

The EU and the UN refugee agency (UNHCR)

The European Union is currently faced with a migratory surge resulting from mixed migration flows of refugees and other migrants. In 2014 over 200 000 people illegally crossed the Mediterranean to reach the EU and the situation has become even more critical this year, especially considering the sharp rise in deaths at sea: 1 829 victims in 2015 so far as compared to 3 200 people in 2014. This dramatic situation requires the EU to seek holistic approaches to migration in close cooperation with key international partners, such as the United Nations High Commissioner for Refugees (UNHCR).

Mandate, structure and budget

The [UNHCR](#) was created in 1950 to help European refugees uprooted during World War II. The organisation has since grown from 34 staff members to over 9 300 people, working in 125 countries. Its mandate derives from its [Statute](#) and its activity is governed by the UN General Assembly, which also elects the High Commissioner, an office currently held by António Guterres.

The core task of the UNHCR is to ensure the correct application of the [1951 Convention](#) relating to the Status of Refugees (Geneva Convention) and its 1967 Protocol. These provide a global legal framework, currently applying to 148 states parties, who are bound to cooperate with the UNHCR. The Geneva Convention defines the status and rights of a [refugee](#) as well as the obligations of the states parties. Its key element is the principle of [non-refoulement](#) which prohibits refugees being returned to a country where their life or freedom is at risk. As the 'guardian' of the Convention, UNHCR is to remain politically neutral and use advocacy to guide states towards finding viable solutions.

The UNHCR's initial mandate to protect refugees has been extended to the provision of material assistance to different vulnerable groups such as returnees, asylum-seekers, internally displaced and stateless persons. Indeed, currently around 88% of UNHCR staff work directly in the field.

The UNHCR's needs-based global budget for 2015 is US\$6.8 billion. The 2015 budget for Europe (38 countries, including 28 EU Member States) is [US\\$480.5 million](#), two-and-a-half times more than for 2009.

UNHCR and EU

The EU's asylum policy

[Article 78 TFEU](#) provides for a common policy on asylum in accordance with the Convention and its Protocol. The [Common European Asylum System](#) (CEAS) aims to ensure uniform minimum standards in all Member States, although it has been [criticised](#) for serving more the control, than human rights, rationale of EU migration policy. The current [debate](#) on a more just distribution of refugees and asylum-seekers has led to the Commission announcing a new European Agenda on Migration, while immediate actions have been set out in the [10-point plan](#) of Commissioner Dimitris Avramopoulos.

Cooperation between the EU and the UNHCR

All EU Member States are signatories of the Geneva Convention, which they implement through national legislation. UNHCR advises the Member States and EU institutions on their international obligations and drafts recommendations for their relevant policies, for instance to the [EU Presidency](#), currently Latvia.

The UNHCR, assessing the application of the CEAS, has repeatedly [expressed concerns](#) regarding forcible returns, and the barriers built by some EU Member States to prevent asylum-seekers and refugees [entering](#), while others have not put in place procedures corresponding to international standards of reception.

In light of the [decisions](#) taken at the special meeting of the European Council on 23 April, the UNHCR responded by issuing a [joint statement](#), defining the shared responsibility of all international stakeholders. Moreover, the UNHCR has set up a 12-step plan in its [Central Mediterranean Sea Initiative](#) (CMSI).