



OUT OF SIGHT, EXPLOITED AND ALONE

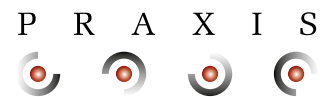
A JOINT BRIEF ON THE SITUATION FOR
UNACCOMPANIED AND SEPARATED CHILDREN IN BULGARIA,
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, SERBIA AND CROATIA

MARCH 2017



Ulfar, 16, from Afghanistan, was transferred by the Serbian police from Belgrade's barracks to the Reception Centre in Presevo, near the FYROM border, in an attempt to clear the squats in Belgrade. Due to the large number of children who are staying in Presevo for prolonged periods of time, Save the Children started exploring structured educational activities, with the aim of addressing the gap in service provision, in particular refugee and migrant children's education.

Ulfar says, "School is the best place for every human. You can learn everything in school. Your teacher will study with you, and teach you not only things from school, but also what to do in life, how to talk to people, how to build your future."



THE WORLD IS IN THE MIDST OF A GLOBAL DISPLACEMENT CRISIS,

with 65 million people forced to flee their homes. Since early 2015, over one million fleeing conflict and crisis have transited through Greece or Bulgaria to seek safety and a better future in Europe—nearly 100,000 of them were unaccompanied or separated children (UASC).¹ In response to this unprecedented number of refugees and migrants, in March 2016, countries along the “Balkan Route” closed their borders and the European Union (EU) and Turkey agreed on a deal in an effort to curb and discourage future arrivals. While numbers have decreased since March 2016, these efforts have not stopped migration but rather forced highly vulnerable people, including UASC, to take increasingly risky measures to travel from Turkey to Europe or to leave Greece and continue their journeys farther into the EU undetected.

Today, it is estimated at least a third² of the thousands still arriving to Europe and irregularly crossing the borders of Greece, Bulgaria, the Former Yugoslav Republic of Macedonia (FYROM), Serbia, Hungary, and Croatia are children, including UASC.³ Since closure of the borders and implementation of the EU–Turkey Deal began, an average of 2,024 people have continued to arrive to Greece (by land and sea) and 1,199 to Bulgaria from Turkey each month,⁴ and an estimated average of 167 people have arrived daily to Serbia using irregular channels during this period, increasing the risks they face.⁵ This continued irregular flow is driven by ongoing conflicts, insecurity and poverty in countries of origin, and by insufficient information, uncertain outcomes, delays in the asylum process, and poor reception conditions and services (e.g., lack of education) in first reception countries and along the Balkan route.

**I WANT TO GO
SOMEWHERE WHERE
THE TALIBAN CAN'T
FIND ME. I WANT TO
GO TO A COUNTRY
WHERE I CAN MAKE
MY FUTURE BRIGHT.**

**SAJAD, 17, FROM AFGHANISTAN,
LIVING IN A WAREHOUSE;
THE TALIBAN KILLED HIS FATHER**

Unaccompanied children flee conflicts and violence, travel to unite with their families or to begin a new life elsewhere and provide for their families back home. Every day we see these children traveling with smugglers, exposed to the risks of physical or sexual abuse or exploitation, able to cross many European borders without being registered by the authorities or being incorrectly registered as adults. Throughout the region, there are still significant gaps and growing concerns over the lack of identification and other standard operating procedures (SOP), inappropriate age assessments, lack of adequate interpreters, lack of alternative care solutions, and the risk of being detained. These children are traveling thousands of kilometers to reach safety and they are slipping through the cracks.

This advocacy brief is a joint effort by 12 national and international humanitarian agencies⁶ responding to the needs of UASC stranded in or on the move throughout the Balkans, specifically Bulgaria, FYROM, Serbia and Croatia. The information and recommendations outlined in the paper are based on field observations, daily programming, and regular interaction with UASC. Our hope is that through this briefing we can raise awareness about this ongoing but hidden crisis in the Balkan region, and provide concrete recommendations for all relevant stakeholders to measurably improve the response for this most vulnerable group.

It is estimated that over 1,300 UASC are currently at risk of exploitation, violence, and trafficking throughout the region.

To improve the overall response for these children, issues to address fall within four main areas of concern:

- ❑ **Insufficient and unreliable data or information management on UASC within the region;**
- ❑ **Lack of options for safe accommodation and comprehensive services for UASC in line with each child's best interests;**
- ❑ **Lack of access to legal pathways and lack of cross-border case management to improve continuity of care and protection; and**
- ❑ **Exposure to exploitation, violence and trafficking, including as a result of smuggling and violent pushbacks.**

