

Monitoring and Surveillance Report 'Making a Difference for Refugee Children in Europe'

ISSUE #1 - AUGUST 2016

The current initiative aims at collecting and analyzing already existing data or bridge gaps on child protection issues that have not yet been made available to policy makers in order to feed sound policy making processes. In parallel, it will allow Terre des hommes (Tdh) and its partners to keep live track of the situation of children on the move in order to more effectively deploy resources as soon as needs arise.

The monthly Monitoring and Surveillance Report will not only build, but first and foremost complement existing monitoring initiatives, such as those developed by IOM in the framework of their displacement tracking mechanism, or UNHCR through their global, regional or national updates. In that sense, and given the initial limited geographical coverage as exposed above, it is crucial that all parties interested in contributing and feeding the initiative can do so in an easy and smooth manner. [We strongly encourage those of you who are able to share data or contribute in any other way to glance at the following webpage and share your views and opinions regarding the type of data that is critically lacking as of today as well as the types of contribution you could bring to our joint initiative.](#)

1. Migration trends, facts and figures

Regional overview

Since the closure of the Balkan route last March, the main entry point for refugees and migrants in Europe shifted from Greece to Italy. In April there were 3,650 arrivals recorded in Greece and 9,149 in Italy. However UNHCR registered 1,052 refugees and migrants crossing the sea to Greece between 29 August 2016 and 4 September 2016 (a daily average of 150). This suggests that **the movement and arrival of refugees and migrants in the Central and South Eastern European (C/SEE) region is on the rise and likely to increase.**

There are currently **2 main routes in the region**. The first one begins **in Greece** (where **38 847¹** people are stranded according to UNHCR²) and goes through FYROM to Serbia, while the second route starts in Turkey and passes through Bulgaria to reach Serbia. Alternatively³, reports have surfaced reporting that people have tried to enter Albania to continue through to Montenegro or Kosovo⁴, but reliable data is lacking at the moment, partly due to the irregular nature of border-crossing.

Amendments brought to the Hungarian border & immigration regime (referred to as the 8-kilometer rule) entered into force on 5 July 2016 and had a major impact on the situation in the C/SEE region. The legal changes resulted in a systematic policy of **push-back** of refugees and migrants to Serbia and Croatia, while allegations of police violence in its implementation were substantiated by systematic reports made by people trying to enter the Hungarian territory.

1 http://data.unhcr.org/mediterranean/uploads/uploadsmediterranean/images/documents/dt_mediterranean_1891.jpg

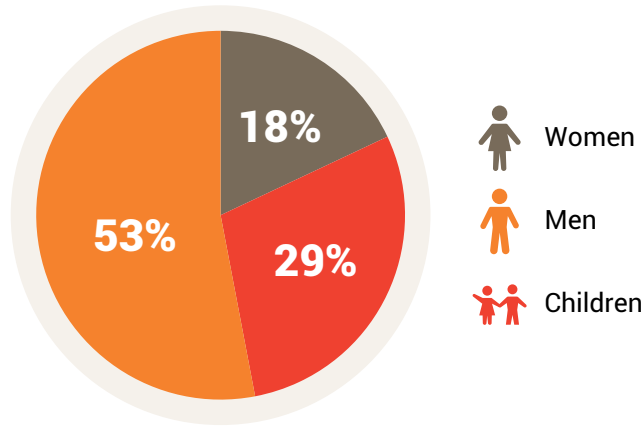
2 Note that IOM statistics differ. In its situation report dated 7 September 2016, IOM estimates estimated that 58,635 refugees and migrants were stranded in Greece.

