

WESTERN EUROPE

Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Liechtenstein, Luxembourg, Malta, Monaco, Netherlands, Norway, Portugal, San Marino, Spain, Sweden, Switzerland, United Kingdom

RECENT DEVELOPMENTS

Western European states continued in their search, both individually and collectively and in co-operation with UNHCR, for expeditious and efficient systems for dealing with asylum and refugee protection issues. Backlogs in asylum applications, delays in status determination and problems encountered in deporting unsuccessful asylum applicants and irregular migrants have reduced public confidence in asylum systems and procedures. This has been compounded by the widespread confusion between regular and irregular migrants on the one hand, and between refugees and asylum-seekers on the other.

The main challenge for refugee protection in Western Europe continues to be the European Union's (EU) harmonisation process pursuant to the Amsterdam Treaty. The European Commission has put before the EU member states almost all the asylum-related proposals required by that Treaty, but negotiations among States have been slow and difficult. In May, the EU Home Affairs and Justice Ministers took an important step forward by agreeing on a temporary protection regime. The Directive on temporary protection is the first substantive legal instrument in the development of a common EU asylum system. Negotiations are currently underway among the member States with regard to two key proposals from the European Commission: the draft Directive on minimum standards for asylum procedures, and the draft Directive on minimum standards for the reception of asylum-seekers.

In statistical terms, the number of new asylum-seekers registered in Western Europe during the first half of 2001 (a total of 178,255) was two per cent higher than figures

for the same period last year. Marked increases in asylum applications were noted in the following countries: Austria recorded a nearly 90 per cent increase; France registered a 15 per cent and Germany 11 per cent. Some states received fewer asylum applications, such as the Netherlands, the UK and Belgium. The majority of asylum-seekers came from the Federal Republic of Yugoslavia, the Russian Federation, Iraq, Turkey and Afghanistan.

STRATEGIC OBJECTIVES: PROGRESS AND CONSTRAINTS

UNHCR's strategy for Western Europe remains articulated around two themes: to improve the quality of asylum in an enlarging EU by promoting the adoption of acceptable and exportable asylum standards, and to increase support for refugees and UNHCR. The Office has worked to ensure that persons in need of international protection have access to European territory; that States gradually harmonise asylum systems in conformity with international standards, and that public opinion is receptive to refugees' needs and supportive of their efforts to integrate. With regard to the second theme, efforts were intensified to expand UNHCR's funding base through a more proactive approach to fund raising, and to strengthen political support for its mandate.

ACTIVITIES UNTIL 30 JUNE

Access to Asylum Procedures and Reception

A number of States have taken measures to improve reception arrangements in transit centres and at the main points of entry of asylum-seekers. Under a Memorandum of Understanding between the Government of Italy and UNHCR, a National Asylum Programme has been developed with the aim of creating a nation-wide mechanism for the

reception and protection of refugees and asylum-seekers. Also, pursuant to a 1998 Immigration Act and in response to UNHCR's advocacy efforts, the Government of Italy issued a decree providing for the creation of information centres at its main borders. Based on UNHCR's advice, Greece took measures to improve and strengthen its reception procedures.

Notwithstanding these improvements, access to asylum procedures remained problematic in states where asylum-seekers are often perceived as irregular migrants. In Greece, for example, access to the asylum procedure has been hampered by the fact that the same police units which are charged with removing irregular migrants, are also responsible for registering new asylum-seekers.

Although the French Government has sought to improve conditions at its Roissy Airport reception facility, there is still a shortage of accommodation for new arrivals, and problems relating to the registration and treatment of asylum-seekers are yet to be addressed.

Many States have continued the practice of detaining asylum-seekers, including women and children. An amendment earlier this year to the Danish Aliens Act now makes it possible to detain asylum-seekers involved in crimes, pending conclusion of their asylum procedure. Advocacy networks, UNHCR and the UN Committee Against Torture have been criticising detention policies, particularly as they affect more vulnerable asylum-seekers like victims of torture. This has led to the review of judicial and administrative practices in some States. In Sweden, the Swedish Migration Board set up a working group, including UNHCR and Amnesty International, to prepare a training manual for its asylum adjudication staff.

Asylum Systems

Within the framework of the EU's harmonisation process, UNHCR has closely monitored and contributed to the standardisation of asylum systems and provided inputs to the draft Directive on

minimum standards for granting and withdrawing of refugee status, as well as the draft Directive for the reception of asylum applicants. The Office has maintained its advocacy efforts and monitoring role to ensure adherence to international standards in asylum law and practice. At the country level, UNHCR has continued to monitor and provide written and oral submissions on precedent-setting court cases.

In co-operation with UNHCR, a number of countries proposed new legal and administrative procedures for implementing their national refugee and asylum laws. In Germany, for instance, work has been completed on a draft revision to the German Immigration law. UNHCR is consulting with the authorities there to ensure that the final text conforms to international standards. Switzerland also proposed a revision of its asylum law, which would change eligibility practice with regard to victims of non-state agents of persecution. These changes would bring the law into conformity with UNHCR's position. Furthermore, a revised alien law with strong safeguards against *refoulement* and provisions on statelessness, based on amendments proposed by UNHCR, came into force in Spain.

In Denmark, UNHCR successfully advocated for unaccompanied minors to be provided with a legal guardian throughout the asylum procedure. Sweden agreed to review its asylum law, with a view to upgrading the scope of protection granted to homosexual and gender-related persecution cases, from subsidiary protection to full Convention status. UNHCR was instrumental in obtaining an increase of the recognition rate in Germany. UNHCR's advocacy efforts were also recognised in a German Government decision to grant long-term residency rights to former Republic of Yugoslavia citizens, including Kosovars who have spent six uninterrupted years in Germany.