CURRENT OPERATIONAL CONTEXT

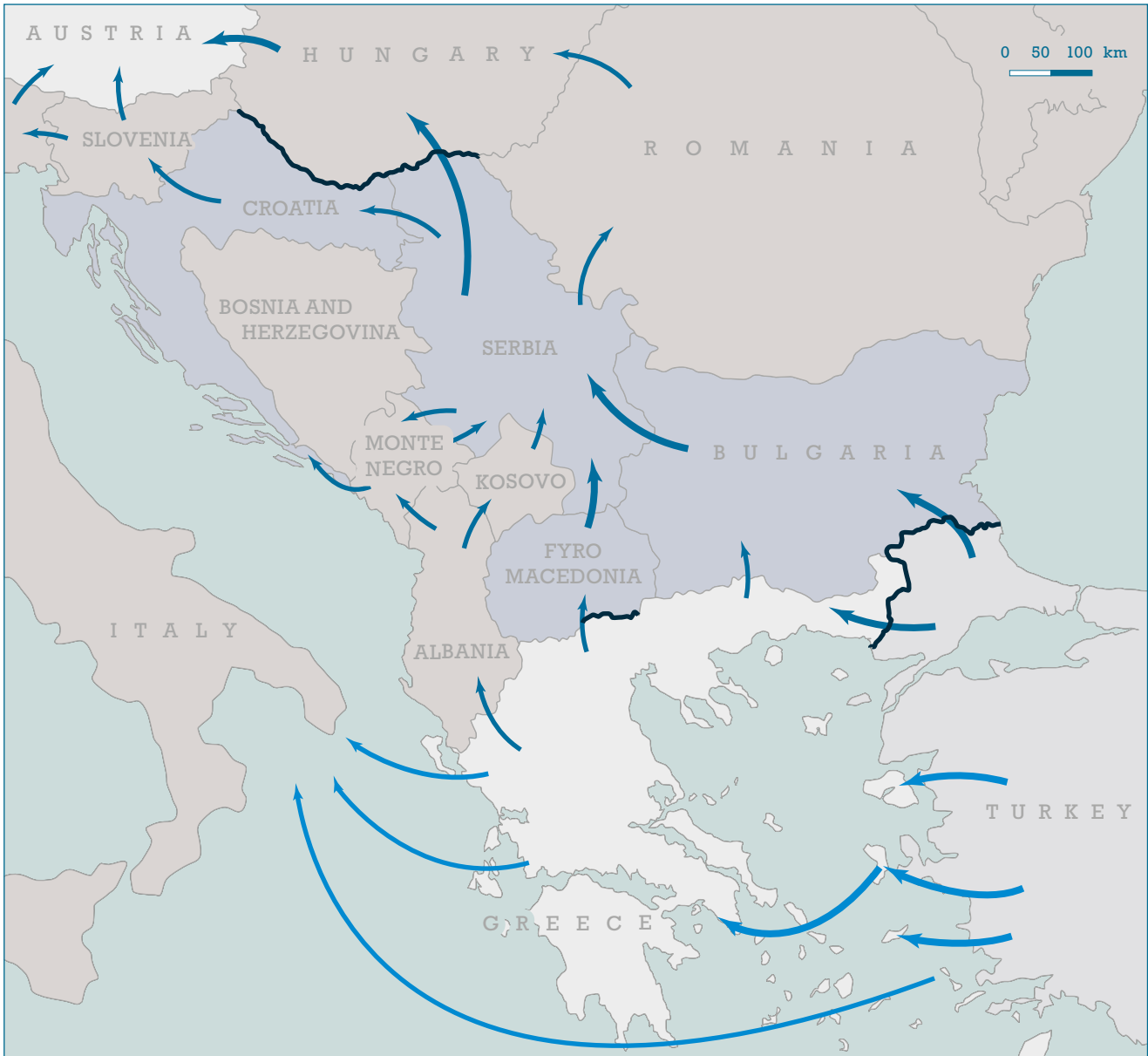
For over a year and a half, there has been a sharp increase in the number of UASC arriving to Greece or Bulgaria and undertaking the dangerous overland journey toward central and northern Europe. According to the EU's data on asylum seekers in 2015,⁷ roughly 23% of children on the move were unaccompanied.⁸ Many face a system-wide lack of appropriate services. And while the context across the Balkan route differs from country to country, there are a number of overarching similarities and challenges in providing these vulnerable children on the move with the protection and care they need while identifying durable solutions that are in their best interests.

Since most refugee and migrant children hope to travel beyond the Balkans and farther into Europe, they often fear and avoid formal registration and detection by the authorities. The actual number of UASC present in countries along the route is probably much higher than official estimates. For example, in Serbia, staff working on the response have encountered upwards of 60 new cases of UASC per week during the summer months of 2016, and an average of 25 new cases in December 2016,⁹ in addition to the many children who are now staying in Serbia for longer periods, but the actual number of children passing through the country is likely much higher than reached with response services.

Despite the relatively small official caseload across the Balkans, overstretched and underfunded social services and host government agencies overseeing response efforts are still unable to appropriately accommodate and provide for these children. Similarly, few humanitarian agencies are present and adequately funded to support the government with these efforts or fill clear gaps in services and support. Those children that avoid detection are often invisible, completely on their own, sleeping rough in dangerous conditions, and exposed to the risks of violence, exploitation and trafficking.



REFUGEE MOVEMENT THROUGH THE BALKANS



← LAND ARRIVALS ← SEA ARRIVALS

— FENCES

In the Balkans all international borders are now officially closed to refugees. Some states have also erected physical barriers along certain sections of their frontiers to further frustrate refugees' efforts to move through their territory.

