

**REGIONAL STRATEGIC PRESENTATION SUMMARY
TO 38th STANDING COMMITTEE MEETING (6-9 March 2007)**

Bureau for Europe

Part A: Introduction

The number of asylum-seekers arriving in the European Union (EU) in 2006 continued to decline in 2006 but the migration and asylum debate remained high on the domestic agendas of a number of Member States. UNHCR continued to work closely with the European Commission (EC), national authorities and NGOs to support the transposition of the main EU Asylum Directives, in particular those linked to asylum procedures and qualification. In April 2006, UNHCR published a discussion paper reviewing the implementation of the Dublin II Regulation, and recommending a number of improvements. The Office has continued to participate formally in the asylum procedures in a number of countries and to extend support to improve the quality of decision making through various projects. It will be seeking to expand this support to the new EU Member countries.

In the context of the continuing arrivals of persons on the Mediterranean shores and the Canary Islands, UNHCR has actively supported the main affected Governments in addressing specific concerns and ensuring that asylum-seekers have access to adequate procedures. Based on a 10-Point Plan¹ for addressing protection aspects of “mixed” migratory movements, in October 2006 UNHCR issued a paper² on a number of activities undertaken to address these movements to southern European countries. These activities included a partnership operation with the Italian Government, the International Organization for Migration (IOM) and the Italian Red Cross on the island of Lampedusa; this may be used as a model for similar operations elsewhere. UNHCR has also highlighted the need for burden sharing for a limited number of refugees and persons in need of international protection on Malta, and has been providing information to both the authorities involved in these operations as well as to asylum-seekers.

In South-eastern Europe, after a year-long process of diplomacy and negotiations, at the end of January 2007 the Special Envoy of the United Nations Secretary-General submitted his Comprehensive Proposal for the Kosovo Status Settlement first to the Contact Group and then to the authorities in both Belgrade and Pristina. UNHCR has provided advice on issues of concern to the Special Envoy, in particular with regard to the rights of refugees, minorities and internally displaced persons (IDPs). Of particular interest to UNHCR are several provisions in Article 4 of the proposed Settlement concerning the Rights of Refugees and Internally Displaced Persons (right to return, to property repossession, access to beneficiaries, freedom of movement, and Kosovo’s obligation to create an atmosphere conducive to return). Moreover Article 4.1 stipulates that Kosovo is to cooperate fully with UNHCR (as well as with other organizations involved in the return process) in its work to assist the competent authorities in extending protection and assistance to returnees and, *inter alia*, to undertake periodic assessments and issue public reports on the conditions of return. The Special Envoy is due to submit his final Proposal to the Security Council in March 2007.

On 3 June 2006, following a referendum, the Montenegrin Parliament declared independence and the Republic of Montenegro was admitted to the United Nations on 28 June 2006. On 10 July 2006, the Montenegrin Parliament adopted a Law on Asylum for implementation in January 2007; however this has been delayed pending the Government’s adoption of the administrative regulations and structures required to

¹ See Addressing Mixed Migratory Movements: A 10-Point Plan of Action, UNHCR, June 2006, and revision 1, January 2007, available on UNHCR’s website.

² See Implementing the Ten-Point Plan of Action in Southern Europe: Activities undertaken by UNHCR to address mixed migration in the context of the Mediterranean/Atlantic arrivals, UNHCR, 2 October 2006.

adjudicate claims and ensure access to the economic and social rights enshrined in the law. UNHCR is now working to support the authorities in their efforts to fully implement the law as soon as possible, and to create an interim arrangement for adjudicating any asylum claims that are lodged in the meantime.

Administratively, the Bureau for Europe covers 48 countries in total. The Bureau has been leading the way for organization-wide moves towards regionalization, particularly in western and central Europe, with five regional offices and five country representations (covering 10 country / national offices). In eastern and south-eastern Europe, UNHCR has one regional office (Kyiv), and 12 country offices. UNHCR recognizes the continued importance of its presence in many European countries, particularly in relation to protection, advocacy and resource mobilization.

Part B. Progress on UNHCR's Global Strategic (GSOs) Objectives for 2007 and implementation of the Agenda for Protection

Major efforts within the region covered by the Bureau for Europe are highlighted within the following framework:

Preserving space for asylum in the broader migration context (within GSOs 2 and 4, AfP Goals 1, 2 and 3)

UNHCR is seeking to increase capacity, either directly or in cooperation with partners, in providing support along the land, sea and air borders of the EU member States in order to ensure that refugees and asylum-seekers are granted access both to territory and to procedures. Monitoring activities include follow-up at reception facilities, airports, and border posts. UNHCR aims to initiate cooperation and collaboration with the newly established European Agency for the Management of Operational Co-operation at the External Borders (Frontex), established in May 2005 in order to provide specific knowledge and expertise in border operations.

