



UNHCR

United Nations High Commissioner for Refugees

Haut Commissariat des Nations Unies pour les réfugiés

Country Operations Plan 2007

**REGIONAL OPERATIONS PLAN FOR
CENTRAL EUROPE:
Hungary, Poland, the Slovak Republic and
Slovenia**

REGIONAL OPERATIONS PLAN FOR CENTRAL EUROPE

Part I: OVERVIEW

1. Protection and socio-economic operational environment

The Regional Representation in Budapest (RRB) is responsible for UNHCR's operational activities in Hungary, Poland, the Slovak Republic and Slovenia. Established in 2005, it has since taken on increasing responsibility for the coordination and strategic direction of UNHCR in Central Europe within the context of the Bureau for Europe's overall strategic plan to rationalize its field office presence and to ensure more consistent and coherent approaches in those countries which share common asylum and protection challenges.

In the case of the four countries covered by RRB, they have all undergone a similar political, social and economic transformation over the past fifteen years and have established asylum systems and frameworks where there were none before. They have all acceded to the 1951 Refugee Convention and, with the support and guidance of UNHCR, passed national asylum legislation, trained relevant government staff, built institutional capacity and funded the required national legal, administrative and physical infrastructure needed to receive asylum-seekers and determine their claims for refugee status in accordance with international standards. In the beginning of the 1990's, when UNHCR established its presence in the region, most of the asylum-seekers were coming from the nearby conflicts in the Balkans and the Caucasus or from other global trouble spots like Iraq and Afghanistan, however, this pattern has changed over time and now asylum-seekers come to the region from all over the world.

In May 2004, Hungary, Poland, the Slovak Republic and Slovenia joined the European Union (EU). They now form its eastern external border and have become an important entry point for asylum-seekers and refugees into Europe. In this context, the purpose of UNHCR's operational strategy in the region is to assure that all asylum-seekers, refugees and other persons of concern in the region receive harmonized treatment within a common EU asylum system wherever they may enter it. This strategy is built upon four regional strategic priorities which are: (i) the access of asylum-seekers to the territory of the States and to asylum procedures, (ii) adequate reception facilities and conditions in accordance with international standards, (iii) high quality refugee status determination by the States, and (iv) effective opportunities for recognized refugees to integrate in their new communities.

The changing patterns of asylum have increased the burdens on countries in the region, especially in view of mixed population movements towards the EU in which asylum-seekers have to be differentiated from other migrants, both legal and illegal. This problem, coupled with increased security concerns related to the fear of terrorism, have led to increased border control efforts and a tendency towards more restrictive asylum measures being introduced *inter alia* in the context of the transposition of EU asylum directives. At the same time, the absolute numbers of asylum-seekers in the four countries has been falling. In 2004, there were 21,867 asylum applications in Hungary, Poland, the Slovak Republic and Slovenia, while in 2005 there were only 12,190 persons who applied for asylum. In order to ensure that there is no link between these two trends, in 2007 UNHCR will be placing increased attention on monitoring the situation along the external EU borders of the four countries. In addition, to having a more consistent approach to common asylum challenges within the region, RRB also intends to engage in cross-regional activities of mutual interest with the Regional Representation in Kyiv responsible for Belarus, Moldova and Ukraine on the "other side" of the EU border as well as with the Regional Representation in Berlin responsible for Austria, the Czech Republic and the Federal Republic of Germany.

The most important recent political development in the region was the change of government in Poland after the parliamentary and presidential elections late in 2005. In mid 2006 parliamentary elections were held in Hungary and the Slovak Republic resulting in a change of Government in Slovakia; the Hungarian Government was re-elected.

The economic growth in the region is relatively high when compared to the rest of EU, with Slovenia and the Slovak Republic doing particularly well. Slovenia will most probably be the first country in the region to join the Euro zone. There also has generally been an increase in direct foreign investment and per capita incomes are on the rise in the region. However, there are also inflationary pressures leading to increases in the prices of goods and services and all of the countries in the region are vulnerable to shortages in energy supplies. Most of the rapid economic progress is seen in the cities while the rural areas generally lag behind. Those on fixed incomes have particular difficulty to make ends meet. In Poland and Hungary unemployment remains a concern and most of the governments are struggling to bring down their current account deficits and balance their budgets in accordance with EU parameters. Demographically, the populations in the region are aging,

emigration among the working ages is increasing and immigration into the region is low. This, coupled with a negative birth rate, is leading to a steady decline in the population in the region. Instances of avian flu have touched the region, although there have not been any human fatalities yet. There are no UN security phases in the region reflecting the assessed level of risk. Nevertheless, the UNHCR offices in the region are compliant with UN security standards.

One of the consequences of the government budget austerity measures in the region is the tendency of the authorities to under invest in the maintenance and further development of national asylum systems and infrastructure which have been established thus far. This trend is of particular concern to UNHCR as all four countries have the primary responsibility to provide protection and material assistance to asylum-seekers and refugees. In response to this, RRB will make specific efforts to ensure that the asylum systems in all four countries in the region receive the necessary human, financial and material support needed from the governments concerned and that non-governmental agencies remain fully engaged.