Source: UNHCR, "Desperate Journeys: Refugees and migrants entering and crossing Europe via the Mediterranean and Western Balkans routes" February 2017 <https://data2.unhcr.org/en/documents/download/53994>

ANALYSIS OF KEY ISSUES

1 INSUFFICIENT AND UNRELIABLE DATA OR INFORMATION MANAGEMENT ON UASC WITHIN THE REGION

Many children on the move try to complete their journey without being detected or formally registering in each or any of the countries along the way. UASC residing in squats in Belgrade, Serbia, for instance, often refuse registration because they fear being deported, fingerprinted and forced to stay in Serbia, or assigned to a camp far from Belgrade, lowering their chances of continuing their journey. In FYROM, even when referred to authorities, potential UASC are sometimes not registered or allowed into official reception facilities,¹⁰ leaving them without protection support. In Bulgaria, the State Agency for Refugees (SAR) provides numbers of UASC in open centers, not detention centers, but no further analysis or data is available, and similar to other countries, children not applying for asylum and traveling irregularly are invisible and do not appear in any data.

Age assessment procedures in Bulgaria, FYROM, Serbia and Croatia either do not exist or remain inadequate with nonexistent or limited procedural guidelines, and insufficient and poorly trained staff, at times failing to identify children. Some UASC are erroneously treated as adults, leading to their exclusion from essential child and age appropriate accommodation and services, and impacting their registration procedure. Others are registered as accompanied by someone from the group they are traveling with, even though the person claiming to be in charge of the child may be a smuggler. Additionally, identification and tracking of UASC and other vulnerable groups of children, such as victims of abuse or exploitation, and those with special needs, are inadequate across the region, due to lack of capacity among frontline workers, including lack of adequate interpretation resources, making it challenging to get a full picture of the UASC caseload.

Data collection and coordination is largely inconsistent and incomplete throughout the Balkans; and in many countries, numbers of UASC reported by local nongovernmental organizations (NGO) differ from those provided by the authorities. Frequently, official data reflects the numbers of UASC accommodated in various government-run centers, while NGOs present in the field often engage with additional unregistered UASC outside of official protection systems. Overall, this lack of reliable data makes planning and establishing measures to ensure adequate support for these children incredibly difficult.

2 LACK OF OPTIONS FOR SAFE ACCOMMODATION AND COMPREHENSIVE SERVICES FOR UASC IN LINE WITH EACH CHILD'S BEST INTERESTS

UASC face a very high risk of violence, including sexual and gender-based violence (GBV), or other abuse, and some fall into the hands of traffickers. Those arriving to a new country with smugglers are often in immediate need of medical assistance, food, clothing, footwear, and rest. They require psychological support, particularly as many have run out of money and are growing increasingly desperate. In order to cope with the profound adversity and violence they have experienced, children need safe, structured environments and responsive adults.

Despite this, in FYROM, Serbia and Croatia, identified UASC are not consistently provided with safe accommodation options, including in specialized centers where they exist (e.g., only two of nine UASC identified in FYROM in October 2016 were placed in specialized centers and only 65 places exist in Serbia for a caseload of nearly 750); and at the time of writing, no specialized reception facility is available for UASC in Bulgaria. With the increased emphasis on border controls, placement of children, including UASC, in detention-like conditions was documented in Bulgaria and FYROM. In FYROM, it was reported that out of 438 people detained in 2016, 25 were children including one UASC,¹¹ and there are frequent instances of child detention reported in Bulgaria.¹² Alternatives are urgently needed as detention can never be in the best interest of the child.

Countries across the region have struggled with ensuring adequate humanitarian assistance, reception conditions and support to children on the move. In most countries along the route, transit and asylum centers are overcrowded¹³ and children and UASC are accommodated together with adults, raising protection concerns. In Serbia, even when UASC are formally registered and referred to

centers outside of Belgrade, transportation is not always provided and children are often not accompanied by a guardian or a social worker. In a recent case, a social worker suggested that a 12-year old child join a random family and travel with them to the assigned reception center.¹⁴

In general, where specialized accommodation is available, facilities can accommodate just a small number of children, are already overcrowded, substandard, without adequate services, and at times lack age and gender segregation for UASC over age 14. Specialized accommodation facilities for UASC in Serbia and Croatia are often located in existing centers for local children with behavioral problems. There are also children staying outside or in inadequate shelters—exposed to cold weather and high protection risks—e.g., in Belgrade, Serbia, a number of UASC are sleeping rough in dangerous make-shift shelters.¹⁵

**I NEVER SAY I LIVE
IN SUCH PLACES.
THEY WILL GET SAD.**

**I TELL THEM WE
ARE IN A GOOD
PLACE AND WE
ARE COMFORTABLE.**

**MY PARENTS ALWAYS
SAY, 'KEEP GOING
TO GO TO FRANCE.'**

**ERSHAD, 16, FROM AFGHANISTAN,
LIVING IN A WAREHOUSE**



Long-term alternative care/accommodation solutions are reportedly not available in FYROM, Croatia and Bulgaria despite the existence of foster care arrangements. In Serbia, there is a functioning **foster care** system for Serbian children and the willingness to extend these arrangements to refugee and migrant children; however, the relevant authorities need additional human and financial resources to support such efforts to meet the unique needs of UASC.

