

**Executive Committee of the  
High Commissioner’s Programme**

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## Overview of UNHCR’s operations in Europe

### A. Situational context

#### *Applications for asylum*

The 28 Member States of the European Union (EU) registered over 386,000 new asylum claims in 2013.<sup>1</sup> Germany was the largest single recipient, with 109,580 applications, and Central Europe also experienced a large increase, attributed to significant numbers of asylum-seekers in Bulgaria, Hungary and Poland. The largest number of asylum applications came from the Syrian Arab Republic, with over 46,000 new applications in 2013; approximately 60 per cent of these applications were lodged in Sweden and Germany.

Provisional statistics indicate an increasing number of asylum-seekers in South-Eastern Europe, with some 11,240 claims submitted in 2013. Serbia continues to receive the largest percentage of claims in South-Eastern Europe (5,070 in 2013), followed by Montenegro (over 3,000 in 2013).

#### *The situation at the European Union’s borders*

The movement of refugees and migrants across the Mediterranean Sea towards Europe continues to exact a devastating toll on human life. Many attempting the crossing, including an increasing number of Syrians, are in need of international protection. Such tragedies illustrate the urgent need to strengthen existing protection mechanisms in countries of arrival as well as countries of departure.

In 2013, Bulgaria faced a significant increase in asylum claims, including from Syrians. Confronted by this influx, the authorities were unable to provide adequate reception conditions and struggled to process applications efficiently. In November, UNHCR launched an emergency response to support the Bulgarian Government. On 2 January 2014, UNHCR called for a temporary halt of transfers to Bulgaria under the Dublin Regulation, due to systematic deficiencies in reception conditions and asylum procedures. UNHCR will reassess the situation as of 1 April 2014. In the meantime, UNHCR is coordinating closely with the Bulgarian Government, the European Asylum Support Office (EASO), the European Commission and non-governmental organizations (NGOs) to help redress these issues.

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<sup>1</sup> The top countries of origin of new claimants of asylum in the European Union during 2013 were as follows: the Syrian Arab Republic (46,479), the Russian Federation (37,658), Serbia (32,710), Afghanistan (23,210), Pakistan (19,560) and Somalia (17,810).

UNHCR is concerned about reports of asylum-seekers being turned back and prevented from accessing territory and procedures in some European countries. UNHCR has called for these practices to cease immediately and for the incidents to be investigated. The Office continues to provide training on protection-sensitive border management.

In June 2013, UNHCR welcomed the adoption of amended EU legislation that establishes a Common European Asylum System (CEAS), which must be transposed by 2015. This is a critical step in fulfilling the asylum-related articles of the Treaty of the Functioning of the European Union, which call for uniform protection throughout the European Union and the harmonization of procedures for granting and withdrawing asylum or subsidiary protection status.

Turkey adopted a legal framework for the protection of asylum-seekers and refugees in April 2013, establishing a specialized institution under the Ministry of Interior. UNHCR supports and provides expertise to the authorities in advancing this framework and its full implementation.

## **B. Achieving the global strategic priorities**

### *Access to territory, procedures and protection*

Since the tragedy off the coast of Lampedusa in October 2013, in which more than 360 lives were lost, UNHCR has worked closely with States and EU institutions to develop a common response to sea arrivals through its Central Mediterranean Sea Initiative. This initiative promotes solidarity for rescue-at-sea within the European Union and in countries of first asylum, transit and origin.

UNHCR continues to work closely with the EU border agency, Frontex, including through the Frontex Consultative Forum, which carried out a visit to the Joint Operation Poseidon at the Greek-Turkish sea/land borders and at the Bulgarian-Turkish land border. UNHCR continues to provide trainings to Frontex on refugee protection, human rights and human trafficking.

In recent years, the Western Balkans has undergone a profound change in migration dynamics, with increasingly mixed movements that are straining asylum and migration systems. UNHCR and the International Organization for Migration (IOM) are assisting governments to address these challenges in a protection-sensitive way, and a governmental roundtable held in December 2013 identified priority areas of action. Ensuring protection-sensitive entry management and further development and endorsement of a regional action plan are priorities in 2014.

### *Fair protection processes and documentation*

UNHCR is working closely with national authorities, EU bodies and civil society to seek positive outcomes to the transposition and implementation phase of the CEAS. UNHCR finalized the Credibility Assessment in EU Asylum Systems Project (CREDO), involving research and assessment of credibility in EU asylum procedures. UNHCR's quality initiatives in the European Union included dissemination of related findings, training of adjudicators, and continued collaboration with EU institutions, Member States and judges to support harmonization of asylum procedures.