2. Operational goals and potential for durable solutions

The four operational goals for Central Europe (CE) are closely aligned with the Agenda for Protection, the Global Strategic Objectives 2007-2009, the Europe Bureau's Strategic Framework 2005-2010 and the Europe Bureau's priorities for 2007; please see Appendix 1 which clearly shows the relationship between them.

These goals and the objectives are derived from an analysis of the current situation in the region and represent the four most important protection and durable solution challenges faced in Central Europe. The agreed common goals and objectives for Hungary, Poland, the Slovak Republic and Slovenia are:

Goal 1: Promote and ensure effective access to the territory and asylum procedures

Objectives:

- The principle of *non-refoulement* is respected
- Access to asylum procedures is ensured
- Detention of asylum-seekers is limited and is in conformity with international standards

Goal 2: Promote and support reception conditions in line with international standards

Objectives:

- Material, psycho-social, legal and protection needs of asylum-seekers are identified and addressed taking into account gender, age and diversity as well as special needs
- Reception conditions facilitate prospects for integration
- Asylum-seekers are engaged in the management and the provision of services in accommodation centres

Goal 3: Promote and support fair and efficient asylum procedures

Objectives:

- Quality of asylum procedures are strengthened
- Access to and quality of legal counseling is improved
- Asylum procedures are responsive to gender, age, diversity and special needs
- Interpretation of the 1951 Convention is harmonized and international refugee law and international protection standards are adhered to

Goal 4: Promote and support the implementation of durable solutions, especially integration

Objectives:

- The existing legal frameworks and social welfare systems, including labour, housing, education, health and other related fields are improved
- A favourable environment is created to facilitate integration and xenophobia is decreased
- Resettlement schemes are established

As can be seen from the fourth goal, the primary durable solution for refugees in the region is integration. However, there are a number of common problems faced by recognized refugees in integrating into their new communities due to the difficulties experienced in learning national languages, finding employment, acquiring accommodation, and having access to various social services and benefits. Cultural and religious differences are also problems in some instances. These common difficulties and challenges were clearly demonstrated during the gender, age and diversity (GAD) participatory assessment which was carried out by joint government, NGO and UNHCR teams in September and October 2005. While UNHCR is not in a position to solve all the problems identified by itself, it nevertheless intends to advocate and lobby for the necessary actions to be taken by the governments, NGOs and the refugees themselves to improve the possibilities for successful integration.

In order for UNHCR to focus more of its resources on its core protection and durable solution functions, it is planned that in 2007 a number of activities related to social and legal assistance which UNHCR had previously funded, but which should be supported by the governments themselves, will be handed over to them for their support either through state budget resources or through funding available from the EU.

Part II: COMPREHENSIVE NEEDS AND PARTNERSHIP

1. Outcomes of joint planning and management of identified gaps

Regional and cross-regional activities: The 2007 planning process at the regional and cross-regional level focused on reviewing the previous regional strategy which was primarily focused on capacity building and asylum system development. It also took into account the asylum and refugee needs in the post-accession EU context and the new working realities related RRB being responsible for four countries.

The regional/cross-regional planning process has been an on-going, multi-level process of interlinked participatory steps including discussions within the Bureau for Europe. It reflects the result of the regional GAD participatory assessment and was carried out in close and regular consultation with the offices in the region. This process also included exchange of information with the offices in Romania and Bulgaria, participation in regional planning meetings in Italy and Ukraine and a series of planning discussions with partners in the region on priority issues to be addressed in the future in CE and as part of cross-regional activities.

The regional planning process which was first initiated in 2005 has been further consolidated and as a result a new set of regional goals and objectives have been developed for 2007 (please see Appendix 1 attached), specifically Goal 1 (access to territory and procedures), Goal 2 (reception conditions in line with international standards), Goal 3 (fair and efficient asylum procedures) and Goal 4 (refugee integration). The planning process also identified a number of different types of gaps which remain to be addressed:

- **Gaps in systems and procedures** as reflected in the EU asylum harmonisation process when compared to international protection standards;
- **Gaps between the hoped for common European asylum space and actual member state practice** as reflected in current RSD, reception and the Dublin II implementation;
- **Gaps resulting from global trends and external factors** including the asylum-migration nexus, trafficking, smuggling, and the return of unsuccessful asylum seekers;
- **Gaps in the capacities of implementing and operational partners** to maintain and sustain structures and in competencies built with UNHCR support; and
- **Gaps in the effective resolution of common operational problems and issues** in particular with regard to border monitoring and the integration of refugees and persons authorized to remain;

On the basis of the consultative planning process undertaken in the four countries covered by RRB, the information and feed-back received through the GAD assessment and consultation process with asylum seekers and refugees as well as discussions with other relevant stakeholders within and outside UNHCR, the following operational conclusions have been reached as regards regional and cross-regional activities in 2007:

- The new regional strategic approach continues to be directly relevant to the Agenda for Protection UNHCR's Global Strategic Objectives, the Bureau for Europe's (RBE) Strategic Framework, and the 2007 RBE Priorities.
- Activities and interventions at the regional level will focus on establishing and maintaining consistent and coherent approaches on common issues and problems (gaps) in the four countries covered by RRB, in close co-ordination and consultation with other regional offices and the Bureau;

- Efforts to phase-out RRB's support and identify alternative funding for regional and cross-regional activities previously initiated by the former Regional Support Unit have progressed. Specifically, the ACCORD/ecoi.net project will be taken over by DIP in 2007 and funds approved in this submission will be transferred to SDPIS in the course of 2007 while the Refugee Law Reader will be supported by the Europe Bureau in 2007.
- New regional and cross regional activities will be undertaken to achieve the operational goals established for 2007 and to make use of new and hitherto untapped funding sources, in particular community action ERF funding.