3 The Former Republic of Macedonia (FYROM)

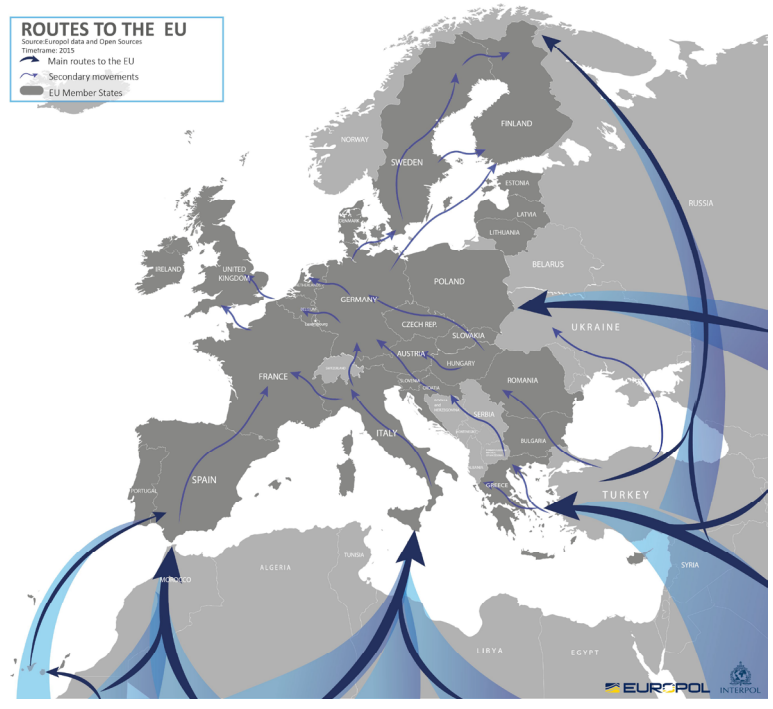
4 Under UNSC Resolution 1244

As a consequence, refugees and migrants are stranded in Serbia, waiting sometimes for months to enter Hungary through the official transit zones of Tompa and Horgos.

Demographics of people reaching Europe through the Mediterranean Sea since the start of 2016



The people reaching Europe through the Mediterranean Sea are from **Syria (30%), Afghanistan (16%), Iraq (10%), Nigeria (7%) and Eritrea (5%)**. The proportion of women is 18% and 29% are children⁵. Since the closure of the Balkan route, Tdh and its partners have been witnessing a sharp deterioration of conditions for refugees and migrants whose safety is at risk after border tightening, and limited access to their rights. In this new context some groups such as children in families and unaccompanied or separated children (UASC) are particularly vulnerable, although reliable information across the region regarding UASC is scarce partly due to the irregular nature of their migration which hampers identification opportunities.



Migrant Smuggling routes and hotspots (EUROPOL, May 2016)

⁵ <http://data.unhcr.org/mediterranean/regional.php>

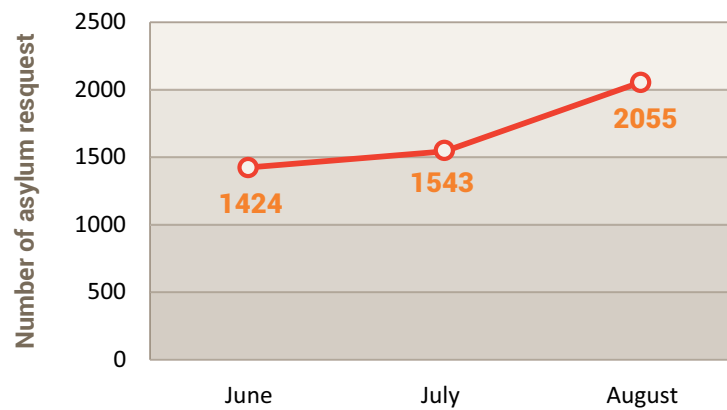


In Tdh countries of intervention

Albania: The number of refugees and migrants transiting through Albania remains low. However, as it is a neighboring country of Greece, state authorities and NGOs including Tdh are monitoring the situation. From January through September 2016, IOM reported that 486 people have been apprehended⁶. The main nationalities were Afghans, Syrians, Moroccans and Iraqis. In Albania, there were 106 asylum applications in 2015, and 37 for the first semester of 2016⁷. Refugees and migrants enter **through the Greek border and travel towards Montenegro and Kosovo**.