Best interest assessments (BIA) and best interest determination (BID)¹⁶ are often carried out in an ad hoc manner, using different criteria, with language barriers when translation is poor or non-existent. Those mandated to conduct BID often lack resources and capacity to adequately protect children. In Serbia, for example, organizations working with UASC report that at times social workers appear for barely half of the calls for these cases¹⁷ and their appearance is often delayed by a day or two, leaving UASC exposed to various risks because they cannot register and be assigned to reception centers without a social worker. While child participation should be a requisite part of this process, children rarely receive complete information about the options available to them so they can make an informed decision, and this information is rarely conveyed

by a person of trust. Social workers often equate the UASC's strong desire to proceed with their journey with their best interest, even when their only option for crossing the borders is to cross irregularly, often with a smuggler. Social centers also explain this stance by claiming they are traveling as part of a group and would be worse off alone (if placed in an institution from which they would likely abscond). In reality, the majority of UASC travel as part of a group for their protection, but almost never with the same group they started with. Some have more money and travel faster; others join new groups along the way.

In Serbia, BIA/BID also tend to focus only on identifying urgent shelter/accommodation solutions for UASC. Very rarely, vulnerable individuals, such as survivors of GBV and human trafficking, receive a second BIA/BID to assess other needs and solutions. This sometimes happens because children concerned disengage from the process and leave the country.

Guardianship procedures exist in Bulgaria, FYROM, Serbia and Croatia; however, it has been observed that they are often implemented in such a way as to merely satisfy formal requirements or not at all.

Temporary guardians to UASC are not constantly present, and there is a lack of capacity to respond to all of the children's needs. Legal guardians are often overwhelmed, not properly trained, not vetted, and do not have appropriate guidance on their role and responsibilities. In Bulgaria, the municipality has been in charge of appointing legal representatives for UASC since 2015; however, in practice, any person appointed by the municipality, in accordance with the approved job description and without setting any additional criteria can be entrusted with the function of the UASC's guardian.

In Serbia, in part due to the lack of human resource capacity, one temporary guardian is often in charge of over 60 children, while the ratio per Child Protection Minimum Standards is 1 caseworker per 25 children. Similarly, in Bulgaria, one legal representative has been appointed for each reception center, often resulting in a caseload of hundreds of UASC. These guardians often work with the children in group settings rather than on an individual basis, hindering the possibility of building a closer relationship with the child to address their individual needs, and obstructing confidentiality and trust. And in FYROM, UASC who are identified outside of official facilities and referred to the Ministry of Labor and Social Policy (MLSP) are often not taken into account due to not clearly defined roles of the institutions. Moreover, the administrative procedure for registration and placement are complicated and long lasting, in some cases leading to UASC who are accommodated deciding to continue their journey rather than waiting, without receiving any services.

There is a general lack of **case management** by dedicated state institution staff (i.e., BIA) in Serbia, Bulgaria, FYROM and Croatia, along with insufficient provision of individual needs assessments, interpreters, specialized services,

and few functional referral pathways. Case management information, including on interim protection measures taken, identified needs, and services provided is poorly documented, inconsistently shared among service providers within the country, and almost never across the borders. This means that UASC may be exposed to possible re-traumatization by having to talk about their experiences all over again with each new social worker in charge. There are very few specialized programs for comprehensive care of UASC survivors of GBV and human trafficking in Serbia, Bulgaria, FYROM or Croatia. In Serbia, NGO Atina operates a shelter for survivors, but it can only accommodate children aged 16 or older. Other NGOs have similar programs in other Balkan countries. There are few interpreters or cultural mediators available, and often staff at specialized institutions have not received cultural sensitization training. There is no systematic profiling of asylum seekers in order to identify specific needs, including those of UASC. In FYROM, UASC asylum seekers identified by the police or the Section for Asylum are referred to the Center for Social Work (CSW) within the MLSP for the appointment of a guardian. In the meantime, according to the SOPs, the social worker from the CSW plays the role of the guardian and should conduct the initial verification, BIA/BID and referrals; however, in practice, this is not always respected. The process of appointing a guardian is often lengthy, or is not carried out at all. The only representation provided to UASC is legal aid through local NGOs.¹⁸

UASC in transit do not often have access to formal or informal **educational opportunities**, despite some staying in a country for many months. In FYROM and Bulgaria, UASC seeking asylum and with refugee status in country are entitled to attend public school, however, those outside of the system or without status are not. In Serbia, some UASC have begun to go to school and some of the camps have begun to offer non-formal educational activities, although not all UASC have access to these services. Many of these children have been out of school for over a year, some as long as five years; and in some cases, they have never been enrolled in school due to security concerns in their country of origin. In addition, there is an immediate need to strengthen the provision of available mental health and psychosocial services for UASC to mitigate the longer-term impact on their development. Community-based approaches are a cost effective and appropriate mechanism to relieve psychological distress. However, the persistent lack of cultural mediators compounds the inability of service providers to facilitate this type of engagement in camp or field settings.

MY MOM WANTS ME TO BE A LAWYER. I CAME HERE TO CONTINUE MY STUDY.

