

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

1 March 2017
English
Original: English and French

Standing Committee
68th meeting

Update on UNHCR’s operations in Europe**A. Situational analysis including new developments**

In 2016, almost 362,480 arrivals in Europe by sea were recorded, mostly in Italy (nearly 181,440) and Greece (some 173,450). The crossings proved more perilous than in 2015, with over 5,000 refugees and migrants dying or reported missing in the Mediterranean Sea, compared to some 3,770 in 2015. In the final quarter of 2016, a significant reduction in arrivals was observed, including movements from Turkey to Greece, and through southern Europe. Conversely, the number of arrivals in Italy and Spain increased (with some 7,490 arrivals in the latter). The number of children arriving in Europe remained high, at 26 per cent of the total arrivals, and over a quarter of these were unaccompanied or separated. Turkey continued to host the largest number of refugees under UNHCR’s mandate worldwide, with 2.7 million Syrian refugees as of the end of November 2016.

Between January and December 2016, 38 European countries received some 1.216 million¹ new asylum applications, a 9 per cent increase compared to the same period in 2015. Over 99 per cent of these applications were lodged in European Union Member States, notably in Germany (722,270) and Italy (121,755). Asylum applicants in 2016 mainly originated from the Syrian Arab Republic (332,665), Afghanistan (183,780) and Iraq (126,630).

As a result of the ongoing conflict in Ukraine, over 1.65 million people were registered as internally displaced as of December 2016, according to the Government. The United Nations estimated that between 800,000 and 1 million persons were displaced within government-controlled areas (GCAs). Since the escalation of the conflict in 2014, over 470,000 Ukrainians have sought asylum in neighbouring countries, with the majority in the Russian Federation (442,240), Poland (5,870) and Belarus (2,280), as well as further afield in Germany (9,850), Italy (9,130), France (3,670) and Sweden (3,340). In 2016 alone, there were at least 10,375 new asylum applications made by Ukrainians in Europe, primarily in Germany, Italy and Spain. Over 1.4 million Ukrainians have also sought other forms of legal stay in European countries since 2014, mainly in Belarus, Poland and the Russian Federation.²

¹ UNHCR notes that the way statistical information is recorded in Europe may include instances of double counting.

² As of December 2016, some 965,870 people had sought such status in the Russian Federation, compared to some 244,620 people in Belarus and some 193,740 people in Poland (per the Office for Foreigners).

B. Progress and challenges in achieving the global strategic priorities

Reforms to the Common European Asylum System and UNHCR proposals for a collective European response

The European Commission released a number of proposals to reform the Common European Asylum System (CEAS) to prevent irregular onward movements, through a combination of punitive measures coupled with strengthened safeguards in some areas. Enhanced solidarity between European Union Member States would be encouraged through the distribution of asylum-seekers based on a corrective allocation mechanism in case of disproportionate arrivals in some States. UNHCR commented on the first set of CEAS proposals, expressing concern about some of the proposed measures, in particular the introduction of mandatory admissibility procedures in the absence of independent, reliable and updated information on the situation in countries which would be deemed “safe” for return for asylum-seekers. UNHCR supported the further development of the European Asylum Support Office (EASO) and the European Union border agency, Frontex, and provided a number of comments on the proposals in this regard.

Simultaneously, European Union institutions and Member States increasingly focused on effectuating returns and stemming arrivals through the central Mediterranean route. Building on the proposed reforms to the CEAS, in December 2016 UNHCR issued a paper on “Better protecting refugees in the EU and globally: UNHCR’s proposals to rebuild trust through better management, partnership and solidarity”.³ The proposals outline how the establishment of a common registration system, accelerated procedures and distribution mechanisms prioritizing family reunion and substantive ties with Member States could achieve a more manageable and coherent common asylum system. UNHCR also completed a study on the implementation of the Dublin Regulation, and more broadly continued to advocate reforms that would respect European and international standards. UNHCR strengthened its engagement with the judiciary, both at the national level as well as before the European Court of Human Rights and the Court of Justice of the European Union, intervening as a third party in selected cases affecting persons of concern.

