR from countries in the sub-region
- Advocate/lobby with local donor representatives based in the sub-region for their country's or institution's continued support for UNHCR worldwide.