HAMID, 15, FROM AFGHANISTAN,
LIVING IN A WAREHOUSE



3 LACK OF ACCESS TO LEGAL PATHWAYS AND LACK OF CROSS-BORDER CASE MANAGEMENT TO IMPROVE CONTINUITY OF CARE AND PROTECTION

Both children that have managed to remain undetected and some of those that have been identified but for a variety of reasons have chosen to abscond and continue their journey are taking increasingly dangerous routes to reunify with family or reach their final destination. There are many gaps in protection services available to these children along the way, due in part to the lack of systems in place to track and support them across borders. Transnational collaboration on cases, such as those involving family reunification or referrals for services across international borders, is reportedly dysfunctional, prohibitively time-consuming, relies heavily on informal contacts between individuals from different organizations, and is not consistently documented.

Although consistently cited as an ongoing gap, systematic coordination of care across Balkan countries remains underdeveloped. Service mappings across the region are incomplete, if they exist, and there is no formal platform to ensure coordination and information sharing between national-level coordination mechanisms (e.g., child protection working groups). There is no formal case coordination mechanism to ensure continuity of care for children on the move, although this happens informally between NGOs and civil society organizations with histories of collaboration. Individual assessment of children starts again in each country they transit through, even for children who have experienced traumatic events, meaning they have to relive these events at each step of the journey.

Across the region, access to international protection is very slow and inefficient. Asylum seekers do not always have access to an individual and fair review of their asylum claims due to an insufficient number of staff dealing with claims, and deficiencies in the process. Instances of discrimination in the process of identification and referrals, including in age assessment, and nationality-based profiling in decisions on asylum have been reported. Those from Afghanistan and Pakistan, for instance, are often considered economic migrants without an individual assessment of their need for international protection. In so called “countries of transit,” like Serbia, refugees and migrants, including UASC, often register the intent to seek asylum only to access asylum centers and better services, but they later leave the countries as soon as they are able. The authorities in these countries do not expect many asylum seekers to stay and therefore do not pro-actively ensure their access to comprehensive integration services.

The Dublin process of family reunification lasts an average of two years, and once started in one EU state, such as Greece, can no longer be continued in another state. The family reunification process from non-EU countries to EU countries is not well-known and often slow.¹⁹ In FYROM, for example, a partner reported that the German embassy had never implemented family reunification before August 2016, and first refused a visa application explaining that the family should apply from Turkey or Lebanon. There is a need for better information on safe opportunities for family reunification such as the family reunification directive 2003/86/EC that provides safe travel to children and families.

4 EXPOSURE TO EXPLOITATION, VIOLENCE AND TRAFFICKING, INCLUDING AS A RESULT OF SMUGGLING AND VIOLENT PUSHBACKS

Inability to join their families in the EU in a reasonable timeframe, overcrowded and substandard reception centers, and lack of legal alternatives (e.g., family reunification, resettlement and asylum) and information compel children to take the risk of traveling with smugglers. They are exposed to exploitation, abuse and trafficking; and UASC trying to earn money for the continuation of their journey, or required to pay off their travels to date, are at times

Egbal, from Afghanistan, traveled to Belgrade, Serbia, in the company of his best friend Muzafar. They are both 13 years old. The two boys crossed thousands of kilometers, counting only on each other's help and support.

As the numbers of the refugees staying for longer period in Serbia started to increase, Save the Children started supporting local partner InfoPark, delivering 300 freshly prepared, culturally appropriate, warm lunches each day in Belgrade's parks, aiming to cover the needs of the population unable to access existing food distribution zones.

"We like to eat everything," they smile when asked how is lunch today, "but this food is much better than the canned tuna we use to eat for weeks".

Egbal says, "From Afghanistan to Pakistan smugglers were driving us in a car, and then we started walking... Most of the way through Iran we were also walking before we reached Turkey..."

"It's been a month since we are here, in Belgrade. We sleep in the park. It is okay, we don't mind it, and we are not afraid. We stay close to the smugglers, because they are going to take us to Hungary. We already tried to cross four times, but we didn't succeed. Last time we tried, we came across police dogs, and the whole group was badly bitten. I was in such bad shape that I had to go to the hospital in Subotica [in northern Serbia], where I spent 20 days. As soon as I got better, I came back to Belgrade.

"I can't leave Muzafar alone. He is my best friend. We might be of the same age, but he is much thinner and weaker than me. I have to take care of him."

exploited by smugglers and manipulated into working for them. Smugglers often also prey on UASC under the age of 14 to support them in gaining clientele, because children cannot be prosecuted for these offenses—for example, English-speaking UASC in camps are used by smugglers as interpreters. NGO staff report that smugglers are highly visible and there are reported instances when the smugglers purposely separate sibling groups or children from their parents to have better control over them.

UASC encountered along the route or in countries of destination report having walked for days and often report violence by smugglers or police during their journey. There are frequent reports of unlawful pushbacks from one country to another along the route, in some cases using violence, including by authorities in Hungary, Croatia, Serbia, FYROM and Bulgaria,²⁰ affecting many children and UASC. Human rights should be respected regardless of a person's migratory status and international law clearly prohibits collective expulsion of aliens, which denies the right to an individual assessment of each case. Some UASC report attempting to cross borders several times, and having suffered beatings and abuse from police.



The pictures children in child friendly spaces²¹ draw about their experiences with police and civil guards in Bulgaria and Hungary are a testament to this violence.

