



**IRIS Networking**  
CSOs for protection sensitive  
migration management

## ***BALKAN BRIEFINGS DOCUMENT***

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## INTRODUCTION

The countries of the Western Balkans on a daily basis face various challenges on the path of their social and economic development. Mutual cooperation and respect, and the strengthening of international relations become imperative. The Covid-19 virus pandemic which ending is still uncertain, requires additional resources in all areas of social action. Mental and physical health of people is significantly endangered. Vulnerable categories of society are at double risk of social exclusion and deepening of existing social problems.

The migrant crisis has shown the inability of the systems to provide an adequate response due to unpreparedness, lack of resources and the need to strengthen crisis management. The number of social protection beneficiaries is increasing, and their needs are becoming more complicated. The future brings a number of challenges in the field of social dialogue within and between the countries of the Western Balkans.

All Western Balkan countries already have relevant legislation on migration and established migration management systems. However, gaps in alignment still exist and a further review is required in order to guarantee full harmonization with the EU acquis. Further efforts are needed to promote stronger links between migration policies, social, welfare services, and the work of the CSO providing services focused on inclusion and integration of migrants. Standardization of social services is a process that is necessary in order to ensure equal quality of service provision by different service providers and it is also a major systemic project in area of social protection. Inclusion of CSOs in the sphere of social protection services can significantly contribute to the introduction of a number of different social programs, with a reduction of costs and improvement of service quality.

Within the *IRIS NETWORKing project- CSOs for managing sensitive migration management*, a number of activities have been implemented in the last four years in order to empower CSOs to be effective and accountable independent actors and improve their capacity for dialogue with governments influencing policies and decision-making processes. Also, a large number of documents/publications have been prepared at the level of each country, as well as from the regional aspect. This Document will present an analysis of all relevant documents developed during the project implementation, as well as the current policy overview and assessment of the real situation in the sector in the Western Balkans region with a special focus on migration management by monitoring migration-related policies. Also, the results of field research will be presented, which contains the views and opinions of relevant actors, members of IRIS networks and beneficiaries of social services on the standardization of social services and the necessary improvement of their quality standards in the Western Balkans.

Balkans briefings represent a regional approach to service standardization in the Western Balkans and an instrument for advocating for improved service quality standards. It is important to note that the subject area changes daily, both in terms of legislation and policy, and in terms of migratory movements.

This Document will also provide regional Western Balkans perspective on current status and available data related to process and requirements of service standardization, possibilities for adaptation of licensing system so that the conditions for CSOs are supporting, services that are missing, and which are necessary to be supported, need for support from local and national governments in achieving structural standards, linking stakeholders from different sectors such as

social welfare and education and exchange of experiences with countries that already have a practice of licensing.

## **EUROPEAN INTEGRATION PROCESSES IN WESTERN BALKAN COUNTRIES**

After the stabilization of the security situation in the Western Balkans in the late 1990s, the European Union tried to find the best foreign policy strategy for developing political, trade and institutional relations with the countries of this region. Given that these countries had not been included in any other mechanism of institutionalization of relations with the European Union, it was necessary to define long-term policies that would open the perspective of membership of the Western Balkan countries in the European Union. This type of European Union policy towards the countries of the Western Balkans is known as the *Stabilization and Association Process*, which was established at the proposal of the European Commission in May 1999<sup>1</sup>. Enlargement is one of the most powerful political tools of the European Union. All European citizens benefit from being neighbors of a stable democracy and a prosperous market economy. Enlargement is a carefully guided process that helps transform the countries involved and contributes to peace, stability, progress, democracy, human rights and the rule of law across Europe.<sup>2</sup>