Bulgaria: The large majority of asylum seekers are entering the country through the Turkish border, but some people attempt to enter through Greece. The police recently reported an increase in the number of people attempting to enter the country and reinforced their border patrols. The main exit country is Serbia where asylum seekers converge to the north in route to the Hungarian border.

Number of asylum request in Bulgaria in Summer 2016



The exact number of people transiting through Bulgaria is not known. However for the first semester of 2016, 9'388 third-country nationals applied for international protection, of which 35% were children. Although the number of asylum applications submitted in Bulgaria is constantly increasing, most of the asylum seekers (including UAM) leave Bulgaria for Serbia before the end of the procedure. In the recent years, the number of unaccompanied minors has been increasing in Bulgaria. According to the Bulgarian State Authority for Refugees, the number of applications for international protection submitted in **June was 1'424, with 1'543 and 2'055 applications filed in July and August** respectively. As of 24th August 2016, 1'147 people were held in detention centers for illegal border crossing, and 3'460 asylum seekers were accommodated in registration and reception centers. The number of refugees and migrants stranded in Bulgaria has increased since July 2016, when Serbia tightened controls on its border with Bulgaria, sending army units to join border patrols.

Macedonia: In between June 2015 and March 2016, 477'856 people registered their intention to seek asylum in Macedonia but only 86 submitted an application. Nevertheless, these numbers represented only people who could access the territory and register as restrictions were gradually being implemented along the Balkan route during the "migration crisis"⁸. Since the border closure there is no official information about

6 [IOM, compilation of available data and information, 25th August – 6th September 2016](#)

7 Terre des hommes assessment Report on the migration trends in Albania, August 2016

8 The first restriction was implemented on 18th November 2015 when only Syrians, Afghans and Iraqis were allowed to access the corridor. Several restriction followed (upon nationality, documents, city of origin and intention etc) that lead to the total closure of the corridor.



the number of people transiting through Macedonia. As of August 7th there were between **206 to 210**⁹ people in Vinojug and Tabanovce **Transit Centers** with **40% of them being children**. The numbers are changing on a daily basis with new departure and arrivals¹⁰.

Refugees and migrants are entering from the Greek border into Macedonian territory mainly through the area of Dojran and Strumica. Nonetheless, push-backs are reported to be almost systematic which raises serious concerns. In the country, refugees and migrants are not visible, but there are large concentrations reported to be in the villages of Lojane and Vaksince near Tabanovce. Refugees and migrants are leaving the country through the northern border point with Serbia.

Serbia: Since the new 8 km rule was implemented in Hungary on July 5, 2016 refugees and migrants are allegedly facing a violent push-back. As of 31 August 2016 **the number of people in Serbia rose to 4'700**. The conditions at the Hungarian border in front of the transit zones are appalling, some people were relocated to reception centers around the country to asylum centers in Sid (Adasevci, Sid, Principovac), Presevo, Sjenica, Tutin, Bogovadja, Banja Koviljaca and Belgrade. The conditions in Belgrade are raising concerns after the local policy towards refugees changed. Refugees are reporting that smugglers activities are on the rise. Tdh partner (Novi Sad Humanitarian Center) reported that refugees and migrants' mental health is worsening. The latest estimates suggest a daily average of 200 entries mainly from Macedonia and Bulgaria and only 30 to 40 people are allowed to access the Hungarian transit zones.

Hungary: In 2015, a total of 177'135 individuals applied for asylum in Hungary while 22'491 persons applied in the first half of 2016¹¹. The actual number of people transiting was in reality higher. Since 5 July 2016, the number of entries decreased as a consequence of the new border regime and its associated policy to push people entering the territory irregularly back to Serbia¹². The only legal option to enter Hungary is through officially designated 'transit zones'. At the Serbian border, 2 transit zones exist (Horgos/ Röske and Kelebija/ Tompa) where only 30 to 40 people per day are granted entry. In July 2016, there were 1'237 refugees and migrants accommodated in facilities run by the Office of Immigration and Nationality (OIN), out of which 541 were in open reception centers and 696 in "asylum jails"¹³. Refugees and migrants tend to stay in a reception center for a few days before moving on to Austria.

