

UNHCR Europe NGO Consultation 2017 Regional Workshops – South-Eastern Europe

Promoting the Inclusion of Beneficiaries of International Protection Across Europe

Title of the session

Approaches to Further Developing Sustainable Asylum Systems and Integration Programmes in the Balkans Region

Date: 16 October 2017
Time: 11:30-13:00 and 14:00-15:30

Countries (as per UNHCR organisational structure)

Albania, Bosnia Herzegovina, FYROM, Kosovo, Montenegro, Serbia

Focal points / Moderators

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Remark: Ms Minić's address will be delivered also on behalf Montenegro-based ECRE member Legal Centre / Pravni Centar

Background

Irregular onward movement continues daily, through exposing persons who might be in need of international protection to a range of protection risks, including physical abuse, robbery, illegal detention by non-state agents, SGBV, and human trafficking.

The number of registered asylum-seekers, in some countries in the region, continues to be substantial. The majority of them, however, have expressed the intention to apply for asylum or submit their asylum application in these countries only to temporarily regularise their stay. The rate of those **absconding** is extremely high and in many cases the average time of stay in the country after the asylum application is filed is no longer than several days or weeks.

The mind-set of refugee communities and receiving authorities and communities is pro-onward movement. Refugees and migrants, while entering the region, have a clear determination to proceed toward Western and/or Northern Europe and to consider their stay in the region as only temporary. This approach reinforces the inclination of the hosting authorities and communities to consider the region as being one of transit, without systematic engagement to strengthen the legal pathways for it to become a region of destination.

Granting international protection is very limited in the region. The recognition rate remains low, while many cases have been discontinued as the applicants move onwards.

Access to asylum is not ensured systematically and is often being arbitrarily denied. The police (border authorities and regular police services) often do not register and profile against persons with international protection needs, who are apprehended moving irregularly through the country. Instead, these persons are returned to neighbouring countries, a practice outside legal or procedural frameworks (unlawful expulsions).

Asylum systems are being developed and the quality of the overall procedure is not yet fully tested. Judicial review is ensured (in some countries at third instance only), and the courts usually limit their interventions to the procedural aspects, without entering into the merits of the case. Free legal assistance could be more widely available and improved in the national systems (some still do not have a state-funded free legal aid mechanism), and civil society organisations – free legal assistance providers – could fill this gap.

Integration prospects remain limited, although relevant laws and secondary legislation have been developed throughout the region. Investments to improve these have been scarce, even for the handful of recognised refugees and those with subsidiary protection status in South-Eastern Europe. Most refugees and others in need of international protection rely on operational support from national and international organisations and other non-institutional forms of assistance, including limited vocational training, educational and income generation activities. It should be noted that the overall low economy and unemployment also play a significant role in making sustainable changes in the integration process.

The overall lack of effective migration management also stops further development of asylum systems. Throughout the region there is a need to develop comprehensive protection-sensitive migration management policies, including effective return of persons - where a fair and efficient asylum procedure has established that they do not have international protection needs. Furthermore, the region has been traditionally seen as “*refugee producing region*” rather than as a refugee-hosting region. Ensuring safe return and reintegration of those denied asylum is not within the capacities of most countries of the region. Thus, putting in place effective return procedures are necessary to preserve the integrity of the asylum process.

Objectives / Guiding questions

Objectives

- ❖ Improve opportunities for local integration: ECRE members / UNHCR to agree on modalities, methods, merits and timelines to act as catalyst for the development of more sustainable national integration programmes and widening asylum space;
- ❖ Adopt more individualised and multifaceted approach through legal, economic, social and cultural requirements, as well as promote tolerance and fight xenophobia.

Methodology

Panel discussion, whereby the representatives from Bosnia and Herzegovina, Serbia and FYROM (both ECRE members and UNHCR) will present the current state of affairs, elaborate on policies, practices and activities (particularly those of joint nature), and jointly agree on the way forward.

Agenda

11:30-13:00 – Setting the scene

11:30-11:40 – Introduction

Opening remarks: [Mario Pavlovic](#), [Vladimir Petronijević](#)

11:40-12:30 – The need to improve asylum systems and challenges and experiences in the field of refugee inclusion in the Balkans

Presentations by panellists: [Emir Prcanović](#), [Stephanie Woldenberg](#), [Sonja Tošković](#), [Ljubimka Mitrović](#), [Zoran Drangovski](#), [Elena Djartovska Caranovikj](#), [Darka Minić](#)

12:30-13:00 – Interactive discussion

Lunch

14:00-15:30 – Moving forward

Interactive discussion between NGO participants and UNHCR aiming at agreeing on modalities, methods, merits and timelines for the development of sustainable national integration programmes and widening asylum space. The promotion of tolerance and fight against xenophobia will be mainstreamed throughout the discussion.

Best practices from other regions will be taken into consideration throughout the workshop.