Stabilization and Association Process has three aims: stabilising the countries politically and encouraging their swift transition to a market economy, promoting regional cooperation and eventual membership of the EU. There are strict conditions for membership to ensure that new members are admitted only when they are fully able to take on the obligations of EU membership. This includes compliance with all the EU standards and rules. For the purpose of accession negotiations, these are divided into 35 different policy fields (chapters). Chapter 19 deals with social policy and employment, the *acquis* in the social field includes minimum standards in the areas of labour law, equality, health and safety at work and anti-discrimination. Chapter 24 deals with justice, freedom and security and EU policies aim to maintain and further develop the Union as an area of freedom, security and justice. On issues such as border control, visas, external migration, asylum, police cooperation, the fight against organized crime and against terrorism, cooperation in the field of drugs, customs cooperation and judicial cooperation in criminal and civil matters, Member States need to be properly equipped to adequately implement the growing framework of common rules.<sup>3</sup> The new methodology of EU enlargement was adopted at the beginning of 2020 and envisages the thematic division of the current over 30 chapters into six clusters that unite topics- rule of law, markets, economy, green agenda and connections, agriculture and resources and external relations. Northern Macedonia and Albania will begin their accession negotiations under a new scheme, and Serbia and Montenegro has agreed to move to a new one after years of negotiating the old method.<sup>4</sup>

In 2008, a European partnership for *Serbia* was adopted, setting out priorities for the country's membership application, and in 2009 Serbia formally applied. In March 2012 Serbia was granted EU candidate status. In September 2013 a Stabilization and Agreement between the EU and Serbia entered into force. In line with the decision of the European Council in June 2013 to open accession negotiations with Serbia, the Council adopted in December 2013 the negotiation framework and

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<sup>1</sup> <https://www.dei.gov.ba/bs/bh-eu>

<sup>2</sup> <https://www.parlament.ba/Content/Read/125?title=Put-do-%C4%8Dlanstva-u-Evropskoj-uniji>

<sup>3</sup> [https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership/chapters-of-the-acquis\\_en](https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership/chapters-of-the-acquis_en)

<sup>4</sup> <https://www.dw.com/hr/nova-metodologija-pro%C5%A1irenja-eu-a-%C5%A1to-to-zna%C4%8Di-u-praksi/a-56413406>

agreed to hold the 1st Intergovernmental Conference with Serbia in January 2014. On 21 January 2014, the 1<sup>st</sup> Intergovernmental Conference took place, signaling the formal start of Serbia's accession negotiations. So far, Serbia has opened eighteen chapters and provisionally closed two chapters.<sup>5</sup>

*Bosnia and Herzegovina* applied for EU membership in February 2016, and in September of the same year, the European Council invited the European Commission to provide an Opinion on the merits of the application. In May 2019, the Commission sent an Opinion and accompanying Analytical Reports on Bosnia and Herzegovina's applications for EU membership. The Opinion identified 14 key priorities in the areas of democracy/functionality, rule of law, fundamental rights and public administration reform, which Bosnia and Herzegovina needs to meet in order to receive recommendations for opening accession negotiations. In October 2019, the Council of Ministers of B&H adopted the Action Plan for the implementation of priorities from the Analytical Report of the Commission for 2019, the content of which is not fully used between all levels of government. On the Report for Bosnia and Herzegovina for 2020, it is emphasized that Bosnia and Herzegovina needs to ensure effective coordination of border management and migration management capacities at all levels and ensure the functioning of the asylum system, so that the country reaches certain levels of preparedness in social policy and employment, that limited progress has been made in implementing the latest recommendations, especially with regard to the adoption of labor rights legislation, but that serious challenges remain to be addressed in terms of employment, social inclusion and protection, poverty reduction, especially in terms of coordination between relevant institutions throughout the country. The Report states that no measures have been taken to strengthen and promote social dialogue, that adequate support is not provided for community-based services that enable independent living, and that there is no comprehensive deinstitutionalization strategy. The social protection system remains underdeveloped and the efficiency of social transfers is limited. Social assistance is not well targeted or needs-based due to the lack of an adequate data collection system.<sup>6</sup>

In 2008, *Montenegro* applied for EU membership. In 2010, the Commission issued a favourable opinion on Montenegro application identifying 7 key priorities that would need to be addressed for negotiations to begin, and the Council granted it candidate status. In December 2011, the Council launched the accession process with a view to opening negotiations in June 2012. The accession negotiations with Montenegro started on 29 June 2012. After eight years of accession negotiations all the 33 screened chapters have been opened, of which 3 are provisionally closed.<sup>7</sup>