Romania: **The arrivals at the Serbia-Romania border as well as the Bulgaria-Romania border appear to be increasing**. Bulgarian police reported two deaths (including one child) of people who attempted to reach Romania¹⁴. The Romanian police increased their surveillance at the border with Serbia¹⁵.

Croatia and Slovenia: Since the 8th of March no entry was registered by authorities in Croatia and Slovenia¹⁶ which does not include the number of people who attempt to enter and are not apprehended. Push-backs from Croatia to Serbia are also being reported but on a smaller scale than in Hungary.

9 Macedonian Helsinki Committee, [The situation at the border crossings Gevgelija and Kumanovo for the period: 01.08.2016 – 07.08.2016](#)

10 According to UNHCR profiling report, on 15 August 2016 there were In TC Tabanovce : 85 persons (47 children), in TC Vinojug : 137 persons (65 children), in Vizbegovo Asylum Centre: 17 persons (4 children), in Skopje Safe House (JRS) : 15 persons (9 children), in Gazi Baba Reception closed center : 20 persons.

11 [Hungarian office of immigration 4th August 2016](#)

12 [In June there were 3'768 people apprehended crossing the border illegally. There were 572 in July and 348 in August.](#)

13 Hungarian Helsinki Committee, [Key asylum figures as of August 2016](#)

14 <http://www.reuters.com/article/us-europe-migrants-bulgaria-iraq-idUSKCN11J1DV>

15 <http://www.romania-insider.com/tighter-security-measures-romania-border-serbia/>

16 <http://data.unhcr.org/mediterranean/images/excel.png>



2. Legal and political developments on asylum

2.1. At regional level (January – August 2016)

From January through August 2016, the migration of children and families within and/or through C/SEE countries continued to pose challenges to national immigration and child protection systems in the region. The EU - entrusted with a mandate to support Member States in securing their borders and to set common minimum standards to process the claim of children and families seeking international protection - has **failed to provide for a coherent and adequate EU-wide response, in the absence of a political agreement between its Member States.**

On the 13th of July 2016, the European Commission (EC), acting under the framework of the **European Agenda on Migration** (published in May 2015), has unveiled several policy and legislative proposals aimed at reforming the Common European Asylum System as in its current form it did not succeed to streamline Member States' practices in the field of asylum. Indeed, reception conditions, procedural guarantees and recognition rates significantly differ from one Member State to another, while the Dublin Regulation (designed as the cornerstone of the asylum system in order to prevent "asylum shopping" practices) reached its limits.

As part of the EC package, four key instruments are being reformed: on the one hand, the current procedures directive and the qualification directive are meant to become regulations, a positive development as their provisions will become directly applicable in the legal order of Member States ensuring more consistency in their implementation at national level. On the other hand, minimum reception standards will remain enshrined in a directive. **Regretfully and succinctly, the EC legislative proposals appear to curtail the substance of the rights that refugee and migrant children seeking international protection were able to exercise until now.** Main concerns include the integration of the "safe third country" concept (together with a list of safe countries of origin which includes all non-EU C/SEE countries) which are likely to further burden the protection systems of C/SEE countries. The inclusion of additional grounds allowing the **detention** of asylum seekers raises concerns, while the possibility to **sanction** beneficiaries of international protection who decided to move to other EU Member States is also introduced. Positive developments can however be witnessed for unaccompanied children, who would benefit from free legal assistance and have a guardian appointed no later than 5 days after filing an application. All legislative proposals are currently scrutinized by the European Parliament, while civil society organizations continue to voice their concerns adoption.