Therefore, in 2007 the focus with regard to regional and cross-regional activities will mainly be on:

Goal 1 (Access to territory and procedures):

- Systematic and independent border monitoring; both on the external Eastern border of the EU as well as monitoring of the implementation of Dublin II
- Targeted training for border guards, lawyers/legal counsellors and other actors
- Monitoring of detention facilities and advocacy for the compliance with UNHCR detention guidelines

Goal 2 (Reception conditions in line with international standards)

- Regular monitoring of accommodation facilities across the region
- Regular consultation with asylum seekers through a regional GAD process
- Advocate for the empowerment of asylum seekers, *inter alia* through a participation in the management and provision of services

Goal 3 (Fair and efficient asylum procedures)

- Advocate for a single procedure for refugee and subsidiary protection
- Advocate for the provision of free legal advice to asylum seekers at all stages of procedures
- Advocate for the introduction of a regional and cross-regional Quality Assurance Mechanism, mainly funded through ERF

Goal 4 (durable solutions, in particular integration of refugees and persons authorized to remain)

- Advocate for the establishment of comprehensive integration policies in the region which would *inter alia* include the provision of sustainable funding for actors involved in refugee integration
- Lobby for the establishment of resettlement schemes

In 2007, UNHCR plans to significantly strengthen and sharpen its advocacy efforts, in particular with a view to ensuring a more comprehensive assumption by the governments in the region of their responsibility for asylum seekers, refugees and other persons of concern. A critical part of this advocacy strategy will be to ensure governments meet their obligations for the provision of essential services and rights. This, it is hoped, will have a positive impact on the situation of all the persons of need of international protection in the region and, at the same time, will help to further reduce – through increased Government and EU spending for asylum related activities - UNHCR's operational expenditures in 2007 and beyond.

Hungary: The 2007 planning process in Hungary was fully participatory. Meetings were held with the main implementing and operational partners in Hungary: Menedek, the Hungarian Helsinki Committee (HHC) and the Office of Immigration and Nationality (OIN), respectively. Asylum-seekers and refugees were involved in the consultative process during the GAD mainstreaming process in September and October 2005. Based on information received, in particular through the GAD process, it was concluded that while the asylum system development in Hungary did progress, a number of challenges remain to be addressed:

The main gaps identified are as follows:

- Lack of a systematic border monitoring mechanism to ascertain whether the asylum-seekers reaching the external EU borders of Hungary are granted access to the territory and to the RSD procedure;
- Detention of asylum-seekers
- Lack of proper protection information available for asylum-seekers and refugees on their rights and responsibilities;
- Limited free legal counseling and representation provided to asylum-seekers and refugees;
- Lack of reliable and accurate statistical information on the number of refugees and persons authorized to stay (PAS) who are residing in Hungary;
- Lack of a defined integration strategy/policy and structured integration services functioning in a coordinated and multi-disciplinary approach which contributes to the lack of success in achieving the integration of refugees and PAS;

- Lack of involvement of asylum-seekers and refugees by the government in the planning and decision making process.

The Hungarian government has been facing financial constraints that are forcing it to reduce public expenditure, including the budget of the Refugee Directorate of OIN. The low number of asylum-seekers registered during 2005 has also put extra pressure on the management of OIN to reduce the budget allocated for refugee related issues and activities. OIN has been in the process of outsourcing many of the services (e.g., social, medical, security) provided in Refugee Reception Centers (RRCs) as a means to reduce staffing levels and therefore to generate savings in the state budget. In addition, ERF funds have not been disbursed by the European Commission as scheduled which has in some cases endangered the provision of basic social, psycho-social and legal assistance services to asylum-seekers and refugees. OIN is also considering other cost-saving measures which could include the closure of one refugee reception facility in the course of 2007.

In 2006, OIN has set in motion a process of transposing relevant EU asylum directives into national legislation. To this effect, a working group has been set up that involves all relevant stakeholders, including the Ministry of Justice, Municipal Court of Budapest, concerned Ministry of Interior (MOI) agencies, OIN, the Border Guards, the National Security Service and UNHCR in an inclusive and consultative manner. A revised Hungarian asylum law is expected to be in place by the beginning of 2007.

Among UNHCR's implementing partners, Menedek's primary role in Hungary has been to provide social support to asylum seekers in the RRC's, while HHC's main focus has been on the provision of legal assistance services to asylum-seekers and persons authorized to stay (PAS). During the 2007 planning process both Menedek and HHC were informed that UNHCR intended to discontinue the funding for social work and legal assistance services given the overall responsibility of the Hungarian government for their provision. Both agencies understood UNHCR's position, it was, however, pointed out that the provision of Government funding for legal assistance services may be problematic, mainly due to the lack of a formal legal basis. As such, UNHCR will include some provisions for limited transitional funding in 2007 to facilitate the agencies in applying for ERF funding and/or in case there are gaps in government funding.

