



UNHCR Representation
The former Yugoslav Republic of Macedonia
Country Update
1 October – 31 December 2012

I. Major Developments

Significant political and social developments:

1. The country's discussions with Greece over the name issue continued to be high on the political agenda of the government. Yet, beyond the exchange of correspondence between the two countries, no other progress could be denoted. Subsequently, the Ministerial Council of the EU member states did not reach a consensus during the December 2012 meeting to set a date for the start of the accession negotiations with the EU as recommended by the European Commission. It is expected that the council will return to this matter in its forthcoming deliberations under the Irish presidency of the EU in the first semester of 2013.

2. The 2013 national budget was put forward to the deliberations/adoption of the parliament in December 2012. However, the opposition coalition objected to the proposal and submitted amendments numbered in thousands which stalled the adoption procedure. Subsequently the normal functioning of the state apparatus was hindered.

In addition, the opposition protests started which added on to the already tense political and economic situation in the country. Also, incidents escalated in the parliament between the ruling coalition and the opposition coalition which resulted with the forcible removal of the opposition MPs and journalists from the plenary hall and swift adoption of the national budget by the ruling majority in the parliament.

3. Following the latest escalation of the political tensions and the simultaneous protests of the supporters of both coalitions, the opposition announced civil disobedience, continued protests and boycott of the work of the parliament until their demands have been met.

II. Meetings/events and collaboration with government institutions and implementing partners

1. In October 2012 the Representative and the Assistant Programme Officer met the Minister of Labour and Social Policy whereby the need was reiterated for MLSP to accelerate the implementation of the social housing project. Also, following the estimates of the construction costs for social flats (by designers) which was in excess of the budget available with UNHCR, another meeting was held in December 2012, whereby MLSP confirmed its readiness to cover the excess amount in 2014. However the actual tender resulted with a total amount similar to the initial estimates and therefore UNHCR's funding will suffice to complete the project in 2013.

2. In November 2012 all budgets were revised in timely manner which was required as part of the year-end processes.

3. On 22 October 2012, UNICEF was debriefed on the findings of the 2012/2013 *Participatory Assessment with particular focus on Child Protection and Education*.

4. In December 2012, at UNICEF's invitation UNHCR participated in the Mid-Term Review of the UNDAF 2010-2015 components where UNICEF is involved.

III. Strategy for Integration of Refugees and Foreigners in the Republic of Macedonia

1. The Sub-Agreement between the Ministry of Labour and Social Policy (MLSP) and UNHCR Skopje was revised and budgets were allocated for the implementation of the Social Housing Project and the Individual Housing Project.

2. The selection and sub-contracting of a construction company for the construction of 20 social flats was completed and construction permit was obtained. Also, MLSP sub-contracted an independent company to supervise the actual construction. Activities in the field started and MLSP has been requested by the local self-government to pay communal taxes to the municipal authorities where the flats are being constructed.

3. MLSP conducted technical assessments for upgrading 6 individual houses owned by refugees and/or their spouses (including common law). UNHCR will procure the needed construction services (materials and labour) to renovate/upgrade these houses in order to ensure basic living conditions for the families integrating locally.

4. During the reporting period, 9 vocational training projects and 2 income-generation projects were approved as well as 1 project for adult education and 1 project for life-long learning project for persons with disabilities.

IV. Financial and Material Assistance

1. In October 2012, UNHCR and City Red Cross of Skopje (CRC) organised the final 2012 distribution of hygiene parcels to the persons of concern from Kosovo.

2. Following the findings of the PA and the request of the PoC, UNHCR, CRC and the Refugee Committee revised the content of the hygiene parcel and the frequency of distributions for 2013. Subsequently, it was agreed that during 2013, UNHCR shall entrust the procurement and distribution of the hygiene parcels to CRC, whilst UNHCR and refugee representatives shall monitor the distributions.

3. In order to ensure availability of hygiene materials for the first distribution scheduled for January 2013, quantities were procured by CRC for only 4 months.

4. At the request of the PoC and in view of the harsh winter and substandard dwellings used by the PoC, UNHCR entrusted CRC to procure quantities of firewood for the current winter. Hence, each family in private accommodation started to receive 3 m3 of firewood for heating/cooking.