The cross-country smuggling networks are well established, very lucrative, and penalties when caught remain relatively minor. The link between smuggling and trafficking of persons is very difficult to prove in transit because the element of exploitation is difficult to establish while still on the move, and persons relying on smugglers are not willing to testify and be prevented from continuing their journey, even when they have suffered abuse at the hands of the smugglers. Each country in the region has intensified its efforts to combat smuggling, but without coordinated international action, those caught in one country are quickly replaced by others. It is clear that without safe and legal routes to seek protection in Europe, these children will continue to take irregular routes, often with the continued use of smugglers.

**WE TRUST NO ONE.
WE DON'T TRUST
ANYONE. NO ONE
GIVES US THE RIGHT
INFORMATION.**

**RAFILAH, 18, FROM AFGHANISTAN,
LIVING IN A WAREHOUSE**



RECOMMENDATIONS

TO THE EUROPEAN COMMISSION

- Publish a report on the implementation of the Action Plan on Unaccompanied Children (2010-2014), tracking progress towards implementation and identifying outstanding actions by respective countries, with the opportunity for input from humanitarian agencies.
- Re-prioritize the Instrument for Pre-accession Assistance to better support Balkan states in providing comprehensive care to UASC including for registration, the availability of safe gender and age-appropriate accommodation, meaningful access to services (with interpreters), education, and appropriate systems for the collection of data, upholding the Commission's 10 Principles of Integrated Child Protection Systems.
- Encourage EU member states such as Croatia, Hungary and Bulgaria to employ funding from the Asylum, Migration and Integration Fund to address shortcomings in reception facilities and provisions for UASC.
- Introduce a Common Guardianship Strategy as a matter of priority, including the establishment or development of existing networks to meet international guidelines/ best practice, ensuring guardians are properly vetted, trained and provided with guidelines on best interest assessment procedures.
- Take all available measures, including as a last resort, infringement proceedings, to ensure EU member states meet their existing commitments under EU law regarding the transfer of UASC, such as relocation, family reunification and the Dublin Regulation.
- Prevent and hold to account any human rights and child rights violations in its member states and candidate states, especially in Bulgaria, Hungary and Croatia.
- Invest in efforts to address the root causes of migration in countries of origin that force children to take this dangerous journey through Europe.

Edrees, 17, was forced to leave his village in Afghanistan, where he lived with his parents, four brothers and one sister. His father didn't have enough money to pay the smugglers for all his children, so Edrees was the only one from his family to leave. He traveled for 5 months to reach Belgrade, where he had to stop, not being able to cross into Hungary due to the border restrictions.

He sleeps in abandoned buildings and warehouses behind Belgrade's train station; some of the refugees and migrants stuck in Belgrade, mostly single men and boys traveling alone from Afghanistan, choose to do so, being afraid of losing contact with the smugglers, who they see as their only chance of reaching their destination—one of the European Union countries. They also fear deportation from Serbia.

As the number of the refugees and migrants staying for longer periods in Belgrade's open spaces began to increase, Save the Children started supporting their local partner, InfoPark, in delivering warm lunches to Belgrade's parks. Edrees is one of many young boys who stand in line every day to get their meals. He eats his sitting on the ground close to the small InfoPark hut, from which the food is distributed.

Edrees says, "I rarely speak with my family, only twice since I came here [Serbia]. I don't have the phone or the money to buy one. Everything I had was taken by the Bulgarian police. My only wish is to find a country that will accept me, give me papers so I can live legally there. I hope that I will reach safety in one of the European Union countries, and get a decent job so I can send money to my family. Every night I pray for the safety of my loved ones."



TO EU MEMBER STATES

- Meet existing commitments and pledges under EU law to facilitate relocation and family reunification transfers of UASC, in line with the best interests of the child.
- Support the enhanced provisions for UASC in the ongoing negotiations on the revision of the Common European Asylum System, including on special procedural guarantees, early appointment of guardians and an expanded definition of family members.
- Commit to ensuring all UASC are assigned a trained and vetted guardian, safe age and gender-appropriate accommodation, and an end to the detention of children.
- Redouble efforts to implement and facilitate existing legislation to ensure safe, legal and effective routes for those in need of international protection, including through expedited family reunification (including from non-EU to EU states), resettlement, humanitarian visas or private sponsorships, prioritizing and including all children with no discrimination.
- Detention is never in the best interests of the child, even as a last resort. Put an end to the detention of children.
- Adopt a comprehensive, coordinated action plan to ensure children and their families receive support services upon arrival to their country of destination.

