

**Executive Committee of the
High Commissioner’s Programme**19 February 2013
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Overview of UNHCR’s operational strategies in Europe**A. Situational analysis***Applications for Asylum*

Provisional asylum statistics indicate that over 350,000 new applications were filed in 38 European countries in 2012, an increase of less than 10 per cent as compared to 2011. This is primarily due to increased claims by asylum-seekers from the Syrian Arab Republic (a threefold increase from 2011) and the Russian Federation. The 27 European Union (EU) Member States received 83 per cent of the applications.

Applications from citizens of several countries of South-East Europe (including Albania, Bosnia and Herzegovina, Montenegro, Serbia (and Kosovo),¹ and the former Yugoslav Republic of Macedonia) continue to feature among the highest claim numbers in several EU member States. Following Syrian applicants, leading countries of origin for asylum-seekers in European Union and other western and northern European countries included the Russian Federation, Afghanistan and Somalia.

A total of 28,000 new applications by Syrian nationals were filed in the European Union between April 2011 and December 2012, with Germany and Sweden receiving approximately 62 per cent of the new applications during 2012 (17,300 new applications).

Temporary Protection and Assistance

Since March 2011, some 280,000 Syrians have sought protection and assistance in Turkey. As of mid-February 2013, 180,000 Syrians have been registered and accommodated in 15 camps in 7 provinces bordering the Syrian Arab Republic. UNHCR leads the inter-agency humanitarian effort and supports the Turkish Government’s effort to address protection and assistance needs.

In partnership and solidarity with the generous response by the Turkish Government to this emergency situation, UNHCR provided US\$ 28 million worth of core relief items, including locally procured tents, to more than 190,000 persons. The Office also provides technical support on education, health and nutrition, water, sanitation and site planning.

Turkey is implementing a temporary protection regime for Syrians seeking international protection, and the Turkish authorities and UNHCR work jointly to identify protection needs. UNHCR’s support has emphasized technical advice on registration, voluntary repatriation, camp management, and the civilian character of asylum. UNHCR is

¹ Security Council Resolution 1244 (1999).

undertaking a profiling of Syrians in urban settings, supporting the Government in identifying the scope of needs and ensuring that assistance responds to the needs of the growing urban population.

Normative and Systemic Developments

UNHCR has closely followed the development of the Common European Asylum System in the European Union. Since October 2012, there has been significant progress in negotiations on the recast proposals, notably on the recast Dublin Regulation and the recast Reception Conditions Directive, although these are yet to be formally agreed between the Council and Parliament.

UNHCR has initiated a 10-Point Plan project to assist States to address increasing mixed movements through and from South-Eastern Europe towards Western Europe in a manner that is both collaborative and protection-sensitive. This project will include suggestions to strengthen asylum systems in the region.

In cooperation with the European Union and other actors, UNHCR significantly increased its operational support to Greece help ensure that the Greek Asylum Service, the Appeals Authority and the First Reception Service are fully operational.

Solutions

To enable durable solutions for the most vulnerable of those displaced during the 1991-1995 conflicts, UNHCR participates in the Sarajevo Process and the Regional Housing Programme (RHP) to be implemented in Bosnia and Herzegovina, Croatia, Montenegro and Serbia. The first country housing projects were submitted to the RHP Secretariat in January 2013, and initial funding decisions will be taken by donors in April 2013. Bosnia and Herzegovina has issued a public call for applications for housing assistance. UNHCR and the Organization for Security and Co-operation in Europe (OSCE) have assisted partner governments to ensure protection and sustainability elements are included in the proposed projects and will monitor their implementation. The Regional Coordination Forum, inaugurated in January 2013, focuses on coordination of all issues related to the Sarajevo Process, including accelerated provision of civil documentation and a regional public information campaign on forthcoming housing solutions. In this context, Montenegro has extended its deadline for displaced persons to regularize their stay in the country until end 2013, which will facilitate their local integration and thus ensure they remain eligible for housing assistance.

UNHCR has also embarked on efforts to foster durable solutions for IDPs in Eastern Europe through protection-oriented interventions. In Kosovo,² UNHCR has started profiling the IDP population as a first step toward durable solutions interventions. In Georgia, UNHCR is working with the United Nations Development Programme (UNDP) in the Gori region on long-term interventions to provide IDPs with access to housing and livelihood opportunities.

B. Achieving the Global Strategic Priorities

Access to territory, procedures and protection

Prompted by significant divergences among European Union member States' responses to people fleeing Syria, the High Commissioner wrote to EU Ministers of Interior in

² Security Council Resolution 1244 (1999).

December 2012 and addressed the Justice and Home Affairs Council on Syria in January 2013. He called for a coordinated EU response and further efforts to ensure access to territory and asylum procedures; greater consistency in asylum decision-making, including the forms of status and associated rights granted; as well as facilitated access for family members affected by the conflict.