In parallel, the EC also developed a proposal for an EU Resettlement Framework, aimed at providing a common approach between Member States to facilitate the arrival of persons in need of international protection from third countries in a legal (and safer) way. By 11 July 2016, **8,268 people had been resettled** in the framework of the resettlement scheme of 20 July 2015 to 20 resettling States. In the same vein, a relocation mechanism aiming at relocating refugees and asylum seekers already present on the territory of the EU was agreed upon in September 2015. Only 6 unaccompanied minors were relocated from Greece between 11 June and 11 July 2016, while less than a third of the total number of pledges made by Member States was effectively relocated from Greece.

Apart from the ongoing legislative reforms, the conclusion of an agreement between the EU and Turkey whose primary objective was reported to deter refugee and migrant children and families in need of international protection to start their journey to Europe by facilitating their return. Since its signature, the number of persons arriving by sea to the Greek islands has significantly decreased. Current talks between the EU and Turkey however suggest that the deal may be under jeopardy following tensions which arose out of the visa liberalization process between the EU and Turkey. Current trend analysis suggests that should the deal be denounced (potentially next October), the EU would witness a sharp increase in the number of refugee and migrant children and families reaching the EU via Turkey.

2.2. In Tdh countries of intervention

- Bulgaria - The Bulgarian government is currently working on a new legislation that will **restrict the movement of asylum seekers** within the country. The plan aims at creating a "restricted area" for "discipline" across the country's reception centers. In the biggest reception and registration center of the country located in Harmanli, a massive fight was reported on the 28th of August 2016, involving over 500 people of different nationalities¹⁷. Following this, the Bulgarian government decided to allow the State Agency for Refugees (SAR) to set up closed refugee camps, and/or transform existing open camps into closed facilities if authorities deem it 'necessary'.
- Macedonia - In June 2016, an amendment on the asylum law was adopted. One of the main changes was the introduction of the safe third country concept for countries members of EU, NATO or EFTA (i.e. any country that borders Macedonia). As a consequence, asylum requests lodged by persons who have transited through these countries will be deemed **inadmissible**.
- Hungary - In June 2016 the Hungarian state new legislation sealed the **dismantling of integration support schemes** in Hungary. Since then, there is no special financial support made available to asylum seekers and refugees in Hungary. Finally, as reported above, the Hungarian authorities started to implement the 8 kilometers rule on July 5, which resulted in the push-back of asylum seekers in contradiction with the principle of non-refoulement.

3. Child Protection issues: assessment of risks and vulnerabilities

1. **Lack of (or flawed) age assessment procedures:** In all selected countries one of the main problems related to the protection of UASC is linked to their **recognition as children**. Most of the UASC arrive without documents and age assessment is neither systematic nor adequate. It is often limited to a medical examination which does not take into consideration cultural and physiological differences or psychological aspects. The lack of - or flaws in - age assessment procedures may result in unlawful detention (Bulgaria and Hungary), deny of access to territory (Hungary) and to adequate services including inter alia health, education and guardianship.
2. **Weakness and overload of national guardianship system:** Across the region all countries have an existing guardianship system. However, in practice these institutions face numerous challenges which were put under greater strain when the migration 'crisis' hit. Authorities often fail to appoint a legal guardian to children while the number of legal and professional guardians in selected countries is not sufficient. This has **overburdened professional guardians** who in turn are not able to provide appropriate care.
3. **Family separation, failure or delay of family reunification:** Among the 88'245 UASC who sought asylum in Europe¹⁸ separated children should also benefit from family reunification. However, last year many families were separated while transiting in direction to the EU. Moreover, family reunification procedures are often too slow and UASC choose to reach their family members through other means. Additionally, in some cases families have to pay for travel to reunify. Unreasonable costs indirectly prevent children and families to exercise their right to be reunified.

¹⁷ Harmanli, the largest refugee camp in Bulgaria, hosts around 1,500 asylum seekers mainly from Afghanistan, Syria, Iraq and Pakistan.