TO BALKAN HOST GOVERNMENTS

Policies

- Revise existing asylum policies to stipulate mandatory prioritization of processing for UASC and adopt swift mechanisms to facilitate the practical implementation of national policies on UASC.
- Put an end to the detention of children.
- Expand access to the UASC population for humanitarian organizations and service providers.
- Design and widely disseminate policies, protocols, or standard operating procedures relating to the identification of children and any particular vulnerabilities, and ensure their implementation is monitored and evaluated systematically.
- Promote alternative care options, including fostering, and invest in recruiting and raising the capacities of foster families.
- Crackdown on smugglers transporting children and introduce harsh sentences for all criminal acts proceeding from smuggling children, as well as strengthen coordination mechanisms for all stakeholders seeking to prevent smugglers and identify potential victims of trafficking or abuse.
- Put an end to unlawful push backs and ensure persons allegedly responsible for violence at borders are held accountable before competent authorities.
- Ensure qualified and adequately trained guardians are appointed as expeditiously as possible and are present at all stages of the international protection procedure and associated to any decision relating to child protection measures (e.g., placement, care).
- Ensure all children have access to informed and participatory best interest assessments and best interest determinations.
- Provide children with regular legal support and access to relevant information in their native language.
- Establish adequate shelters that are age and gender segregated and reserved for UASC only, and improve the conditions in existing shelter options in line with the Children Protection Minimum Standards²² as well as the feedback from consultations with UASC. No child should be left sleeping rough outside the system, exposed to danger, malnutrition, abuse, trafficking and health hazards.
- Provide for community-based mental health and psychosocial support services to UASC through engaging cultural mediators to identify appropriate care within the child's environment.
- Ensure all children are provided with access to regular, age-appropriate non-formal education in line with their needs within 30 days of crossing the border. Where possible, ensure that children have access to inclusion programs, in which they can access formal education with the support of the local community, in line with the child's individual needs and abilities.
- Establish rigorous data collection schemes for refugee and migrant children and families, including on their access to services and international protection procedures. Consider harmonizing data collection methodologies and tools with neighboring countries to ensure comparability.

Response Procedures and Service Provision

- Immediately establish measures to ensure all children arriving or stranded in country are registered/documented, assigned well-trained guardians, and granted prioritized access to international protection procedures.
- Carry out individual assessments of each UASC to determine protection needs, possible legal options (e.g., family reunification) and to identify particularly vulnerable individuals.

Training

- Provide training and professional development to all staff responsible for the care of or working with UASC, including advanced trainings on best interest assessments and best interest determinations, children's rights, child safeguarding, confidentiality and privacy.
- Ensure that relevant agencies and staff know, understand and receive regular training on best practices for holistic age assessment.

TO LOCAL AND INTERNATIONAL HUMANITARIAN RESPONSE AGENCIES

- Ensure better coordination between all humanitarian actors, including in designing programs, supporting and facilitating cross border cooperation, and generating and disseminating relevant data at national and transnational levels.
- Work with relevant national authorities to ensure complementary interventions and a well-coordinated response, as well as meaningful NGO access to camps.
- Advocate for child protection policies and system strengthening of relevant local and national authorities to be able to continue providing sustainable intervention in cases of UASC.
- Replicate or develop a system for regional coordination of child protection interventions where UASC are traveling to ensure comprehensive care as they move between countries.

TO DONORS

- Make necessary resources available to both hosting governments and NGOs to appropriately respond to the needs of UASC in each country, including for adequate shelter capacity exclusively for UASC, dedicated staffing, and programs necessary to provide an appropriate response for these vulnerable children. Ensure adequate flexibility of dedicated funding to be able to promptly respond to changing needs on the ground.
- Provide support for alternative care options for children whenever in the best interests of the child, including fostering, instead of institutionalization.
- Make sure that any construction or renovation of accommodation capacities is in line with Child Protection Minimum Standards.
- Ensure mainstreaming of child rights in all funded projects, and advocate for child rights protection among all recipients of financial support.

REFERENCES

- 1 The term unaccompanied and separated children is used throughout the document as it captures the different dimensions of children who do not benefit from the support of their family or primary caregiver. The UN Committee on the Rights of the Child, in its General Comment number 6 on "the treatment of unaccompanied and separated children outside of their country of origin", defined:

[7]. *Unaccompanied children (also called unaccompanied minors) are children...who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.*

[8]. *Separated children are children...who have been separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.*