*North Macedonia* applied for EU membership in March 2004 and the Council decided in December 2005 to grant the country candidate status. Since October 2009, the Commission has continuously recommended to open accession negotiations with North Macedonia. In 2015 and 2016, the recommendation was made conditional on the continued implementation of the Pržino agreement and substantial progress in the implementation of the 'Urgent Reform Priorities'. In light of the progress achieved, the Commission repeated its unconditional recommendation to open accession negotiations in April 2018. In light of the significant progress achieved and the conditions set unanimously by the Council in June 2018 having been met, the Commission recommended in May 2019 to open accession negotiations with North Macedonia. In March 2020,

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<sup>5</sup> [https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/serbia\\_en](https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/serbia_en)

<sup>6</sup> European Commission, Report on Bosnia and Herzegovina for 2020, Communication on EU Enlargement Policy for 2020

<sup>7</sup> [https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/montenegro\\_en](https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/montenegro_en)

the General Affairs Council decided to open accession negotiations with North Macedonia and endorsed the Commission Communication on a revised methodology "Enhancing the accession process - A credible EU perspective for the Western Balkans" of February 2020. The decision was endorsed by members of the European Council. In July 2020 the draft negotiating framework was presented to the Member States.<sup>8</sup>

In 2009, *Albania* submitted its formal application for EU membership. In its Opinion on Albania's application (in 2010), the Commission assessed that before accession negotiations could be formally opened, Albania still had to achieve a necessary degree of compliance with the membership criteria and in particular to meet the 12 key priorities identified in the Opinion. In October 2012, Commission recommended that Albania be granted EU candidate status, subject to completion of key measures in the areas of judicial and public administration reform and revision of the parliamentary rules of procedures. In June 2014, Albania was awarded candidate status by the EU. In April 2018, the Commission issued an unconditional recommendation to open accession negotiations. In its June 2018 Conclusions, the Council set out the path towards opening accession negotiations in June 2019, depending on progress made. The Commission reiterated the recommendation to open accession talks in the Enlargement Package adopted in May 2019. In its June 2019 Conclusions, the Council took good note of the Commission's recommendation. In March 2020 the members of the European Council endorsed the General Affairs Council's decision to open accession negotiations with Albania and in July 2020 the draft negotiating framework were presented to the Member States.<sup>9</sup>

## **SOCIAL SERVICES IN CONTEXT OF MIGRANT POPULATION IN WESTERN BALKAN COUNTRIES**

The processes that take place in social protection systems in each Western Balkan country depend on a large number of factors and their correlations - strong economic policy, political will, stability, existence of resources, recognition of needs and existence of institutions and professionals that adequately respond to social needs. The degree of protection of all vulnerable categories, especially the migrant population, depends on the quality, number and diversity of social services. The countries of the Western Balkans are not at the same stage when it comes to the level of development of the social service system.

Processes of licensing of social service providers and standardization of social services encounter certain difficulties conditioned by the overall social policy of each country. Social services are provided by the public and civil sector, but it is evident that social services need to be innovated, expanded and civil society organizations enabled to acquire legal requirements as easily and quickly as possible in order to implement social activities that are often the only ones provided in some areas. It is necessary to strengthen the cooperation between the public and civil sectors in a way that they complement each other, facilitate each other's work, and all in the best interest of the beneficiaries. Advocating for change is a never-ending process that is needed to support all those who, by providing services, contribute to the improvement of the position of individuals and families, both the domicile population and migrants.

The countries of the Western Balkans are in the process of reforming their social protection systems, and the existing systems are still unable to respond to the increasingly complex and

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<sup>8</sup> [https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/north-macedonia\\_en](https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/north-macedonia_en)

<sup>9</sup> [https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/albania\\_en](https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/albania_en)

numerous social needs of the population. For a functional system of social services, it is necessary to develop/amend/innovate legal regulations that are enforceable in practice, create databases (on the beneficiaries needs and providers of social services), strengthen the capacity of social service providers (public and civil sector), ensure the existence of special departments/ institutions dealing with planning of social development (eg Social Protection Institutes where they do not exist), enable transparency, adequate monitoring and quality control and promote the need for social innovation. Organizations need more support for meeting standards and also support in licensing process.