Following the drawing up in 2006 of the High Commissioner's 10-Point Plan of Action to Address Mixed Migratory Movements, the Office prepared a document on "Implementing the Ten-Point Plan of Action in Southern Europe: Activities Undertaken by UNHCR to Address Mixed Migration in the Context of the Mediterranean/Atlantic Arrivals" which outlines suggested approaches, in partnership with others, aimed at addressing the needs of asylum-seekers and refugees, in line with UNHCR's mandate. The framework provided by the 10-Point Plan is also being applied by offices in the countries at the eastern borders of the European Union in the planning of activities and consolidation of their implementation matrix of the Plan.

UNHCR is pursuing its involvement in the Cross-Border Cooperation Process (the Söderköping process), including the collection and sharing information on asylum, migration and border management; capacity-building through meetings, seminars and thematic discussion networks; the exchange of experience; and the harmonization of good practices.

A "Strengthening Protection Capacity Project" for the South Caucasus has been formulated and presented to the European Community's Regional Office in Tbilisi. UNHCR and its partners hope that this project will constitute the basis for renewed efforts in the subregion to increase the protection capabilities of States to protect displaced persons and refugees, including through the continued improvement of national asylum systems.

In 2006, Romania acceded to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness, while Montenegro became party to the 1954 Convention through State succession. Statelessness has remained a legacy of the emergence of new States and for those which have recovered their sovereignty in Europe since the 1990s. Addressing the problems related to this phenomenon remains a concern for the Office. UNHCR has advocated for a more effective response to

statelessness in the Russian Federation and provided technical advice to Georgia on a repatriation law that could resolve a number of cases of statelessness. In the Balkans, the Office has strengthened its efforts to provide personal documentation (such as citizenship, birth and education certificates) to Roma, Ashkaelia and Egyptians (RAE) internally displaced from the province of Kosovo (Serbia) who are at risk of statelessness. In light of the recently adopted Executive Committee Conclusion on Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons, further efforts to enhance UNHCR's activities will be undertaken in 2007 in partnership with States, other United Nations agencies, the Council of Europe, regional organizations and NGOs.

Ensuring that international standards of protection are met for all persons of concern to UNHCR taking into account their age, gender or personal background (GSO 1)

The roll-out of UNHCR's Age, Gender and Diversity Mainstreaming (AGDM) strategy began in 2005 and will be completed by the end of 2007. It is contributing to developing and revitalizing partnerships with Governments and NGOs, and is enabling structured dialogue with persons of concern and better understanding of gender/age/diversity issues and their links to protection and assistance needs and capacities.

The Bureau for Europe is implementing targeted action through its regional gender and age programme. The focus areas of the programme are gender/child-sensitive asylum systems, addressing Sexual and Gender-Based Violence (SGBV) and Age, Gender and Diversity Mainstreaming (AGDM). The programme provides policy-making and technical support to UNHCR offices in regional research and protection analysis, networking and advocacy initiatives with partners, training and resource provision. In 2006, the research focus was on refugee children and guardianship provisions, and on evaluating access to quality education by displaced and refugee children in Europe. In 2007, in follow-up to the regional analysis on gender-related persecution, UNHCR is planning to promote, with key partners, the implementation of its Guidelines on gender-related persecution and on trafficking.

Advocating for and supporting governments in the development and maintenance of an international protection regime including its implementation at the national level (GSO 2, AfP Goals 1 and 3)

The Office offers support and advice aimed at improving the quality of decision-making in order to maintain and improve credible and fair asylum systems, combating the negative public perceptions towards foreigners prevailing in many countries. Recognizing the importance of the development of a common asylum system in the European Union by 2010, UNHCR is providing support to the ongoing evaluation process on the Asylum Directives adopted by the European Union. In Turkey, UNHCR is conducting mandate Refugee Status Determination (RSD) for asylum-seekers while working toward the progressive handover of RSD responsibility to the Government. Furthermore, the Office has provided support and input for the evaluation of reception conditions within the European Union.

UNHCR has submitted interventions in precedent-setting cases before national and regional courts, as appropriate, providing advice on issues relating to the interpretation of international refugee law. It has also continued to engage in regular dialogue with Governments bilaterally and in regional fora, endeavouring to promote understanding of and respect for international standards and best practice, and engaging in a variety of training activities with the same aim. A number of country position papers have been issued to provide sound information on the protection situation in countries of origin as a means to ensure more informed RSD decisions which are in line with international protection standards.