Ensuring an effective emergency response

UNHCR’s emergency response strategy was outlined in the “Refugee emergency response in Europe” supplementary appeal,⁴ as well as the inter-agency “Regional refugee and migrant response plan for Europe”,⁵ jointly coordinated with the International Organization for Migration (IOM). UNHCR worked to strengthen partnerships and coordination, while also increasing its presence in the countries affected by large-scale arrivals in order to assist national and local authorities in mitigating protection risks and providing the appropriate response, including in terms of site planning and services for children, women and persons with specific needs. UNHCR and partner organizations provided legal counselling to new arrivals on the Greek islands and at land border crossings, as well as at reception centres in south-eastern Europe and in other locations frequented by refugees and migrants on the move. At some critical transit points, legal assistance was made available 24 hours a day, seven days a week.

Over 20,000 people in 35 locations benefited from emergency winterized shelter assistance, and over 300,000 non-food items, including blankets, winter clothing and shoes, sleeping mats, and hygiene kits, were delivered with particular attention to people with specific needs. Measures to prevent and respond to protection risks were put in place, including

³ Available from <http://www.refworld.org/pdfid/58385d4e4.pdf>.

⁴ Available from <http://reporting.unhcr.org/node/15293>.

⁵ Available from <http://reporting.unhcr.org/node/13626>.

with respect to sexual and gender-based violence and family separation. Child protection mechanisms were strengthened, including by ensuring that decisions were taken in the best interests of children, as were mechanisms for the identification and referral of individuals with specific needs. UNHCR also enhanced communication with beneficiaries to better target protection interventions and assistance, and to identify and address information needs and counter narratives by smugglers.

Safeguarding asylum space in the context of mixed movements

UNHCR continued to monitor access to territory and asylum procedures. UNHCR also maintained advocacy efforts aimed at ensuring that international protection standards were reflected in European Union border management policy, especially in light of the transitioning of Frontex to the new European Border and Coast Guard. Through its chairmanship of the Frontex consultative forum on fundamental rights, UNHCR played a monitoring role, responding to practices that potentially compromised access to international protection in the European Union.

Onward movements continued through various routes in the Balkans, with many persons of concern to UNHCR present in Serbia and the former Yugoslav Republic of Macedonia. Although movements from Serbia to Hungary continued in 2016, the pace slowed with most people obliged to pass through two transit zones operated by the Hungarian authorities. UNHCR remained concerned that individuals moving irregularly in Central Europe and the western Balkans were exposed to abuse and violence by smugglers and criminal organizations and were unable to access adequate protection in accordance with international standards. Pushbacks and collective expulsions continued to be reported throughout the subregion. The presence of a large number of unaccompanied and separated children was also a serious concern, and UNHCR sought to strengthen cooperation with relevant actors to address their specific needs.

In northern Europe, UNHCR continued to work to improve access to territory, asylum and other relevant procedures through border monitoring and capacity-building for authorities. UNHCR was concerned that several western European countries had introduced new legislation to restrict access to their territory and adopted a range of coercive measures, such as detention, including in some instances for unaccompanied and separated children. In accordance with article 35 of the 1951 Convention relating to the Status of Refugees (1951 Convention), UNHCR submitted comments on draft legislation and intervened in several cases before the European Court of Human Rights in this regard.

Promoting acceptable reception conditions

The operating environment in Greece changed significantly, with the number of arrivals decreasing.⁶ Although progress was made, there continued to be significant challenges related to reception capacity and conditions, as well as lengthy delays in asylum processing, resulting in frustration among populations of concern. UNHCR established 20,000 places in alternative accommodation, including in rented apartments and hotels, as well as with host families, prioritizing families, candidates for the European Union relocation programme, as well as those with specific needs. UNHCR and non-governmental organizations (NGOs) completed the winterization of sites, replacing tents with pre-fabricated housing units and providing heating. UNHCR will continue to advocate with the Government of Greece and the European Union to maintain existing reception capacity and to continue to improve conditions at sites which have been identified by the Government of Greece as likely to remain over the mid- to long-term.

⁶ From 856,700 arrivals in 2015 to some 173,450 arrivals in 2016.