As part of its efforts to promote and ensure effective access to the territory, UNHCR, in co-operation with HHC, plans to establish a comprehensive mechanism to monitor the situation at the borders and make available the provision of legal assistance to persons apprehended at the borders as well as for those who are kept in detention facilities to ensure that asylum seekers have unhindered access to the refugee status determination procedure (RSD). UNHCR and its partners will endeavor to further strengthen and expand such border monitoring activities as and when additional funding through ERF can be obtained.

Equally, in co-operation with HHC, UNHCR will undertake a small scale RSD Quality Initiative (QI) in Hungary in 2007 which can be strengthened and expanded as a regional and cross-regional activity should additional ERF funding be obtained. The call for proposals for this funding option is expected to be announced in April 2006 and RRB, perhaps together with the Regional Representation in Berlin, will submit an ERF funding proposal for the above mentioned border monitoring project and the QI project in mid-2006 to obtain additional financial resources for their implementation in 2007.

Poland: The 2007 plans have been developed on the basis of regular consultations with implementing and operational partners as well as in a close dialogue with government authorities. The planning process also took into account the findings from the consultations with beneficiaries during the GAD roll-out. The planning process identified the following main gaps in the Polish asylum system:

Protection gaps and issues

At the beginning of 2006, there were 19 reception facilities and 18 detention centers spread throughout the country (some at distances of 250-300 km from Warsaw). Many of them are located in remote areas, not easily accessible for UNHCR and its implementing and operational partners (IP/OPs). In Poland, the main protection concern is the increasing application of detention of asylum seekers with the opening of four new guarded centers along the Polish eastern border planned for 2007.

The protection situation is further exacerbated by the fact that the Polish Government does not provide legal assistance to asylum seekers. The high number of persons accommodated in reception centers as well as the remote location of many reception and detention facilities makes it very difficult for UNHCR's IP/OPs to provide legal assistance to persons in need of international protection. Associated difficulties include:

- Lack of legal provisions enabling authorities to take responsibility to provide "matching funds" for NGOs specialized in legal assistance, which would facilitate their access to European funds, including ERF; and

- Limited human resources of NGOs and persons qualified to provide legal assistance services.

Gender/Age/Diversity gaps and Issues

The awareness of Polish authorities on GAD related issues in the asylum context is still limited. This in spite of UNHCR intensified efforts to provide training to relevant authorities. Main issues of concern are the following:

- Insufficient attention given to gender-sensitive RSD procedure, including the gender of eligibility officers and interpreters responsible for asylum seekers' interviews. The RSD officers have not been trained on gender matters. Importance of this issue is not fully recognized by the Polish authorities;
- Lack of functional system of identification of victims of violence, including SGBV victims;
- Limited awareness of women about their rights during the RSD procedure;
- Lack of gender and age specific assistance at reception facilities;
- Separated children in need of international protection are not adequately identified;
- Difficulties of women (particularly single mothers) as well as separated children to receive integration related support; and
- Limited access of asylum seeking and refugee children to schools.

Integration related gaps and issues

In spite of the ongoing efforts by Polish authorities, the integration of recognized refugees remains problematic and thus only a few refugees decide to remain in Poland. Main issues of concern in this context are:

- Lack of consistent policy of the country on refugee integration;
- Lack of integration assistance for persons receiving complementary forms of protection;
- Limited information, statistical and otherwise, about recognized refugees residing in the country;
- Overall economic situation in Poland, including a high percentage of unemployment; the situation of refugees is further exacerbated due to limited provision of housing support and the absence of education programs as well as vocational training opportunities;
- Limited awareness of administration about refugee rights; many children are not able to benefit from education, due to the lack of knowledge of schools about refugee rights; and
- Lack of established refugee 'support groups'.

A major focus in Poland for 2006 and 2007 will be on the transposition and implementation of EU asylum directives. Poland is expected to undertake significant efforts to incorporate EU asylum legislation into the national legal framework and at the same time maintain applicable international standards. UNHCR will be closely associated with this process and will need to maintain the capacity to closely monitor related developments.

It is important to note that as a result of the presidential and parliamentary elections in late 2005, Poland underwent significant political change. Therefore, it will be essential to maintain a close and regular dialogue with the new administration on refugee protection issues. As agreed during the 2007 planning process, it will be critical to ensure access to the territory and to fair and efficient RSD procedure, both in terms of access at the external border of the EU and with regard to persons returned under Dublin II. Also, increased emphasis will be given in 2007 to building effective integration related structures with the participation of various relevant stakeholders.

Poland's geographic location makes it an important country in the context of broader migration movements. In this regard, UNHCR plans to work closely with the national authorities and the recently established FRONTEX to ensure that of persons in need of international protection, especially in the context of mixed population movements and ongoing measures to control and combat trafficking and smuggling into the EU, actually receive it. In this regard, the planned emphasis of UNHCR in 2007 on border monitoring at the national, regional and cross-regional will be of particular relevance.

During the 2007 planning process UNHCR emphasized the need for the Polish authorities to assume greater responsibility for the provision of funding for social and legal assistance services to asylum seekers and refugees. In its discussions with government, UNHCR highlighted the responsibility of the government, especially as a member state of the EU, to support these activities from its own resources. While the authorities have accepted this responsibility in principle, they have however, also expressed concern over their ability to fully replace current UNHCR funding to NGOs in 2007. Given this transition situation, UNHCR

will make a limited financial provisions to bridge gaps in funding, if required, for social and legal assistance services in 2007, mainly for the purpose of generating the matching funds for ERF.