In the context of refugee status determination, the Court of Justice of the European Union concluded that “competent authorities cannot reasonably expect, in order to avoid the risk of persecution, [an asylum-seeker] to conceal his homosexuality in his country of origin.” The European Court of Human Rights delivered a number of judgments reaffirming obligations to protect persons of concern against ill-treatment in abduction cases. It also strengthened the protection of stateless persons against arbitrary detention in the context of

an expulsion procedure. Although cases of *refoulement* remain exceptional, UNHCR is concerned by the risk of *refoulement* in extradition cases affecting asylum-seekers and refugees whose claims have not yet been fully assessed.

#### *Favourable protection environment*

UNHCR worked to improve public attitudes toward asylum-seekers, refugees and stateless persons and to counter racism and xenophobia. It urged States to ensure adequate monitoring and reporting on racially motivated acts of violence and other hate crimes and to carry out preventative action, including capacity-building of law-enforcement agencies, education and awareness-raising.

To raise awareness about female genital mutilation (FGM), UNHCR published a study entitled, *Too Much Pain: Female Genital Mutilation and Asylum in the European Union*.<sup>2</sup> On the occasion of the International Day for Elimination of Violence against Women in November 2013, the European Commission issued a policy communication on the elimination of FGM.

At the request of the Government of the United Kingdom of Great Britain and Northern Ireland, UNHCR carried out an audit on the best interests of children in families seeking asylum in the country.

#### *Building effective asylum systems*

The Quality Initiative Project in Eastern Europe and the Southern Caucasus (QIEE), launched in February 2013, analyzed gaps in asylum systems in Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine. Recognizing the shortage of accurate, impartial and up-to-date country of origin information, a Russian version of Refworld was launched under the QIEE. In 2014, the QIEE is focusing on support to strengthen those asylum systems in Eastern and South-Eastern Europe that do not yet meet international standards.

#### *Facilitating durable solutions*

UNHCR completed an EU-funded project to improve refugee integration in European Union Member States, which was piloted in four Central European countries. The project examined factors that both hinder and aid refugee integration, as well as the policies necessary for integration to be successful. It provided a forum for the exchange of good practices on housing, education, health, employment and family reunification.

In partnership with IOM and the International Catholic Migration Commission, UNHCR continued its EU-funded resettlement support activities aimed at increasing resettlement places, building reception and integration capacity at local, regional and national levels, and improving emergency resettlement activities. Belgium and Switzerland joined the 17 countries in Europe offering a resettlement programme. UNHCR worked with governments to support the protection of Syrian refugees through resettlement and humanitarian admission programmes, including family reunification.

Many of the most vulnerable refugees and internally displaced persons (IDPs) in Bosnia and Herzegovina, Croatia, Montenegro and Serbia who are eligible for the Regional Housing Programme (RHP) have been awaiting sustainable solutions for over two decades. UNHCR is monitoring to ensure that the programme is appropriately implemented; that the legal framework is in place; that beneficiaries are identified in a transparent and fair manner; and that projects not only meet the needs of the most vulnerable, but also are accompanied by effective access to rights and livelihoods. The Assembly of Donors has

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<sup>2</sup> Available at <http://www.refworld.org/docid/512c72ec2.html> (accessed 18 February 2013)

approved funding for 12 country housing projects to be implemented in 2014. Montenegro extended the deadline for the regularization of displaced persons through the end of 2014, allowing them to remain eligible for the housing programme. UNHCR has recommended intensification of RHP outreach campaigns. Meanwhile, UNHCR and the Organization for Security and Co-operation in Europe (OSCE) have assisted partner countries in harmonizing their legal frameworks with the UNHCR vulnerability criteria in order to facilitate appropriate beneficiary selection. UNHCR is advocating with local authorities to mainstream the needs of those ineligible for the RHP into national plans.

Following an in-depth analysis of fundamental developments in the Western Balkans, UNHCR has proposed that refugee status be discontinued for those refugees displaced from Bosnia and Herzegovina and Croatia as a result of the conflicts between 1991 and 1995, pursuant to the “ceased circumstances” cessation clauses of the 1951 Refugee Convention. UNHCR is discussing with States how the application of the cessation clauses could be best supported by durable solutions mechanisms.