5. As per the findings of the PA, all children and adolescents in private accommodation, who are regularly attending primary, secondary and tertiary level of education, received financial support in the form of modest scholarships in order to be able to cover education related expenses.

V. Other Developments during the reporting period

1. **Statistics:** As of 31 December 2012, the country hosted 1593 asylum seekers and refugees, mainly originating from Kosovo. In the period between 1 October and 31 December 2012, only 8 persons of concern repatriated voluntarily under UNHCR facilitated procedures to Kosovo, whilst 1 person returned spontaneously to Kosovo.

2. The arrival trends of **new asylum-seekers mainly from Afghanistan, Pakistan and Somalia** are continuously followed by spontaneous departures to unknown destinations soon after they are transferred to Vizbegovo Reception Centre, before adjudication of their asylum claims would take place. Some 185 new asylum-seekers arrived, while 250 have departed spontaneously. The

number of recognised refugees remains 24, while 726 persons are under subsidiary protection regime. By the end of December 2012, 5,056 long-term habitual residents acquired citizenship, while 36 are still awaiting final decision under the transitional provision of Article 14 of the 2004 Law Changing and Amending the Law on Citizenship.

3. The UNHCR Representation in Skopje continued its activities in following up the situation with migration movements in the border area with Serbia, mostly used as transit point by the travellers in their journey to Western European countries, by means of undertaking field visits to the area. Increased presence of travellers continues mainly in the villages of Lojane and Vaksince that are located in the vicinity of the border with Serbia. Most of them are single male, however, presence of entire families have been noticed lately and reported by the villagers. UNHCR will continue to closely follow up the situation at these two spots and maintain close contacts with the village leaders.

4. Based on NGO reports on alleged deportations of two asylum-seekers without proper process of law, the Representative intervened with the State Secretary of the Ministry of Interior (MOI). Thorough investigation of the alleged incident was initiated with the MOI Section for Asylum, Section for Illegal Migration and concerned Police Station. The State Secretary availed her highest assurances that if such incidents occur, they should be considered as an isolated case, and not a policy of the Ministry of Interior, and she committed to take all necessary measures to avoid recurrence of such incident in the future.

5. During the reporting period UNHCR, accompanied by its implementing partner dealing with legal affairs, carried out two field monitoring visits to the Roma Information Centres (RIC's) in Bitola and Prilep. The purpose of these visits was to discuss the situation with persons facing documentation issues, as well as receive an update on the current activities of the RIC's. During these meetings, cases of persons facing documentation issues were discussed and UNHCR, along with its implementing partner dealing with legal affairs, provided guidelines and counselling for resolution of those cases. Namely the RIC's are working under the auspices of Ministry of Labour and Social Policy and one of the components in their daily work is identification and referral of cases of unregistered birth/personal name. In that regard UNHCR through its legal implementing partner provides free legal assistance and covers the expenses for the identified cases facing documentation issues, as part of its mandate in prevention and reduction of statelessness.

6. From 26 to 28 November 2012, the UNHCR Representation in Skopje organised the annual UNHCR–MOI Cross-Sector Cooperation Meeting on Mixed Migration and Refugee Protection in Mavrovo. The purpose of the meeting was to review the implementation of the recommendations from the 2011 UNHCR–MOI Cross-Sector Cooperation Meeting and continue developing cooperation on refugee protection within mixed migration flows, as well as sharing good practices and familiarisation with developments in this area in the country and the region. The meeting participants included senior officials from various sectors of the Ministry of Interior dealing with asylum, migration, border and readmission, as well as UNHCR and IOM, UNICEF, ICMPD staff in Skopje. The event was concluded with recommendations covering the coming period of 2013.

7. From 3 to 5 December 2012, UNHCR organised a cooperation meeting on strengthening the civil registration and civil status documentation process. The purpose of the meeting was to develop the cooperation on registration and personal documentation of marginalised groups, as well as continue sharing best practices and familiarisation with developments in this area in the country. For this reason 30 participants from the Ministry of Interior (Section for Citizenship; Section for Asylum, Section for Foreigners and Readmission), Ministry of Labour and Social

Policy, Regional Informative Centres, Ministry of Justice (Directorate for Registry Books), and our implementing partner, the Macedonian Young Lawyers Association, were invited and attended the event. The participants discussed the problems they encountered in line with their activities and proposed solutions for their resolution. At the end of the event, the participants drafted joint recommendations reflecting the forthcoming activities for the purpose of ameliorating the future cooperation.