Following public pressure, the Government of the UK has been simplifying cumbersome asylum procedures, and has launched a refugee integration strategy. The Netherlands

have enforced a new Aliens Act, which does not take full account of UNHCR's views on the definition and application of the *safe country of origin* and *safe third country* concepts.

UNHCR has been involved in promotion and training activities as well as in the provision of country of origin information to refugee adjudicating bodies at various levels.

Public Opinion: Promotion and Advocacy

On the occasion of the first World Refugee Day, a number of media events were staged, putting refugee and asylum issues in the spotlight to sensitise the public against xenophobic and discriminatory tendencies, and to increase awareness of and tolerance for refugees. In France, a *Refugee Parliament* was organised, which adopted the *Paris Appeal*, calling on States to abide by the principles of the Convention. The text of the Appeal has been distributed to parliaments world-wide.

Concerts and debates on UNHCR's Respect theme were also organised to propagate the mandate of UNHCR and raise funds for refugee programmes in different parts of the world. To commemorate the 50th Anniversary of the 1951 Convention, Greece and Switzerland issued postal stamps portraying refugees and encouraging public support for the work of UNHCR. A Greek telecom company issued 600,000 phone cards featuring the 50th Anniversary logo, with information on how to channel donations to UNHCR.

Partnerships and Networking

UNHCR has been reinforcing existing relations with its partners in the region as well as seeking new ones in a bid to enlarge its circle of friends and supporters. Most governments in Western Europe actively support UNHCR's Global Consultations on international protection, by participating in the discussions, providing substantial inputs to the debate, and backing the process financially.

In solidarity with UNHCR, the Parliamentary Assembly of the European Council in Strasbourg unanimously adopted a recommendation related to the 50th Anniversary of the 1951 Convention. The document, which addresses the 43 member States of the Council, urges them to ensure a full and effective implementation of the Convention and to co-operate with UNHCR in the Global Consultations process.

UNHCR has been actively participating in inter-governmental committees of the Council of Europe and both organisations are currently implementing a joint programme of technical assistance in selected member States.

UNHCR has maintained its observer status and privileged access to the internal deliberations of the OSCE Permanent Council in Vienna, and intensified its co-operation with the OSCE High Commissioner for National Minorities. The OSCE Secretariat has also been making increasing use of UNHCR's know-how and technical support.

Increasing Support for Refugees and UNHCR World-wide

In collaboration with national associations, some UNHCR offices in the region pursued fund raising initiatives in the private sector. New approaches to resource mobilisation are being entrenched in all funding activities. A particular success was the *Pavarotti and Friends for Afghanistan* charity concert, which raised funds for projects benefiting Afghan refugee women and children in Pakistan.

During the first half of 2001, the income from the Italian private sector topped the list of UNHCR's private donors for the third consecutive year. UNHCR also raised funds from the private sector in Spain, the Netherlands, Germany, the UK and France. Though private sector fund raising remains largely untapped in the Nordic States, UNHCR's Regional Office in Sweden signed an agreement with a multinational company. The donation was the first of its kind from a private company in the region.

In Greece, on the first World Refugee Day, a fund-raising concert featuring a famous Greek composer was organised and a travel book whose author pledged the proceeds to UNHCR was published.

OUTLOOK FOR JULY - DECEMBER

Although asylum and migration issues are now within the competence of the European Commission, individual EU member States are increasingly preoccupied with the growing problem of irregular migration. This can be seen from measures taken by some States to reinforce border control mechanisms, and expand their immigration liaison networks. Against this background, the challenge for UNHCR will be to monitor the harmonisation process and consolidate achievements in the area of asylum and refugee protection. This will require active collaboration and intensive advocacy efforts, both at the level of the European Commission and with individual member states.

UNHCR offices in the region will continue monitoring asylum trends to ensure that persons in need of international protection are allowed access to the territory of Europe, and to the asylum procedure. Training activities as well as public information campaigns to curb xenophobic tendencies will be pursued. To keep in step with the demand for information and reach out to wider audiences, UNHCR will continue projects to develop and improve web-sites in local languages.

Although the strategic objectives remain unchanged, the endemic funding constraints that led to the Action 2 review exercise have resulted in a scaling down of some core activities such as training, promotion of refugee law and monitoring. Likewise, UNHCR's diminishing funding also affected the programmes of its NGO partners. In this regard, efforts will be intensified to identify alternative sources of funding for NGOs.

FINANCIAL DATA (USD)

Country	Annual Programme Budget			
	Initial Budget	Revised Budget	Total Funds Available ¹	Obligation Level
Austria	1,649,631	1,589,344	671,900	671,900
Belgium	2,065,167	2,156,716	980,245	933,700
France	2,754,729	1,978,202	790,466	762,205
Germany	2,172,212	2,024,543	910,225	894,215
Greece	1,642,668	1,288,077	624,170	620,050
Ireland	485,686	437,331	162,586	162,586
Italy	2,612,643	1,421,631	552,245	552,245
Malta	243,500	243,500	97,429	97,429
The Netherlands	217,054	224,596	86,900	86,900
Portugal	116,800	116,800	46,722	46,722
Spain	1,208,626	853,496	387,831	376,915
Sweden	1,191,905	1,131,241	464,376	461,150
Switzerland	739,345	685,886	402,761	295,868
United Kingdom	1,606,432	1,203,096	536,063	500,100
TOTAL	18,706,398	15,354,459	6,713,919	6,461,985

¹ Includes income from unrestricted contributions, income from contributions restricted to the regional, sub-regional and/or country level, opening balance and adjustments.