Slovak Republic: UNHCR intensified its joint planning with implementing and operational partners and the Slovak authorities, mainly the Migration Office. A series of joint meetings identifying the gaps as well as the planning solutions were held. These joint planning exercises with partner agencies were a continuation of earlier planning processes, including the 2003 joint planning effort resulting in the preparation of the “Frame of Action”, the joint “Task Force” in 2004 which assessed the Slovak asylum system, and the regional GAD roll-out in 2005. The main gaps identified throughout these assessment and consultation processes are the following:

- Asylum seekers and refugees often have to resort to and are left to depend on smugglers and traffickers when trying to enter the EU;
- No consistent monitoring of border entry points, including the land border as well as airports;
- Asylum seekers have to negotiate various obstacles in accessing information on their rights and obligations and generally do not receive basic orientation on RSD and life in refugee centre resulting in dependency and inequality;
- Inadequate interpretation and/or lack of interpretation during the RSD;
- Asylum seekers have various obstacles in accessing legal counselors and other legal assistance services; and
- Recognized refugees receive limited integration related support; generally they are not provided with Slovak language training or employment opportunities.

As the EU funding directed towards asylum in the Slovak Republic did significantly diversify between 2005 and 2006 due to the ERF and EQUAL programmes, there is an increased need to closely monitor the distribution and use of these resources with a view to ensure they further close the priority gaps and strengthen the asylum system in the country.

As in other countries in the region, UNHCR informed the Slovak government that UNHCR would no longer be in a position to continue funding social and legal assistance services in 2007. UNHCR pointed out to the Slovak authorities that the responsibility for the provision of such services was, especially as a member of the EU, with the government. In its response the government accepted this primary responsibility with regard to social services, however, indicated its reservation with regard to the provision of State provided legal assistance services. Important in this respect will be the ongoing transposition of the EU asylum directives into national legislation. In light of this transition situation, UNHCR will make provision for some limited funding support for partner agencies, particularly to enable them – if needed - to generate ERF matching contributions.

The planning process in the Slovak Republic furthermore concluded that border monitoring and the monitoring of the quality and fairness of RSD procedures (QI) will constitute a priority for 2007. National programme activities in this regard would be complemented with ERF funded border monitoring and QI programme activities as and when such funding is allocated to UNHCR.

Slovenia: The 2007 national planning process was an integral part of the regional process with the active participation of all local stakeholders in the identification of protection gaps as well as in the formulation of related strategies. The regional GAD roll-out in 2005 carried out simultaneously in all countries in the region also provided important additional planning information.

As a result of this consultative and participatory process, the following main protection gaps in Slovenia were identified:

- Restrictive border police practice with regard to access of persons in need of international protection at border entry points;
- Access to procedures for asylum-seekers, in particular for victims of trafficking and foreigners detained in deportation centers needs to be monitored more closely;
- The increase in the number of cases returned under Dublin II will continue to be difficult to absorb due to the limited national reception capacity (200 asylum seekers);
- The limited reception capacity may result in the transfer of asylum seekers to centers across Slovenia where former vulnerable refugees from Bosnia and Herzegovina continue to be accommodated requiring close and regular monitoring of reception standards, including social and other services;
- The increased use of detention of asylum seekers will require regular monitoring, provision of information and legal counseling for asylum seekers in detention;

- The level and quality of assistance provided to asylum seekers with special needs continue to be below standards; the capacity of NGOs in identifying and meeting the needs of vulnerable persons, such as separated children, single women, and elderly needs to be further developed and improved;
- The lack of a comprehensive integration strategy and policy in combination with the limited expertise of responsible institutions continues to hamper the integration of refugees. Awareness raising among professionals, monitoring of access to and implementation of state integration programmes as well as lobbying to address the identified gaps will require further attention in 2007;
- The quality of RSD decision making, particularly the alarming high number of manifestly unfounded decisions (88%), the provision of information to all asylum-seekers in respect of their rights within the procedure, on reception conditions and on treatment and the processing of new arrivals needs to be improved;
- The issue of asylum and migration is increasingly politicized and thus the general public's attitude toward asylum-seekers and refugees in Slovenia is expected to become increasingly negative; and
- The capacity of NGOs to effectively meet the general protection needs of persons of UNHCR's concern needs to be strengthened further; Government/NGO co-operation remains rather weak.

The process of transposition of the EU asylum directives into the national legislation of Slovenia has resulted in a new asylum law adopted by the Slovene Parliament in early 2006. This new legislation significantly lowered the previous protection standards, in parts even below the minimum requirements of the EU asylum directives and below applicable international standards. A newly introduced police-pre-procedure at the border could lead to denial of access to territory as well as to a procedure which potentially could lead to violations of the principle of *non-refoulement*. Other new restrictive provisions of the new Slovene asylum law include:

- Penalizing persons for illegal entry
- Abolishing free legal aid at first instance;
- Abolishing monthly allowance for the asylum seekers;
- Denying asylum seekers the right to work during the first year after lodging an asylum application, thus making them dependant on government assistance

The discontinuation of UNHCR's presence in Slovenia in 2006 will put additional pressure on an already difficult protection situation in Slovenia. In order to adequately respond to this new and increasingly difficult situation in Slovenia, RRB will be working closely with partner agencies in Slovenia with a view to sustaining and enhancing the provision of international protection to asylum seekers and refugees in line with set long term goals. The main emphasis of UNHCR's 2007 programme activities will be on border monitoring, monitoring of reception conditions, a RSD quality initiative and the facilitation of the integration of refugees. UNHCR will support the provision of transitional support for social and legal assistance services in case the NGOs require support to generate the matching contribution for ERF purposes or in case there are initial gaps in government funding.