8. On 11 December 2012, UNHCR representation in Skopje organised one-day country-of-origin presentations, covering Afghanistan, Pakistan and Somalia, which are the three main countries of origin of asylum-seekers in the country, for staff from MoI/Sector for Asylum representatives and from MLSP/Reception Centre for Asylum Seekers.

9. In collaboration with the Academy for Training of Judges and Prosecutors, UNHCR Skopje organised a Round Table for Judges on the ECtHR Practice and the Principle of Non-Refoulement, which was held in Mavrovo from 20 to 22 December 2012. The meeting brought together 23 Judges of the Administrative Court, the Higher Administrative Court, the Supreme Court and the European Court of Human Rights, representatives of the Ministry of Interior, Ministry of Labour and Social Policy, NGOs, lawyers, as well as UNHCR staff, to exchange best practices, knowledge and experience. The meeting also provided an overview of the asylum developments at national level and current trends and patterns concerning mixed migration in Western Balkans. The meeting aimed at familiarising the judges with the current state of discussion on practical and doctrinal refugee law issues and jurisprudence of the ECtHR, as well as with the principle of non-refoulement, conveyed to the participants by the Macedonian judge in the ECtHR, and the representatives of the UNHCR's representation in Strasbourg and Skopje. The translated version into Macedonian language of the Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status of the 2011 edition was promoted during the Round Table and copies were shared with all participants.

Media coverage: The event obtained excellent media coverage, having 3 journalists of most influential media attending the event, and some 10 more media (electronic and printed) reporting on the event (after taking over from the media that covered the event). The Representative gave statement for Kanal 5, National TV stations, on latest trends of newly arriving asylum seekers. His statement was transmitted on 5 more National TV stations.

10. On 19 November 2012, the UNHCR participated a meeting organised by the Ministry of Labor and Social Policy and EU Delegation, regarding the implementation of the Strategy for Roma Integration. On this meeting all agencies working on the implementation of the Strategy for Roma Integration presented the results and achievements, as well as the gaps encountered during the implementation. Refugee population is also included in the Strategy. Main areas covered by the Strategy are: health, education, employment, housing and documentation.

11. On 10 December 2012, UNHCR, through its implementing partner MYLA supported the organisation of a Round Table on Unaccompanied Minors in the Mixed Migration Flows. This event was attended by representatives from MLSP, MoI, UNICEF, IOM, MYLA and UNHCR. The purpose of the Round Table was to mark Human Rights Day and present the latest development and activities each organisation is undertaking to protect the right of the child in the mixed migration flows.

VI. Specific Activities to Note

1. During the reporting period, the office submitted its detailed 2013 Country Plan and started the preparation of the implementing instruments for 2013, in close coordination with its IPs.

2. Following internal consultative process, where a conclusion was made that the current premises are no longer suitable for occupancy by UNHCR, the office tendered for new office premises. The most suitable one was selected; negotiated and new Lease Agreement was concluded. In parallel to that, the Office also tendered and selected a company for alterations and cabling of the new office premises.

Missions:

1. From 3 to 5 October 2012, all staff attended a Retreat and Refresher on the Code of Conduct in Ohrid, Macedonia.

2. From 14 to 20 October 2012, the Community Services Associate and the Durable Solutions Associate attended PLP Workshop in Budapest, Hungary.

3. On 01st November 2012 a meeting took place between the UNHCR Chief of Mission in Pristina and UNHCR Representative in Skopje, The purpose of the meeting was to discuss the following topics: EU supported project on construction of individual houses for returnees in Kosovo; MoU between Macedonian and Kosovo Governments, Macedonian legislation in place concerning returnees/ PoC's integration, or naturalisation.

4. On 5th November 2012, UNHCR Skopje staff met with the UNHCR staff from Pristina and Gnjilane for the purpose of having a follow-up meeting to discuss and agree on the modalities for the preparatory activities, to provide successful implementation of the forthcoming project to support the voluntary repatriation of the Kosovo refugees. The project is supported by the EU Commission. The target group falls under the mandate of the UNHCR.