<http://www2.ohchr.org/english/bodies/crc/docs/GC6.pdf>
- 2 UNHCR demographic data for arrivals to Greece since 1 January 2016 estimates 37% of arrivals are children. UNHCR's latest data (December 2016) for Serbia estimates 46% of new arrivals are children. While disaggregation of arrivals to Bulgaria and FYROM are unavailable, it is estimated that 43% and 45% of those in government reception facilities are children, respectively.
- 3 From April–June 2016, most UASC traveled from Greece through FYROM and Serbia; and from July 2016, the majority have arrived from Turkey through Bulgaria. However, facing increasing border fortifications and controls, routes have shifted, including in recent months to Albania, Bosnia and Herzegovina, and Romania.
- 4 International Organization for Migration (IOM), "2016 Flows to Europe Overview Data Set: Mixed Migration Flows in the Mediterranean and Beyond: Compilation of Available Data & Information (Reporting Period – 2016).
According to IOM data, overland arrivals to Europe from Turkey to Bulgaria increased from an average of 525 per month from January–March 2016 to an average of 1,199 per month in the nine months after closure of the borders and EU–Turkey Deal implementation began (April–December 2016).
<http://iom.maps.arcgis.com/apps/MapAndAppGallery/index.html?appid=3af3e9630ab849e99e6970a29aa25ff5>
- 5 UNHCR, "Estimated Daily Arrivals," March–December 2016
<http://data.unhcr.org/mediterranean/country.php?id=502>
- 6 Atina, Belgrade Center for Human Rights, Center for Youth Integration, Center for Research and Social Development – IDEAS, InfoPark, The International Rescue Committee, Novi Sad Humanitarian Center, Open Gate La Strada, Praxis, Psychosocial Innovation Network, Save the Children, Terre des Hommes
- 7 European Commission (EC), Eurostat Press Release: "Almost 90,000 Unaccompanied Minors among Asylum Seekers in EU in 2015," 2 May 2016.
<http://ec.europa.eu/eurostat/documents/2995521/7244677/3-02052016-AP-EN.pdf/>
- 8 Save the Children's reach figures since the formal closure of borders in March 2016 show 20% of all children reached to be UASC.
- 9 In April 2016, Save the Children staff in Belgrade and Presevo identified (and further referred) an average of 15 potential UASC per week. In May, this number increased to 50, and from June this number rose to an average of 60 potential UASC per week. Due to increased border restrictions, in November this number dropped to 45, and in December it dropped to 25, most likely due to inclement weather.
- 10 In FYROM, the authorities no longer register new arrivals and they are often pushed back to Greece when encountered. Those transiting through the country often avoid the transit centers. Those who do arrive to transit centers have sometimes been pushed back from Serbia. There are reports that individuals arriving to formal facilities are often not allowed in or registered. The reason for this is unknown. Some of those denied entry then attempt to cross to Serbia again.
- 11 Macedonian Young Lawyers Association, "Immigration Detention in Macedonia in 2016".
<http://myla.org.mk/wp-content/uploads/2016/09/MYLA-Report-on-Immigration-Detention-in-Macedonia-FINAL.pdf>
- 12 Center for Legal Aid – Voice in Bulgaria, "Who gets detained? Increasing the transparency and accountability of Bulgaria's detention practices of asylum seekers and migrants," October 2016.
http://www.epim.info/wp-content/uploads/2016/09/Detention_Report_CLA_2016_EN_final.pdf
- 13 UNHCR estimates there are 7,700 refugees and migrants currently in Serbia, with 6,500 accommodated in 17 government centers. According to the Bulgarian Directorate for Migration, Bulgaria is hosting slightly over 5,000 refugees: 3,728 in SAR centers, 984 in closed-type facilities and nearly 500 in private accommodation.

- 14** Praxis Protection Monitoring Reports, September–December 2016.
- 15** UASC in Serbia sometimes seek to avoid placement in closed-type facilities or abscond from them soon after arrival.
- 16** UNHCR, “Safe & Sound: What States can do to ensure respect for the best interests of UASC in Europe,” October 2014.
<http://www.refworld.org/docid/5423da264.html>
- [a] Best Interests Assessment: *For all actions affecting individual UASC as part of a continuous process (e.g., safe accommodation and care, age assessments where necessary, family tracing, appropriate health and educational provision).*
Best Interests Determination: *A formal procedure to determine a durable solution for the individual UASC, addressing the child’s care needs and protection needs resulting in a recommendation regarding (e.g., integration, a third-country solution or return to a country of origin or habitual residence in the child’s best interests).*
- 17** Minutes from the Child Protection Working Group meeting from 23 January 2017.
- 18** UNHCR, “The Former Yugoslav Republic of Macedonia: A Country of Asylum,” August 2015
<http://www.refworld.org/pdfid/55c9c70e4.pdf>
- 19** European Commission, Migration and Home Affairs. Information and Policies on Family Reunification
https://ec.europa.eu/home-affairs/what-we-do/policies/legal-migration/family-reunification_en
- 20** According to UNHCR data presented at the Protection Working Group in Belgrade, Serbia on 17 February 2017, since mid-2016 UNHCR have received allegations of 3,644 push-backs/collective expulsions from Hungary, 1,108 from Croatia, 183 from Serbia to FYROM, and 135 from Serbia to Bulgaria. In all of 2016, IOM reports 4,598 push backs from Bulgaria to Turkey.
- 21** Child Friendly Space in Miksaliste, Belgrade and the Drop-in Center in Asylum Info Center, Belgrade
- 22** The Sphere Project, Minimum Standards for Child Protection in Humanitarian Action



SAVE THE CHILDREN

Save the Children works in more than 120 countries.

We save children's lives. We fight for their rights. We help them fulfill their potential.

Save the Children works in Greece, Serbia, FYROM and Croatia to ensure support and care for child refugees and child migrants, with a particular focus on unaccompanied and separated children, through child protection activities and system strengthening efforts along the route.

To find out more about our work in the Balkans, see:

<https://www.savethechildren.net/>



**Save the
Children**

THE INTERNATIONAL RESCUE COMMITTEE

The International Rescue Committee is a humanitarian aid organization working in 40 countries across the world, and committed to helping people whose lives and livelihoods are shattered by conflict and disaster to survive, recover, and gain control of their future.

The IRC leads a consortium of partners providing shelter, protection services, and alternative care solutions for vulnerable children including unaccompanied & separated children and minors who are stranded in Greece, Serbia and other countries along the Balkan route.

More information about the IRC's response in the Balkans at:

<https://www.rescue.org/Serbia>



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Ulfat, inside front cover, December 2016; Egbal and Muzafar, page 11, August 2016: Tatjana Ristić/Save the Children

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