Durable solutions (GSOs 3 and 4, AfP Goal 5)

In Western and Central Europe, UNHCR has sought to offer advice and support on issues related to integration as well as returns and readmission. It has also engaged in negotiations for further Tripartite

Agreements for the voluntary return of Afghan nationals with Norway and Sweden, resulting in the signing of the Agreement with Norway 2006. With respect to integration, the rollout of the Age, Gender and Diversity process has proved to be a useful forum for exploring further the issue in a number of countries.

UNHCR also seeks to support current resettlement countries and potential ones, by promoting the sharing of best practice, and by engaging in various activities aimed at increasing understanding and willingness to engage in resettlement. Norway has announced an increase in its resettlement quota for 2007. UNHCR is also endeavouring to highlight the need for burden sharing for countries particularly exposed to large numbers of arrivals, or, as in the case of Malta, disembarkation following rescue at sea operations.

In countries with recently developed asylum regimes, local integration perspectives for recognized refugees remain hampered by legal, as well as social and economical factors. To identify and address some of the challenges, UNHCR, in partnership with the Governments of Belarus, Moldova and Ukraine, will conduct an assessment of the legal and socio-economic situation in the subregion in order to develop a comprehensive local integration strategic framework and programme budgets for the coming years. Other countries such as Armenia, have been able to integrate large numbers of refugees, granting them almost all of the rights which are accorded to its citizens, as a result of declaring the integration of refugees as a national priority.

Thus, UNHCR will continue to strengthen the capacity of the government institutions directly responsible for asylum and refugee policies. In this connection, the Office coordinates closely with the European Commission on asylum and right-based matters and with other UN agencies and international bodies on trafficking, capacity-building and self-reliance activities.

Internally displaced persons (GSO 4)

There are currently some 3 million IDPs in Europe, of whom approximately 380,000 are in the Balkans. In 2006, UNHCR's partnership with the SRSG on the Human Rights of IDPs, in particular as regards operations in Georgia where a State strategy for IDPs has been launched, to be followed by a Plan for Action. In the course of 2007, a similar achievement is expected to be reached in Azerbaijan, where the Government is giving priority attention to IDPs.

In the western Balkans, the ambitious objectives of the Sarajevo Declaration of January 2005 (the "3x3 Initiative") to find durable solutions by the end of 2006 for the remaining displaced population in Serbia, Montenegro, Bosnia and Herzegovina (BiH) and Croatia, have not been fully met. Despite certain progress, there remain a number of unresolved issues, including tenancy rights (socially-owned housing). Nevertheless, the number of displaced persons in the region continues to decrease. In BiH, the results of a re-registration exercise revealed that the number of IDPs decreased further from 188,300 at the end of 2005 to 135,500, mainly through returns to their places of origin. In Serbia a similar re-registration exercise conducted for refugees showed a decrease from 141,000 in November 2004 (and over 500,000 in 1995) to 98,000 at the end of 2006. Some refugees in Serbia have found solutions through repatriation (to BiH and Croatia); while at least 200,000 others have taken the opportunity to integrate locally.

At the same time, prospects in the region for further solutions for the refugees and internally displaced from the province of Kosovo are varied. Ongoing tensions surrounding its future status limit possibilities for either voluntary repatriation or local integration of Kosovar displaced persons in Serbia or Kosovar refugees in The former Yugoslav Republic of Macedonia. UNHCR is focusing its assistance programmes on a targeted group

of vulnerable individuals which still feature prominently among the remaining refugees and IDPs. Hence a reduction in the overall number of persons of concern will not necessarily result in lower budgetary requirements.

In the past year, UNHCR has placed much emphasis on efforts at injecting a humanitarian perspective in peace-building efforts within chronic situations of conflict in order to achieve a better prospect of reaching durable solutions in the North and South Caucasus. In the South Caucasus, UNHCR continues to be an active partner in peace-building efforts developed around the unresolved territorial conflicts.

Strengthening UNHCR's external relations (GSO 5)

One of the Office's primary strategic objectives in Europe is to build advocacy on behalf of asylum-seekers from an international protection perspective. A second branch of advocacy includes the strengthening of partnerships with all relevant actors. In this respect, the introduction of an annual meeting with Europe-based NGOs has enabled a dialogue on common advocacy themes. A third branch consists of UNHCR's public outreach activities, including public information focal points in every office to provide timely and accurate information to media, civil society groups and the public at large. Advocacy efforts integrating both protection and public outreach sectors have sought to integrate efforts to further protection goals. A new Goodwill Ambassador from Greece, the popular singer, Mr. George Dalaras, was designated in October 2006 and has recently visited Liberian refugee camps in Sierra Leone.

UNHCR
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