UNHCR is continuing its efforts in the Western Balkans to ensure the identification of people seeking international protection, the fair assessment of their protection needs and the possibility for their local integration. UNHCR continues to prioritize awareness-raising on sexual and gender-based violence among refugees and IDPs, State authorities and civil society.

As returns of IDPs to Kosovo<sup>3</sup> continue to be extremely limited, UNHCR is assisting the Government of Serbia to develop a durable solutions strategy and advocating for donor support to ensure solutions to around 90,000 IDPs (*e.g.* through the provision of housing). In Bosnia and Herzegovina, a three-year EU-funded, multi-stakeholder project led by UNHCR is implementing the Annex VII Revised Strategy and supporting solutions for IDPs by strengthening local planning in 10 clusters of municipalities through a joint needs-based prioritization of communities and families with specific needs. In these endeavours, UNHCR is working closely with governments, civil society, local and international NGOs and, specifically, the European Union, the OSCE and other UN agencies.

UNHCR is redoubling efforts to assist governments in assuming full responsibility for durable solutions in Kosovo (S/RES/1244 (1999)) and welcomes support from the Special Rapporteur on the Human Rights of Internally Displaced Persons, who visited the region in 2013. The Ministry for Communities and Returns established a working group to draft a law on internal displacement, which includes UNHCR. The Joint IDP Profiling Service is conducting a profiling exercise that will provide further information on IDPs in need of assistance in Kosovo (S/RES/1244 (1999)). Municipal elections in November 2013 resulted in a more positive approach to minority returns in some municipalities.

In Georgia, UNHCR is closely collaborating with the Government and the United Nations Development Programme to improve IDP access to livelihood and government-run housing solutions. The Government of Georgia has provided over 30,000 IDP families with housing, while durable solutions are being sought for some 40,000 additional families.

The Geneva International Discussions -- co-chaired by representatives from the European Union, the United Nations and the OSCE, and involving negotiators from Georgia, the Russian Federation, the United States of America, and both Sokhumi and Tskhinvali -- continue to address security and humanitarian issues resulting from the 2008 conflict. As co-chair of the working group on humanitarian issues, UNHCR strives to ensure the needs of displaced individuals are integrated into any measures developed.

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<sup>3</sup> References to Kosovo shall be understood in the context of Security Council Resolution 1244 (1999).

*Addressing statelessness*

In 2013, Lithuania and Montenegro acceded to the 1961 Convention on the Reduction of Statelessness, and Ukraine acceded to the 1961 Convention and the 1954 Convention relating to the Status of Stateless Persons.

The European Commission, the OSCE High Commissioner on National Minorities, and UNHCR jointly assessed achievements and remaining challenges in civil registration and documentation to help reduce statelessness in South-Eastern Europe. Although challenges remain in the implementation of legislation and data collection, achievements include legislative amendments facilitating birth registration, the deployment of mobile registration teams, and collaboration between stakeholders at the national and regional levels to identify solutions. UNHCR continues to support those in need of civil status documentation and late birth registration in order to reduce statelessness.

Bosnia and Herzegovina, Hungary, Latvia and Lithuania amended their nationality laws to facilitate the acquisition of nationality by stateless persons. UNHCR assisted in information exchange on the identification and protection of stateless persons for stakeholders from Armenia, Azerbaijan, Belgium, Ireland, the Netherlands, Serbia and Slovenia. The United Kingdom of Great Britain and Northern Ireland established a statelessness determination procedure in early 2013.

**C. Financial information**

During its 64<sup>th</sup> session, the Executive Committee approved a 2014 budget for Europe of US\$ 343.3 million. The budget currently stands at US\$ 392.2 million, reflecting an increase of US\$ 48.9 million due to supplementary budgets for the Syria situation, which cover needs in Armenia, Belarus, Bulgaria, Georgia, Montenegro, the Republic of Moldova and Turkey.

The Executive Committee approved an initial 2013 budget for Europe of US\$ 196.9 million; by year-end, the 2013 budget stood at US\$ 385.1 million. Of the final budget, 69 per cent was allocated to Eastern Europe; 13 per cent to Northern/Western/Central/Southern Europe; and 18 per cent to South-Eastern Europe. Due to the Syria situation, the comprehensive budget for Turkey accounted for nearly 59 per cent of the total comprehensive budget for Europe.

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