The European Court of Human Rights issued two decisions affirming the principle that an asylum-seeker cannot be detained for the purpose of expulsion while his claim is being examined on the merits.

Fair protection processes and documentation

Discussions on the recast Asylum Procedures Directive and the Eurodac Regulation continue. UNHCR has worked closely with member States, including the Cyprus and subsequently Irish EU Presidencies, as well as the European Parliament. Once agreement is reached, these texts are expected to strengthen safeguards for asylum-seekers and people needing protection in some key areas. One important new element will be the Early Warning and Preparedness mechanism, foreseen under the recast Dublin Regulation (adoption of which is expected shortly), which aims to gather information and to proactively address potential pressure points in asylum systems. UNHCR is prepared to play an active role in its implementation.

Favourable protection environment

In December 2012, the Court of Justice of the European Union handed down its decision in *El-Kott*, a case which marked UNHCR's second formal intervention before the Court. The judgment clarifies the conditions under which EU member States are obliged to grant refugee status to Palestinians who are no longer receiving UNRWA's assistance. The Court also issued a ruling in the case of *Y & Z*, confirming that claims for refugee protection for reasons of religious persecution cannot be rejected on the grounds that the claimant could have been expected to abstain from the practice of their faith to avoid persecution.

UNHCR's cooperation with EU agencies continued. The European Asylum Support Office (EASO) has continued intensive work on facilitating practical cooperation among member States, particularly in the fields of training, country of origin information, quality assurance work, and preparing for the new early warning mechanism. The EASO also held its second Consultative Forum meeting with civil society organizations in December 2012. UNHCR worked closely with the EU borders agency Frontex, contributing to numerous training and other activities.

Building effective asylum systems

UNHCR has started the two-year Asylum Quality Assurance Initiative in Eastern Europe. This EU-funded project aims to establish sustainable quality assurance mechanisms for national refugee status determination (RSD) procedures, building on the methodology developed during similar initiatives in Central and Southern Europe in 2008-11.

UNHCR works to assist governments to in their efforts to build capacity and strengthen national asylum systems.

In January 2013, Greece issued a revised action plan on asylum and migration, articulating many outstanding areas of need. UNHCR, whose activities are included in the plan, is committed to continuing its operational work in support of Greece, including with the support of EU bodies. Priority will be given to strengthening the appeals process and reducing the second instance backlog. Concerns remain, however, about the existing quality of first instance asylum decision-making, access to claim registration, and extremely limited reception capacity, including unaccompanied and separated children.

Facilitating durable solutions

UNHCR is undertaking an EU-funded project in eight countries aimed at helping States, civil society and others improve refugee integration. It will provide tools to support and evaluate the refugee integration process.

In the resettlement area, another EU-funded project on reception and integration of resettled refugees recently concluded with the establishment of a European resettlement network with a web-based platform. UNHCR will now work on a new EU-funded project in 14 countries with established resettlement programmes in Europe. Among these, several countries in Central Europe received resettled refugees in late 2012 for the first time. As part of the European Union's response to the Syria crisis, UNHCR encouraged member States to offer places for targeted resettlement of Syrians and of non-Syrian refugees within or recently departed from the Syrian Arab Republic.

UNHCR has paid particular attention to the issue of family reunification for refugees and other beneficiaries of protection, as family reunification is a crucial aspect of rebuilding one's life. UNHCR shared its observations on the European Commission's Green Paper on the Right to Family Reunification of Third Country Nationals Living in Europe.

Preventing and reducing statelessness

UNHCR has carried out statelessness mapping studies in three countries, and studies are ongoing in 10 others. Stateless determination procedures were established in Georgia and the Republic of Moldova, and dialogues have started concerning the establishment of similar procedures in several other countries. Since 2011, Bulgaria, Georgia, Portugal and the Republic of Moldova have acceded to one or both of the statelessness conventions.

C. Financial information

The Executive Committee approved an initial 2013 budget for Europe of US\$ 197 million. Following revisions in order to accommodate additional needs of Syrian refugees, the current budget stands at nearly US\$ 289.3 million. Of this amount, 63 per cent (US\$ 181.0 million) is allocated to Eastern Europe; 20 per cent (US\$ 57.4 million) to Northern/Western/Central/Southern Europe; and 18 per cent (US\$ 50.9 million) to South-Eastern Europe.

Due to the impact of the Syria situation, the comprehensive budget for Turkey accounts for nearly 47 per cent (US\$ 134.8 million) of the total comprehensive budget for Europe. A funding shortfall would severely affect UNHCR's ability to respond to the protection and assistance needs of the continuously increasing number of displaced Syrians.