Physical and legal restrictions at the Serbia-Hungary border led to a steady increase in the number of people remaining in Serbia, and to some extent in Bulgaria. UNHCR supported the Government of Serbia's efforts to accommodate and provide assistance to the most vulnerable people. Improving reception conditions remained the priority for UNHCR, as part of broader efforts to strengthen the national protection system. The Serbian authorities and UNHCR carried out a joint reception assessment to help define needs in terms of upgrading and refurbishing accommodation facilities, and to ensure that reception facilities were in line with protection standards, such as gender-segregated and well-lit sanitation facilities and safe sleeping areas for women and children. With UNHCR support, during the course of 2016 the number places available in government accommodation increased from 2,000 to over 6,000, of which close to 4,000 were acceptable for long-term stay.

Building and maintaining fair and effective asylum and protection systems

In Turkey, the Government and UNHCR resumed the negotiations process to transition from UNHCR refugee status determination (RSD) procedures for non-Syrian asylum-seekers to a Government-led system. UNHCR will continue to carry out registration and RSD until completion of this hand-over process.

The “quality initiative” in eastern Europe provided a regional forum for governments to discuss challenges in the area of asylum, with a view to facilitating partnerships and strengthening access to territory, asylum procedures, and the quality of judicial review. The target audiences included first-instance decision makers, border guards and members of the judiciary in Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine.

In the Russian Federation, the Federal Migration Service, the State body in charge of migration issues, including asylum, was integrated into the Ministry of Interior. UNHCR hopes that the restructuring process will enhance cooperation between the Government and the Office in 2017 and that efforts to address current systemic protection gaps will be strengthened.

UNHCR also supported the authorities in several European countries to establish appropriate protection systems for unaccompanied and separated children, including in terms of the provision of information, identification, referral, and best interest procedures. UNHCR and its partners provided direct assistance to unaccompanied and separated children in Greece and along the western Balkans route, including shelter, material, legal, and psychosocial assistance, through the establishment of “blue dots” which assemble key services at strategic points. Together with the United Nations Children's Fund (UNICEF) and the International Rescue Committee (IRC), UNHCR led a consultative process on child protection systems involving over 90 practitioners (including teachers, lawyers, guardians and psychologists) and several governments. A discussion paper containing concrete recommendations on how to better operationalize child protection standards in Europe was published in December 2016.⁷ UNHCR also helped build a more robust evidence base through profiling exercises, including for unaccompanied and separated Afghan children in Sweden.

Securing solutions for refugees and internally displaced persons

UNHCR continued to advocate the expansion of safe and legal pathways to the European Union, including resettlement, and published recommendations on the proposed European Union resettlement framework⁸ in December 2016. The Office is actively engaged with

⁷ Available from <https://data2.unhcr.org/en/documents/download/53109>.

⁸ Available from <http://www.refworld.org/pdfid/585cde7a4.pdf>.

relevant stakeholders in negotiations on the draft legislation. As of December 2016, 25 European countries had made available some 112,500 places for resettlement or other forms of admission for Syrian refugees. Under joint European Union resettlement schemes, almost 13,900 people were resettled to Europe in 2016, including some 2,760 refugees resettled to European countries from Turkey under the “EU-Turkey statement”. Internal relocation within the European Union continued at a slow pace, with approximately 8,160 relocations out of a total of 160,000 targeted places having been effected since the launch of the scheme.⁹

UNHCR continued to advocate targeted increases in funding mechanisms relevant to refugee integration in Europe and the enhancement of measures outlined in the European Commission’s action plan on the integration of third-country nationals.¹⁰ In eastern Europe and in the western Balkans, the Office continued to advocate with governments to enhance opportunities and support for local integration. UNHCR also advocated resettlement countries to accept more refugees hosted in eastern European countries.

With regard to persons displaced in South-East Europe by the conflicts during the 1990s in the former Yugoslavia, the Office supported governments in the subregion as they assumed responsibility for durable solutions for those still in need. Government support is particularly required for vulnerable groups, including Roma. UNHCR will continue to offer legal counselling for all those in need of solutions or who are at risk of statelessness.

In Ukraine, the Ministry for Temporarily Occupied Territories and Internally Displaced Persons was established in April 2016 to address the consequences of the conflict, provide protection for the affected population, and ensure cooperation on humanitarian and peacebuilding issues. UNHCR signed a letter of understanding with the Ministry in October 2016, and looks forward to close collaboration to enhance freedom of movement, harmonize legislative frameworks, facilitate dialogue with internally displaced persons (IDPs) and civil society, and strengthen information management.