2. Comprehensive needs and contributions

a) Contributions by the host government, refugee and/or local communities

Through the GAD process, refugees and asylum seekers provided substantial input into the planning for 2007, but up to now they have had limited capacity to meet their own needs and contribute to the solution of their problems. In Hungary, the Slovak Republic and Slovenia the asylum-seekers and refugees are from a wide variety of countries of origin, there is no real majority group. However, in Poland over 90% of the persons of concern to UNHCR are of Chechen origin. The diverse profile of the refugees contributes to a lack of the community spirit and solidarity. The focus of most persons is on their individual efforts to build lives and prepare for the future. It is part of UNHCR planned activities in 2007 to support the establishment of refugee associations which will help refugees to support each other, in particular the new arrivals. Given the isolated locations of many accommodation centers for asylum-seekers on one hand, and the fact that most recognized refugees gravitate to urban centers on the other, the involvement of the local communities with asylum-seekers and refugees has been generally low thus far.

The governments in the four countries covered by RRB are responsible for the entire asylum system process, including the management, maintenance and operation of reception and accommodation centres, the provision of legal, material and integration assistance, please see below:

Country	Government Offices	Estimated contribution(US\$)
Hungary	Office of Immigration and Nationality, Ministry of Interior and other relevant Ministries e.g., (Education, Labour, Justice) as well as local municipalities	5,000,000
Poland	a) Office of the Repatriation and Aliens, Ministry of Interior b) Mazovian Regional Office c) Ministry of Labour d) Reserving funds for integration	19,808,790
Slovak Republic	Migration Office, Ministry of Interior	4,000,000
Slovenia	a)Asylum Section, Ministry of Interior b)City of Ljubljana	3,800,000 108,000

The financial contributions of implementing and operational partners in the region are as follow:

HUNGARY

Needs-based budget for the country operation	Total in USD (excluding UNHCR's)	461,733
Of which estimated	UNHCR	550,000
	<u>Operational Partners</u> :	
	International Organization for Migration	61,226
	Cordelia Foundation for the rehabilitation of victims of torture	70,180
	Hungarian Language School	52,684
	Scottish Reformed Church	54,993
	Hungarian Red Cross	219,760
	Cambridge Language School	2,890
	<u>Implementing partners:</u>	
	Hungarian Helsinki Committee	290,000
	Menedek – Hungarian Association for Migrants	500,000

POLAND

Needs-based budget for the country operation	Total in USD (Excluding UNHCR's)	162,850
of which, estimated	UNHCR	308.000
	<u>Operational partners</u> :	
	Jagellonian University Legal Clinic	7,000
	Warsaw University Legal Clinic	7,000
	Caritas Warsaw	
	Association for legal intervention	3,000
		5,000

	Implementing partners :	
	Polish Humanitarian Action	47,350
	Foundation A-Venir	32,500
	Halina Niec Association	32,500
	Helsinki Foundation	28,500

SLOVAK REPUBLIC

Needs-based budget for the country operation	Total in USD (Excluding UNHCR's)	200,000
of which, estimated	UNHCR	215,000
	Operational partners	
	SRC	50,000
	SHC	40,000
	ECC	20,000
of which, estimated	Implementing partners	
	GWS	60,000
	HRL	30,000

SLOVENIA

Needs-based budget for the country operation	Total in USD (Excluding UNHCR's)	118,000
of which, estimated	UNHCR	194,000
	Operational partners	
of which, estimated	Mozaik	45,000
	Implementing partners:	
	SF	40,000
	PIC	33,000

Part III: BENEFICIARY POPULATIONS AND/OR THEMES

Beneficiary population Theme #1: Strengthening Asylum

a) Rationale for establishing a theme

The rationale for UNHCR's presence in Central Europe is to ensure that the asylum systems put into place over the past several years, which are largely in accordance with international standards, are maintained and are further improved. With the transposition of the minimum standards contained in the EU asylum directives into national legislation, there is a real risk that asylum systems in the region will become more restrictive which could lead to breaches of the 1951 Refugee Convention. For this reason, UNHCR needs to remain vigilant and work closely with governmental and non-governmental partners to ensure that the institution of asylum is not weakened or eroded.

b) Results of the participatory assessment with the refugees/persons of concern

A participatory assessment was carried out in Central Europe in the context of the GAD roll-out between September and October 2005. Government representatives, together with NGO and UNHCR staff in Hungary, Poland, the Slovak Republic and Slovenia took part in this dialogue with asylum-seekers and refugees in "Multi Functional Teams" (MFTs). The results of this assessment were carefully analyzed and shared with all stakeholders. In March 2006 a comprehensive report, entitled "Listening to the Refugees" was published by

UNHCR and translated into the four languages of the region in order to be used as an advocacy tool and to facilitate the follow up on the main findings and gaps detected.

