

25<sup>th</sup> January 2017

## Situation Update - Macedonia

### ***Irregular Migration:***

Since the closure of the Balkan Humanitarian Corridor, the so-called Balkan Route in March 2016, we have observed boosting of the irregular migration channels in Macedonia. The low temperatures don't seem to make desperate people reluctant to travel and attempt to reach Western Europe to seek international protection. Since August 2016, LEGIS is running operations in the Lipkovo area, with a field office and teams in the Lojane village. The teams are providing lifesaving aid in food, water, clothes, blankets and other needed items, medical and other referrals, while monitoring Human Rights abuses to the refugees and migrants using this well-known smuggling channel to transit towards Serbia with a goal to reach Western Europe.

During the last few months, starting August 2016 to end of December 2016, we are reaching on average 750 people per month with our services in the Lipkovo area, many of whom women and children, coming from the Middle East and South Asia. We are observing and regularly documenting the push-back practices of the Serbian authorities, as well as the mass expulsion practices that are happening in the last few months.

The protection risks are very high for the refugees and migrants using this irregular transit channel. Most of them use costly services of trip facilitators (smugglers) to guide them from one point to another. Often, the access to food and clean water is limited, and money extortions seem to be regular occurrences. Having full access to victims of different forms of violence during irregular migration is difficult, since fear of police, detention and expulsion is higher than the fear of the risks and violations of the irregular transit.

The refugees and migrants using this irregular route often suffer from environmental exposure, since they are staying for days (in some cases weeks) in makeshift camps in the surrounding hills. Part of them are being accommodated in some of the houses of the village (that collaborate with the trip facilitator), which often depends on the deal made with the trip facilitator and the presence of Police in the villages.

### ***Temporary Accommodation and Transit Centers:***

Regarding the situation in the Temporary Accommodation and Transit Centers, 11 months after the borders have closed, the refugees and migrants stranded in the borderline centers in Macedonia are still without any official or regulated status or registration and without freedom of movement, relying on the basic services and support provided by CSOs and UN Agencies in the two centers.

In the south, TC Vinojug Gevgelija is accommodating 67 people from Syria, Iraq and Iran, while in the north, approximately 100 people are staying in the TC Tabanovce, mostly Syrian and Iraqi, but also people from Palestine, Iran, Algeria, Afghanistan, Morocco and Pakistan. Due to the very low temperatures that often went below -20 Celsius, The Crisis Management Center, responsible for managing the refugee crisis proclaimed in the border regions in Macedonia since August 2015, has expressed a good will in receiving and accommodating refugees still in transit, found in the northern area by the authorities. It is yet unknown if this people, approximately 40, will be allowed to stay after the temperatures rise above the life-threatening scale.

The services offered in the Temporary accommodation and transit centers are very limited, lack of winter clothing has been noticed, and the refugees residing there are slowly falling into deep poverty and various psychological issues. Being held in an unofficial detention for almost one year,

having no freedom of movement outside the premises of the TCs, or since November 2016 being allowed to exit for short visits to the nearest towns, only accompanied by Red Cross, after filing for permission from the authorities, they have become introvert and their will to cooperate and participate in activities and workshops is very low. During this 11 months, the children and youth in the centers are without proper school activities, especially the children in TC Vinograd, Gevgelija. Food is regularly distributed, but often the cultural background is often not taken into consideration. While the refugees accommodated in the centers are willing to participate in cooking activities, this is still not allowed by the authorities.

LEGIS teams continue to run psychosocial support and stress relief activities in both Transit Centers, focusing on Sports and Recreational activities and Artistic and Educational workshops.

***Obudsman+ Mechanism – National Prevention Mechanism against Torture:***

Our cooperation with the Ombudsman has been officialized since November 2016, with an MoU between LEGIS and the Public Defender's office acting as National Prevention Mechanism (NPM) against Torture. This cooperation allows experts of LEGIS together with staff from the National Prevention Mechanism (NPM) to make announced and unannounced visits to reception and detention facilities in order to monitor the situation regarding access to rights and abuses of rights of refugees and migrants, creating the Ombudsman+ mechanism. This mechanism will provide recommendations for improvement of the situation regarding access to rights and torture prevention to the relevant institutions.

***Access to asylum procedures:***

Regarding access to Asylum procedures for the refugees residing in the transit centers, as well as the new arrivals, the situation seems to be improved, although according to the Macedonian Young Lawyers Association (MYLA), the refugees are often discouraged to proceed with an asylum claim on the basis of the latest amendments of the Law on Asylum and temporary Protection. According to the amendments from April 2016, the institute 3<sup>rd</sup> safe country – country of entrance is clearly defined as member of EU, NATO and EFTA, which are all of the neighboring countries of Macedonia. This allows the Section of Asylum to dismiss asylum claims on the ground of this 3<sup>rd</sup> safe country institute, considering such claims clearly unsubstantial and officially deporting the people back to the country of entrance – 3<sup>rd</sup> safe country. LEGIS, together with UNHCR, MYLA and Open Gate has filed an official initiative for amending this Law in June 2016, although no feedback has been received up-to-date.

***Reception center for Asylum seekers:***

The situation in the open Asylum-seekers facility, Vizbegovo in Skopje, is not better than the temporary accommodation centers. The very few asylum seekers in Macedonia are complaining about the heating system in the facility as well as the food distribution, which is happening once per day. The access to non-food items is also very limited. At the moment, there are approximately 20 asylum seekers accommodated in Vizbegovo facility. The refugees that claim asylum in Macedonia tend to disappear within few weeks of being relocated into the open facility, and their asylum claim is discontinued.

LEGIS Teams together with our partners, will continue to provide humanitarian aid and assistance to the people in need, as well as continue to persist access to protection is ensured by the relevant institutions, regardless of their legal status or nationality.