In the southern Caucasus, UNHCR continued its partnership with concerned governments to protect the rights of IDPs, including the right to return to their places of origin in safety and dignity. UNHCR also advocated measures to increase IDP freedom of movement and to improve their situation in displacement, as well as to strengthen local integration. The Office welcomed the efforts by the Governments of Azerbaijan and Georgia to help IDPs with durable housing solutions and to strengthen social inclusion.

Preventing and resolving situations of statelessness

UNHCR supported the platform on statelessness in the European Union established by the European Migration Network, assisting in the drafting of a report taking stock of Member States’ approaches to statelessness and co-hosting a conference on this issue. These efforts built on the conclusions on statelessness adopted by the Council of the European Union in 2015.

In 2016, UNHCR, the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-Operation in Europe (OSCE) and the Office of the OSCE High Commissioner on National Minorities jointly drafted a “Handbook on statelessness in the OSCE area: international standards and good practices”. This practical tool outlines the

⁹ Data available from https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/20161208/update_of_the_factsheet_on_relocation_and_resettlement_en.pdf.

¹⁰ Available from https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/communication_action_plan_integration_third-country_nationals_en.pdf.

concrete steps that can be undertaken to address statelessness for the 57 OSCE participating States.

Norway made important advances in preventing statelessness at birth through an instruction permitting children born stateless in the country to apply for and acquire Norwegian citizenship. Luxembourg and the Netherlands also introduced bills to strengthen safeguards against statelessness for children born in those countries. UNHCR and its partners continued to provide assistance to those in need of civil registration and documentation in south-eastern Europe. In Serbia, the number of people without identity documents among Roma, Ashkali and Egyptian communities had dropped from 6.8 per cent to 3.9 per cent over the past four years. Consultations with Latvia continued with respect to the situation of the non-citizen population, while in Belarus, stateless persons were increasingly documented and able to enjoy socio-economic rights on a par with citizens, and the overall number of stateless people was decreasing due to naturalizations.

Strengthening UNHCR’s external relations and mobilizing support for the work of the Office worldwide and for persons of concern

In 2016, UNHCR continued to strengthen partnerships with multiple stakeholders, including governments, regional institutions - such as the OSCE, the Council of Europe (COE) and the International Centre for Migration Policy Development (ICMPD) - United Nations agencies, civil society and NGOs. UNHCR continued to advocate a coordinated and comprehensive response to address gaps in asylum systems, based on solidarity and responsibility-sharing among States. UNHCR developed tools to provide information on the situation in Europe and its response. The “Regional refugee and migrant response plan for Europe” provided a valuable platform to coordinate joint advocacy with partners, as well as to mobilize resources for inter-agency efforts.

In Ukraine, UNHCR continued to work within the inter-agency framework for IDPs, leading the protection and shelter clusters. UNHCR had close partnerships with the OSCE, the International Committee of the Red Cross (ICRC) and several international and national NGOs in both Government-controlled and non-Government controlled areas.

C. Financial information

The budget for Europe approved by the Executive Committee of the High Commissioner’s Programme, during its 67th session in October 2016 amounted to US\$ 891.7 million for 2017. As of end of January 2017, the budget for the region stood at US\$ 829.0 million, a decrease reflecting the revised requirements in Turkey with respect to the Syria situation and corresponding reallocation to operations in the Middle East and North Africa region.

Thirty-six per cent of the budget for Europe was allocated to the crisis in Europe and was included under the “Regional refugee and migrant response plan for Europe”, while 37 per cent was allocated for Syrian refugees, and 4 per cent for Ukraine. In terms of subregions, 52 per cent of the overall budget was allocated to operations in eastern Europe, 7 per cent to south-eastern Europe, and 41 per cent to northern, central, southern and western Europe.

In 2016, contributions for Europe amounted to US\$ 424 million, or 48 per cent of the 2016 overall requirements of US\$ 878 million. As of 31 January 2017, contributions totalling US\$ 98 million (12 per cent) towards the region’s 2017 financial requirements had been recorded.