The problems for asylum-seekers differ from country to country. In Poland, primary education is the biggest concern. In Slovenia, asylum seekers mainly expressed their concern over the overcrowded facilities they live in, and about overworked, sometimes unsympathetic, staff. Hungarian asylum-seekers very often felt that they are not informed properly about their rights and entitlements and that their physical security was not properly protected. The low refugee recognition rate is one of the main problems in the Slovak Republic.

For all recognised refugees in Central Europe the primary problem is the lack of effective integration programmes. Once people are recognised as refugees, the governments assume they will become self sufficient, whilst access to accommodation, to the labour market and to social services and benefits is, in fact, hampered by language barriers, discrimination and legal provisions. With integration, race and other physical characteristics also have a significant impact. The more “different” they look, the less easily refugees are accepted by their homogeneous host societies. As such, the MFTs identified the urgent need in all four countries to establish comprehensive integration policies that would include horizontal (inter-ministry) and vertical (local government, government, and NGO) co-ordination mechanisms.

c) Assumptions and Concerns

In 2007, in the region covered by RRB it is assumed that:

- Asylum-seekers will continue to arrive in a rather mixed manner, with the exception that in Poland the dominant country of origin will continue to be from the Russian Federation (Chechnya), and that the trend of decreasing numbers of new arrivals in the region may continue;
- The number of persons returned under Dublin II will further increase.
- Governments in the region will have, by and large, completed the transposition of EU asylum directives and that new and generally more restrictive asylum legislation will be in place.
- Governments in the region will continue to limit spending for asylum and refugee related matters due to budget restrictions which will lead to further reductions in asylum system investments.
- The current limited public attention to asylum and refugee issues, in the context of political and economical change in the region, may turn more negative and may lead to increased xenophobia and racism;

In this overall environment, the following constraints are expected to influence on the asylum situation in the region:

- Efforts by UNHCR's to maintain high international standards in the treatment of refugees will be further undermined by the fact that minimum standards as contained in the EU asylum directives are likely to become “maximum standards”.
- The economic situation and increasingly negative political attitudes will render efforts to improve the reception conditions for asylum seekers and refugees as well as their integration into local societies increasingly difficult;
- NGOs and civil society will remain relatively weak and generally dependent on external funding and thus not able to generate by themselves the required matching contributions needed to receive EU funds.
- Governments will continue to use the bulk of available ERF funding to “out-source” core activities with a view to further reducing asylum related government spending.
- Ongoing efforts to reduce illegal migration, including smuggling and trafficking, will continue to render it increasingly difficult for refugees to enter EU territory and have access to asylum procedures;
- Increasingly sophisticated border control and managements systems will hamper monitoring efforts by UNHCR and its partners.

d) Inputs related to this beneficiary population/theme:

It is planned to have only one operational project in the region which will cover regional and cross regional activities as well as activities on the national level in the four countries in Central Europe.

Cross regional: The main cross-regional activities planned for 2007 are expected to be related to border monitoring and assurance of the quality of RSD procedures (QI). It is anticipated that border monitoring activities will be carried out in close co-operation with UNHCR offices and partner agencies in Belarus, Ukraine, Romania, Serbia-Montenegro and Croatia as well as UNHCR offices in the region covered by the

Regional Representation Berlin. Regarding QI, the main cross regional co-operation will again be with Berlin and the four countries under RRB.

Hungary: Both Menedek and HHC, have hitherto mainly focused on the provision of social and legal assistance services to asylum-seekers, refugees and persons authorized to stay. Both implementing agencies have been informed by UNHCR during the 2007 planning process that UNHCR will discontinue the provision of funding for these services given the overall responsibility of the Government to provide them. It was agreed with these partners that, in line with overall goals for the region, more emphasis will be need to be put on access to territory and procedures and on the issue of integration of recognized refugees and persons authorized to remain.

As part of this effort, UNHCR in co-operation with HHC plans to establish a comprehensive mechanism to monitor the situation at the borders and make available the provision of legal assistance to persons apprehended at the borders; for those who are kept in detention facilities this would include activities to ensure that they have unhindered access to the RSD procedures. UNHCR will endeavor to further enhance and expand border monitoring activities if additional funding through ERF community action projects can be obtained. Equally, UNHCR, in co-operation with partners, will undertake an (initially) small scale RSD Quality Initiative (QI) in Hungary in 2007 which may be strengthened and expanded as a regional and cross-regional activity should additional ERF funding can be obtained.

Poland: In 2007 the focus of UNHCR and its partners will be on the integration of refugees and persons receiving complementary protection. The main NGO partners in Poland are the Polish Humanitarian Organization, Halina Niec Human Rights Association and Avenir Foundation. Protection related activities, including border monitoring, quality initiative, protection information, training and capacity building will be implemented by UNHCR and its current implementing partners. UNHCR's main contribution to partner agencies will be, if needed, the provision of matching funds as most projects of the above implementing partners have already been approved by ERF.