5. On 12 and 13 November 2012, UNHCR Skopje hosted a visit by the Senior Legal Officer of the RBE Office of Deputy Director, Mr. Xavier Creach. The Senior Legal Officer during his visit met with representatives of Ministry of Interior, Sector for Asylum, Centre for Integration, Reception Centre for Asylum Seekers, the UNHCR IP MYLA as well as UNHCR Staff in Skopje.

6. From 13 to 15 November 2012, IT mission to Skopje was organised for Mr. Marjan Petrovic, IT Associate in Belgrade, in order to advice the office on issues relating to move and management of IT equipment and tasks.

7. On 13 November 2012, Ms. Katja Saha, Senior Desk Officer was on mission to Skopje, to follow up on developments relating to implementation of the local integration strategy.

8. From 18 to 20 November 2012, the Associate Protection / Legal Officer attended a Workshop on the Rule 39 in Budapest, Hungary.

9. From 20 to 21 November 2012, Mr. Samuel Boutruche Zarevac, Legal Associate was on mission to Mavrovo, to attend the Round Table with Judges.

10. From 20 to 23 November 2012, Mr. Perry Metaxas, Senior Field Safety Advisor was on mission to Skopje to advice on security related issues prior to the move of the UNHCR office premises.

11. On 27 November 2012, UNHCR Skopje hosted the field visit of the Council of Europe Commissioner for Human Rights, Nils Muižnieks, within the framework of his visit to the country. The Commissioner visited Roma settlement and IDP Collective Centre in the city of

Kumanovo. The visit was aiming to better understand the situation of Roma in the country, particularly segregation in education, lack of personal documentation and statelessness, as well as measures adopted by the government to regulate migration in the context of the visa-free regime.

12. From 26 to 28 November 2012, the Protection Unit was on mission to Mavrovo, to attend the Cross-Sector Cooperation Meeting with MOI and other IPs.

13. On 14 December 2012, UNHCR Representation in Skopje hosted come-and-inform visits of UNHCR FO Pristina and FO Gjiilan/Gnjilane, and municipal representatives of Kamenice/Kamenica and Lypjan/Lipljane. The purpose of the meeting was to facilitate refugees opting for voluntary repatriation to meet with municipal authorities of the two municipalities and obtain information on the current security situation and socio-economic conditions in Kosovo, as well as on the conditions for return.

14. From 20 to 22 December 2012 the Protection Unit and the Executive Office were on mission to Mavrovo, Macedonia to attend the Judges Round Table.

15. On 24 December 2012, Macedonian Parliament adopted the amendments to the Law on Asylum and Temporary Protection (LATP). The law was published in the Official Gazette No. 166 dated 26 December 2012 and entered into force on 3 January 2013. The amendments further align the LATP with the so-called first generation EU asylum instruments and incorporate most of UNHCR's recommendations and views put forward to the authorities for deliberations. UNHCR welcomes the reference to gender-specific and child-specific persecution in the newly proposed Article 4-c of the LATP, as well as recognising that prosecution or punishment when refusing military service, may constitute persecution. UNHCR further welcomes the amendment to Article 23-a of the LATP, to include victims of human trafficking in the group of vulnerable persons with special needs and the amendment to Article 14 of the LATP, which guarantees free legal aid to asylum-seekers.

16. During the reporting period, the UNHCR translated into Macedonian language and published the Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status. The handbook has been widely distributed to relevant institutions as well as the participants at the UNHCR organised roundtable regarding refugee law and practice.

VII. Background on UNHCR presence

The former Yugoslav Republic of Macedonia is a state party to the 1951 Refugee Convention and its 1967 Protocol. The UNHCR Representation in Skopje was established in 1992. The Ministry of Labour and Social Policy and the Ministry of Interior are UNHCR's main government counterparts. The close cooperation with the Government, the judiciary, the Red Cross Society, various international and national NGOs and working closely with refugee communities was crucial in the past to handle three emergency operations in response to the humanitarian exodus prompted by the conflicts in Bosnia and Herzegovina, the Federal Republic of Yugoslavia (Kosovo), as well as the 2001 internal conflict.

UNHCR Skopje,
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