¹⁸ Eurostat, Asylum applicant to be considered to be unaccompanied minors, annual data. <http://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tps00194&plugin=1>



4. **Violence and refoulement:** Across the region (Bulgaria, Hungary, Serbia and Macedonia) border police **violence and push-backs** is affecting adults as well as children. This also exacerbates family separation issues.
5. **Trafficking in human beings:** The fact that refugees and migrants including UASC are traveling irregularly across borders and are pushed to use the services of smugglers further contributes to the risks of trafficking. For instance, in Macedonia the situation around the villages of Lojane and Vaksine is of major concern. This "grey zone" is off limit for UN agencies and NGOs and unofficial information report that refugees and migrants are being brought and kept there by smugglers. Allegedly, women and **children face greater risk of human trafficking** (forced labor, prostitution and organ trafficking) in these areas.

3.1. Reception conditions for families with children

Across the region families with children are accommodated in asylum reception centers. The quality of conditions differs from one center to the other. However, families face many challenges. In Greece and in Bulgaria, the authorities tend to separate families and individuals according to nationality and religion, in order to avoid tensions or fights. Single mothers or UAM are rarely accommodated in specific facilities. In all camps and centers visited by Tdh the quality of the food was poor (lack of fresh products and lack of special diet food), the bathroom facilities were in very bad conditions, and there were many insects and health issues. Everywhere, people lack clothes and shoes. For children specifically, there are very few specific activities, toys, games, classrooms or playgrounds, and there is a need for distribution of baby diapers, and nappies. Everywhere, there is a lack of translation or documents in a language that refugees and migrants understand that limits their access to information. This also influences their access to services such as health, legal information and support for SGBV survivors and victims of human trafficking. Last but not least, authorities fail to plan an integration plan in the long-run.

3.2. Focus on UASC

In Albania: accommodation conditions for UAM in either state run centers, public institutions or shelters is not complying with legal standards, according to the Albanian Ombudsman.

In Bulgaria: 1815¹⁹ children sought asylum in 2015. There is no publicly available information about the number of UASC's applications in 2016. Main countries of origin include Afghanistan and Syria. According to the Bulgarian Ombudsman²⁰ more than 2,300 unaccompanied minors were reported to have transited through Bulgaria since the beginning of 2016. The Law on Asylum and Refugees is not correctly implemented, in particular with regards to accommodation in specialized institutions and appointment of a guardian. The particular issue of UASC disappearance and their lack of protection have been publicly raised by the Bulgarian Ombudsman, UNHCR, UNICEF and by many NGOs. The Bulgarian Helsinki Committee for example is lobbying for the opening of a specific NGO-run care center for UASC.

In Greece: according to UNHCR report on 9 September 2016, there were 800 places reserved to UAM in existing shelters and transit centers, and 400 more places planned to be open in the coming weeks. However, 1,487 UASC registered are still on the waiting list.

19 <http://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tps00194&plugin=1>

20 <http://www.bta.bg/en/c/DF/id/1394657>



In Hungary: **Between January and July 2016, 994 unaccompanied minors sought asylum in Hungary.** The number of UAM in the territory varies from day to day. From January to August 2016 1'098 children were accommodated at the Károlyi István Child Centre in Fót, the main shelter for unaccompanied minors in Hungary. The shelter has an official capacity of 34 places. The latest assessment carried out by Tdh in August 2016 revealed that 44 UAMs were accommodated in Fót.

In Macedonia: According to the latest estimates **18'000²¹ UASC have transited through Macedonia** since the start of the "refugee crisis". As of 15 August 2016, 3 cases of separated children in Tabanovce and 1 in Vinojug²² were reported.

21 Terre des hommes assessment report on the migration situation trends in Macedonia, August 2016 source Open Gate La Strada.

22 Terre des hommes assessment report on the migration situation trends in Macedonia, August 2016, source Open Gate La Strada.