

# The “Balkan Route” Three Years after Its Closure

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Three years after the closure of the “Balkan route,” thousands of migrants still find themselves stranded in the countries of southeastern Europe without safe and legal pathways to protection in the wealthier northern and western EU Member States. Despite increased border enforcement policies, people continue to attempt perilous journeys to Greece and through the countries of the Western Balkans in search of a life with safety and dignity. Smuggling networks have, once again, taken advantage of the lack of legal alternatives for people who find themselves in dire conditions somewhere between the overcrowded reception camps on Greece’s islands and the EU’s external borders with Serbia and Bosnia and Herzegovina. The route’s closure, combined with the EU-Turkey deal, have led many politicians and commentators to consider the situation resolved, but the facts on the ground suggest that the need for sustainable policies which allow people access to effective protection in the countries of the European Union remains an urgent matter.

## Arrivals to Greece after the EU-Turkey Deal

Soon after the “Balkan route” was closed, the joint statement which came to be known as the EU-Turkey deal was agreed and implemented in March 2016.

Under the agreement’s terms, “all new irregular migrants” arriving by sea to Greece’s islands would be returned to Turkey. However, only 1,842 of the over 92,500 people who arrived by sea to the Greek islands since the deal’s implementation had been returned until mid-March 2019.<sup>1</sup>

Within the context of the deal, Greek authorities imposed restrictions on the movement of newly arrived migrants, limiting most of them to the islands of the Eastern Aegean while their asylum claims are examined. As a result, the five “hotspots,” or first reception centres, on Lesbos, Chios, Samos, Leros and Kos have been severely overcrowded in the years since. Despite efforts to relocate people to mainland accommodation sites, there are still 12,031 people living in facilities designed to host half that number. The most dramatic situation is in Samos where over 4,000 migrants are accommodated in and around a camp whose capacity is only 648 people. Meanwhile, the number of people who crossed by land in Greece more than tripled in 2018, reaching a total of 18,014, according to UNHCR. This increase also reflects a larger number of Turkish nationals seeking asylum in Greece, with 4,834 applications in 2018 compared to 1,826 in 2017 and only 189 in 2016. As the EU-Turkey deal does not apply to those entering Greece by land, migrants who successfully negotiate the risky crossing through the Evros river are not subject to return under its provisions. In addition, an increasing number of migrants have been entering Greece from North Macedonia, some of whom are migrants who are able to reach Belgrade by air.

<sup>1</sup> Statistics for Greece are based on UNHCR documents available on the Mediterranean Situation platform (<https://data2.unhcr.org/en/situations/mediterranean/location/5179>), updates from the Greek Ministry of Digital Policy, Telecommunications and Media (<http://mindigital.gr/index.php/προσφυγικό-ζήτημα-refugee-crisis>) and statistics from the Greek Asylum Service ([http://asylo.gov.gr/en/?page\\_id=110](http://asylo.gov.gr/en/?page_id=110)). Statistics for Serbia based on reports from the Asylum Protection Centre and the Belgrade Centre for Human Rights ([www.asylumineurope.org/reports/country/serbia/statistics](http://www.asylumineurope.org/reports/country/serbia/statistics)).

However, there is evidence that people have been unlawfully pushed back to Turkey. Greek media reported the case of a Syrian refugee who lived in Germany and travelled to the Evros region in 2016 to meet his brother. Despite his German travel documents, he was detained, forced onto inflatable boats and forced to cross the river to Turkey at night. Leading Greek civil society organizations have published a report<sup>2</sup> detailing dozens of alleged incidents which took place in 2018. The Greek government has repeatedly denied reports of pushbacks.

### Migrants in Mainland Greece

On mainland Greece, there was an estimated 57,750 recently arrived migrants in January 2019. After the end of the EU's emergency relocation mechanism, under which 21,999 refugees were relocated to other EU Member States, most of those in Greece have no legal pathway to protection in other EU Member States, except for specific cases such as family reunification. A bilateral agreement between Portugal and Greece for the relocation of 1,000 refugees was reported in March 2019.

UNHCR data showed over 16,000 migrants accommodated in 25 camps in September 2018. These camps operate as open reception facilities and are mostly located in remote areas or near small towns, making access to public services and the asylum system difficult for those located inside. Half of these camps were reported to have issues with overcrowding and a lack of privacy, as the increase of arrivals from Greece's land borders led to people being accommodated in tents and multiple families having to share the same space.