There has been a strong need for the IRIS Network's support to its members in advocating for the change of the legislation on social welfare and services. Recognizing the challenges faced by civil society organizations in the field of standards and quality of social services they provide, within this Project, quality documents have been developed that further address the current situation in service provision for migrants with recommendations in Albania, Bosnia and Herzegovina, North Macedonia, Montenegro and Serbia, presented the referral system/social service delivery for migrants and the Regional overview in the Western Balkans, and through the Shadow Reports covered in detail the negotiation chapters 19 and 24 in each of the countries.

For the existence and sustainability of social services in the countries of the Western Balkans, it is necessary to regulate not only the system of social protection, but also the systems of employment, justice, freedom and security. Also, it is necessary to specify who provides social services, in what way and whether they adequately meet the needs of beneficiaries.

### **Bosnia and Herzegovina**

Bosnia and Herzegovina remained a key country on the route for refugees and migrants traveling through the Balkans. The country has been struggling to provide accommodation and support to the high number of people already present, with more continually arriving.<sup>10</sup>

As briefly explained in the Regional GAP Assessment on the current situation in service provision for migrants in Western Balkans, social services in Bosnia and Herzegovina regarding migration and protection of migrant rights, as prescribed by the national legal framework are in the jurisdiction of the entities of the Republic of Srpska and Federation of B&H, and in the competence of the Cantons and the Brčko District. In the Federation of Bosnia and Herzegovina, the system of social protection includes over 30 ministries and institutions, while Republic of Srpska has a centralized system of social protection and uniform protection at the entity level, within one ministry, and therefore a more efficient social protection system. Social services are provided in accordance with the laws governing social protection issues, and the novelty in Federation of Bosnia and Herzegovina is the drafting of the Law on Social Rights and Social Services, which was presented to the public in April 2021.<sup>11</sup>

The process of standardization of social services and licensing of social service providers in the country is in the very beginning. One of the important preconditions for the improvement of the social protection system and social services for vulnerable categories is the development of social

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<sup>10</sup> <https://resourcecentre.savethechildren.net/library/balkans-migration-and-displacement-hub-data-and-trend-analysis-refugees-and-migrants-western>

<sup>11</sup> In this Law, social services are defined as measures, activities and programs aimed at supporting individuals, families and groups in identifying, preventing and overcoming problems and difficulties, improving their quality of life and achieving social inclusion. The law covered both foreign nationals and stateless persons.

maps as a basis for further planning and insight into the real situation on the field. Mapping activities have started in some municipalities, but it will take a lot of time and money to successfully complete these processes. Therefore, we can only talk about the data of the competent statistical institutes and the data of the competent ministries, and given that there are no general strategic documents related to the development of social protection systems in Bosnia and Herzegovina, which include a detailed analysis of social services, rights, providers and beneficiaries, the next period will be challenging and will require great support in order for Bosnia and Herzegovina to continue on the path to improving the living conditions of all citizens, especially vulnerable categories.

Immediately after the first contact with the Border Police and the Service for Foreigners' Affairs, migrants may seek asylum. Services that are available during the asylum procedure provide further help and support to migrants and refugees are information regarding the process of determining refugee status, food distribution, accommodation, medical attention and access health services, emergency services, sexual and reproductive health care, free legal assistance, legal guardianship for unaccompanied and separated children, access to education and services for children, psychosocial support and counseling, access to the labor market and interpretation. Numerous public institutions, international organizations and civil society organizations in Bosnia and Herzegovina are involved in the support process. Public institutions involved in this area are the Emergency Services of Bosnia and Herzegovina, health centers, reception centers<sup>12</sup>, Service for Foreigners' Affairs, Ministry of Security, Ministry of Human Rights and Refugees, Border Police and Centers for Social Work which have a role to provide social assistance and protection, in particular to families and vulnerable people and are obliged to ensure legal guardianship and protection to all unaccompanied and separated children regardless of their nationality. UNHCR, the Office of the Resident Coordinator of the United Nations, IFS-Emmaus, Save the Children, SOS Kinderdorf, UNICEF, World Health Organization and World Vision are among international organizations that are dealing with migration issues in B&H. Civil society organizations operating in this area are Red Cross Society of Bosnia and Herzegovina, Vaša Prava BiH, Bosnia and Herzegovina Women's Initiative, IRIS BiH Network, Association of citizens "Otaharin" Bijeljina and CSO "Zemlja djece u BiH", in Tuzla, both members of IRIS network.<sup>13</sup>