Slovak Republic: UNHCR will, through its implementing partners, Human Rights League and Goodwill Society, work on ensuring that basic protection standards are safeguarded through strengthening the monitoring of the Slovak-Ukrainian border and international airports in order to ensure access to the territory and to the RSD procedure of asylum seekers and to monitor that the principle of *non-refoulement* is respected. UNHCR and its partners will also continue to monitor reception conditions and places of detention. As part of a regional initiative, UNHCR in the Slovak Republic will participate in the RSD quality initiative project and will focus on the development of comprehensive integration policies and systems.

Slovenia: In 2007, it is envisaged to implement project activities through two implementing partners, Slovene Philanthropy (SF) is expected to carry out activities aimed at enhancing the protection of asylum seekers, refugees and other persons of concern through monitoring of psycho-social assistance with special focus on vulnerable groups such as separated children and women and the legal related assistance. The Legal Information Centre (PIC) will mainly focus on monitoring access to territory and RSD, provision of legal information to asylum seekers, reception conditions as well as border monitoring.

For more details on these inputs please see Attachment 1.

PART IV: MANAGEMENT

1. Management objectives:

The Regional Representation in Budapest has been established within the framework of the overall strategic direction and priorities of the Europe Bureau and is responsible for the management, oversight and coordination of UNHCR's operational activities in Hungary, Poland, the Slovak Republic and Slovenia. It is the role and responsibility of the Regional Representation to identify and address the most important regional operational issues and challenges and to ensure consistent and coherent responses to them. In 2007, the Regional Representation will cover Slovenia after the closure of the office there in mid-2006 and it will also continue to take responsibility for the national activities in Hungary. Separate national offices will remain in the Slovak Republic and Poland headed by a national Head of Office and an international Representative respectively. Both will report directly to the Regional Representation and the Regional Representative. There will be a further consolidation of administrative and programme functions at the level of the Regional Representation and a further harmonization of the staffing structures in the Slovak Republic and Poland in 2007. The Regional Officers for protection, programme, public information and administration/finance will be responsible for providing regular functional support to the national staff in Hungary, Poland and the Slovak Republic and will have the primary responsibility for UNHCR's functions in Slovenia.

2. Justification for post requirements and administrative budgets

a) Justification for post requirements

At the Regional Representation in Budapest, the number of existing posts will not change in 2007. However, the ongoing regionalization process requires that a number of administrative and programme support functions previously done by country offices be consolidated and centralized at the regional level. Therefore, it is requested that two posts in the Regional Representation, namely the Administrative Clerk (GL4), and Senior Programme Clerk (GL5), be upgraded to the GL6 level in order to reflect the substantial increase in the duties and responsibilities already assigned to these posts over the past year. Due to the potential for savings due to vacancies, it may even be possible to advance these two upgrades in 2006. Furthermore, due to the complete review and revision of all national job descriptions in the Regional Representation, and to better reflect the actual work being done, it is requested to change the titles of two other posts, Legal Officer (NOC) and Senior Secretary (GL5), to Protection Officer (NOC) and Senior Administrative Clerk (GL5) respectively.

In Poland and the Slovak Republic, a number of changes are also requested in order to harmonize the staffing structure between the two offices and to be consistent with the regionalization process elsewhere in Europe. These changes will leave the offices in Poland and the Slovak Republic with exactly the same staffing structure except that Poland will be headed by an international Representative (P-5)

In the Slovak Republic, the post of Legal Officer (NOC) will become the Head of Office as of 1 July 2006 when the current post of Representative (P-4) will be discontinued. In this regard, a request for the change of title and classification of this post has already been submitted to the Europe Bureau. The post of Senior Programme Clerk (GL5) is proposed for discontinuation at the end of 2006, and its duties will be merged with those of the post of the current Admin/Finance Assistant (GL6), resulting in a new post with the title of Admin/Programme Assistant at the GL6 level as of 1 January 2007. Finally, the post of Secretary (GL4) is requested to be upgraded to Senior Secretary (GL5), with additional responsibilities in support of regional public information activities such as local media monitoring, Slovak-English translations and web site maintenance.

In Poland, the post of Senior Admin/Finance Assistant (GL7) will be downgraded to GL6 with the change of title to Admin/Programme Assistant effective as of 1 July 2006. In 2007, the post of Principal Secretary (GL6) will be downgraded to Senior Secretary (GL5) and will have the same profile and functions as the same post in the Slovak Republic.

In 2007, no UNV or other staffing deployment arrangements are being requested in the sub-region. The post requirements tables for each country (Annex1/Part B.1) and organigrams (Annex 2) are attached.

b) Administrative budgets

The only chapter of expenditure for which an increase has been requested in 2007 in the administrative budgets is in Travel on Official Business (2XX), for two major reasons :

- One of the priority objectives in the region will be regular field monitoring of reception centers and borders. In this regard, a higher number of missions will be undertaken by UNHCR staff in Hungary, Poland and the Slovak Republic for that purpose in order to ensure that asylum seekers are granted access to the territory and received in accordance with the established international standards. This will be done in all four countries covered by the Regional Representation in Budapest.
- There will be no UNHCR presence in Slovenia after 31 May 2006. Consequently, in 2007 Regional Officers will be expected to fully cover UNHCR activities in Slovenia from Budapest, which will involve increased travel there.

The amounts budgeted under all other objects of expenditures as per the attached Annex1, Part C, are in accordance with paragraph 1.19 of IOM/78-FOM/77/2005 of 16/12/2005. There are no major increases or decreases when compared to previous years.