The UNHCR has been operating ESTIA (Emergency Support to Integration & Accommodation), an EU-funded programme which includes an accommodation scheme that hosted approximately 23,000 asylum seekers and newly recognized refugees in February 2019. In addition, in the same month 66,840 people received cash assistance from the ESTIA programme which ranges from 90 euros per month for a single

person to 550 euros per month for families with seven or more members. Authorities' plans to remove some inhabitants from these apartments, in particular those who have received refugee status more than 20 months ago, have caused controversy as there are concerns about their ability to sustain themselves, given the lack of proper integration support.

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The situation in Greece since 2015 has been called "the most expensive humanitarian response in history"<sup>3</sup> and EU emergency support funding has surpassed 643 million euros in the past three years. This funding has largely gone to UN agencies and international NGOs to provide emergency relief, with significantly fewer resources allocated to the integration of recently arrived migrants. The Greek Government announced a new Integration Strategy which was open for consultation in early 2019. Within that strategy, government ministries will run training programmes for 5,000 recently recognized refugees, who will work in agriculture and tourism.

Migrants in Greece are increasingly targeted by hate speech and racist violence. In the space of a few days in March 2019, Afghan unaccompanied minors hosted by an NGO in the northwestern town of Konitsa were beaten by a hooded gang with baseball bats, locals threw rocks at a facility and attacked twenty families living in an IOM-rented hotel in western Attica, and an interpreter working for the Greek Council for Refugees was stabbed in downtown Athens.

<sup>2</sup> ARSIS, GREEK COUNCIL FOR REFUGEES and HUMAN RIGHTS 360, *The new normality: Continuous push-backs of third country nationals on the Evros river*, December 2018. [www.humanrights360.org/wp-content/uploads/REPORT\\_EN.pdf](http://www.humanrights360.org/wp-content/uploads/REPORT_EN.pdf).

<sup>3</sup> HOWDEN, Daniel and FOTIADIS, Apostolis, "The Refugee Archipelago: The Inside Story of What Went Wrong in Greece." *Refugees Deeply*, 6 March 2017. [www.newsdeeply.com/refugees/articles/2017/03/06/the-refugee-archipelago-the-inside-story-of-what-went-wrong-in-greece](http://www.newsdeeply.com/refugees/articles/2017/03/06/the-refugee-archipelago-the-inside-story-of-what-went-wrong-in-greece).

There have also been several protests against migrant children going to schools around the country, most recently on the island of Samos where parents pulled their children out of classes in protest. Despite these, the UNHCR reports that 75% of children accommodated within ESTIA aged 5-14 are in school.

### **Transiting through the Closed “Balkan Route”: Croatia’s Borders**

Despite the closure of the “Balkan route,” migrants who arrive to Greece and Bulgaria still attempt to reach northern and western Europe through the countries of the Western Balkans. In 2018, over 30,000 migrants entered Serbia, with an estimated 6,000 remaining in the country at the end of the year. While in Serbia, new arrivals have access to reception facilities and some assistance, however most migrants have no access to effective protection and remain outside Serbia’s asylum system. In 2018, 8,436 migrants expressed their intention to apply for asylum and 327 applications were lodged, with 11 people receiving refugee status, 13 subsidiary protection and 20 being rejected.

After Hungary constructed its border fence and created “transit zones,” effectively making it impossible for those in Serbia to legally cross the border and seek asylum in the European Union, most migrants in transit through the Balkans have attempted to continue their journey through Croatia instead. After the closure of the “Balkan route,” Croatian authorities have intensified their border controls and have been routinely pushing migrants back to Serbia. The crossing has become increasingly dangerous, as evidenced by the tragic story of Madina Hussiny.

In November 2017, six-year-old Madina was hit by a passing train after her family was ordered to walk on the railway tracks back to Serbia by Croatian border guards, according to her family’s testimony. Madina and her family had previously been in Serbia for almost a year, waiting in vain for safe passage into Hungary. According to Madina’s mother, the border guards refused assistance even while she was holding her daughter’s lifeless body, instead forcing the family back to Serbia once again. Médecins Sans Frontières have reported that other migrants have also been forced to walk on the same railway tracks by Croatian border guards.

Madina is just one of the increasing number of migrants who die while attempting to irregularly enter Croatia, a consequence of the lack of safe passage, resettlement or any other legal pathways to protection in EU Member States for anyone located in Serbia or the other countries of the Western Balkans. In August 2018, two migrants were killed in a landslide while sleeping in a forest. In February 2019, a migrant drowned in a river near the border with Bosnia and Herzegovina after his group got lost looking for a bridge to cross on their way through Croatian territory.

### **After the closure of the “Balkan route,” Croatian authorities have intensified their border controls and have been routinely pushing migrants back to Serbia**

As Hungarian and Croatian controls at their borders with Serbia further intensified, there was a rapid increase in the number of migrant arrivals to Bosnia and Herzegovina in 2018. Over 22,000 people entered the country in 2018 compared to just 1,166 in 2017. There was an estimated 5,000-6,000 people remaining in the country at the end of 2018, most of whom were in the northwestern Una-Sana canton which borders Croatia. The local communities in the border towns of Bihac, where most migrants are still hosted, and Velika Kladusa have been supportive of those in transit and have expressed their solidarity by offering food, relief items and other support throughout the year. As 90% of the canton’s population are Bosniaks, the Islamophobia present in other areas of the Balkans is absent.

Suhret Fazlic, the mayor of Bihac who has led this compassionate response, attributed the locals’ attitude to their own experiences from being under siege during the war in the 1990s. This is also reflected in the project run by Women from Una, a local NGO which runs workshops where Bosnian women help migrant women in transit to deal with traumas of exile and separation through their own experience. However, as large numbers of migrants

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remain stranded in the area, there are signs that the local community may change its attitude towards the situation if no sustainable solution for their guests is provided.

Elsewhere in the country, these arrivals have been met with negative responses. In May 2018, government buses carrying 270 migrants to a camp near Mostar were blocked by the police of the majority-Croat Herzegovina-Neretva canton in the southwest of the country. The incident sparked a political argument and the blockade was described as “illegal and unconstitutional” by Bakir Izetbegovic, the then Bosniak chair of Bosnia’s tripartite presidency. Republika Srpska’s leader Milorad Dodik, who opposes the settlement of migrants in the country’s Serb-majority entity, suggested that there was a plot to increase the number of Muslims in Bosnia

and Herzegovina in the run-up to the October 2018 elections.

Border Violence Monitoring, a civil society watchdog organization, published<sup>4</sup> a number of videos in December 2018 which it claimed were evidence of illegal pushbacks along Croatia’s border with Bosnia and Herzegovina. Croatia’s government denied this, suggesting that the border guards were lawfully protecting EU borders and that migrants were alleging the use of violence to strengthen their asylum claims. However, there is credible evidence that a significant number of migrants who have unsuccessfully attempted to enter Croatia have physical injuries, broken mobile phones and other signs which suggest they have faced violent attacks during border crossing attempts. The situation at Croatia’s borders has implications for rule of law and civil society. The country’s Ombudsperson wrote in October 2018 that the Ministry of the Interior repeatedly refused to grant her access to databases, footage and documents to assist her investigation into alleged rights violations by border guards. Moreover, civil society organizations providing assistance to newly arrived migrants have faced physical attacks, accusations of unlawful activity by politicians and judicial proceedings. One NGO volunteer was convicted under an article prohibiting assistance to irregular migrants for monitoring an interaction between the police and Madina Hussiny’s family.<sup>5</sup>

<sup>4</sup> VLADISAVLJEVIC, Anja. “Videos ‘Prove’ Croatia Forcibly Expelling Migrants, Watchdog Says.” *Balkan Insight*, 16 December 2018. <https://balkaninsight.com/2018/12/16/bvm-proves-human-rights-violations-at-external-eu-border-12-14-2018/>.

<sup>5</sup> ARE YOU SYRIOUS. “AYS SPECIAL: When governments turn against volunteers – the case of AYS.” Medium, 30 December 2018. <https://medium.com/are-you-syrious/ays-special-when-governments-turn-against-volunteers-the-case-of-ays-81fcfe0e80e7>.