Regional GAP Assessment on the current situation in service provision for migrants pointed out the numerous challenges facing the social protection systems in Bosnia and Herzegovina. Regarding quality and standardization of the services, there is *no single strategic framework for the development of social protection, nor there are common policies* in this field and migrants/asylum seekers are not specifically treated by laws as beneficiaries of the social protection system. There is a *lack of coordination among levels of government, lack of strategic documents at local level* that recognize migrants as a vulnerable group and *relevant stakeholders in B&H are insufficiently coordinated and under-prepared* to respond to the current situation surrounding migrants and refugees in the country. The whole process of asylum procedures is facing significant obstacles due to *lack of employees in respective institution. Social welfare centers, as social services providers, do not have enough capacity* to assess the needs of vulnerable groups, nor funding to provide adequate support. Although there are 7 reception or transit center facilities, the *capacities are not sufficient* in regard to number of migrants, refugees and asylum seekers. *CSOs are currently the main providers* of direct humanitarian assistance to migrants and

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<sup>12</sup> <https://bih.iom.int/temporary-reception-center-profiles>

<sup>13</sup> Shadow Reports Bosnia and Herzegovina 2019 and 2020



refugees and integration of migrant children into the educational system is still the issue. Further activities should be focused on harmonization of legislation and cooperation among all relevant stakeholders dealing with migrant crisis, strengthening of capacities of representatives of governmental institutions and civil society organizations dealing with migrant issues, development of regional strategy for accommodation and support to migrants, development of systematic approach to education and integration of children in educational system, provision of healthcare evenly to all migrants, asylum seekers and refugees regardless their place of stay, legal status and the type of assistance they need.<sup>14</sup>

## **Social policy and employment**

In the area of social policy and employment, major problems in Bosnia and Herzegovina are complex political structure of the country, lack of coordination, proper institutional framework, legislation and workforce. Accession process is very important for the status of vulnerable categories of population, in particular children as it contributes to the enhancement and stabilization of the position of different vulnerable groups.<sup>15</sup>

In the last European Commission Bosnia and Herzegovina 2020 Report<sup>16</sup> it is stated that Bosnia and Herzegovina has some level of preparation in the field of social policy and employment, that serious challenges remain to be addressed as regards employment, social inclusion and protection, and poverty reduction, especially related to coordination among the responsible institutions across the country and that no steps were taken to strengthen and promote social dialogue. In 2019 European Commission Report pointed to strengthening administrative capacities, need for establishing regular cooperation and consultations with civil society organizations, improvement of protection and inclusion of vulnerable groups, and also stated that in Bosnia and Herzegovina some progress has been made in the areas of foster care development, transformation of institutions for placement of children without parental care, case management and in the area of improved children's access to justice in the last five years (UNICEF BiH programs with governments in Bosnia and Herzegovina).

The importance of strengthening the potential of professionals working with vulnerable categories in Bosnia and Herzegovina, especially refugees and migrant children, was recognized, and in that sense during 2019 *Manual for the inclusion of refugee, asylum seeker and migrant children in the education process in Bosnia and Herzegovina* was made and published by Ministry of Civil Affairs of Bosnia and Herzegovina and UNICEF Bosnia and Herzegovina.<sup>17</sup> Bosnia and Herzegovina is at a medium level of social protection spending and has the highest share of funding for administrative costs and status-based benefits among countries in the region. *Social services are still underdeveloped and severely underfunded.* The effectiveness of social service providers at the local level is greatly affected by challenges related to human, financial and technical capacity. One of the important recommendations is to eliminate the excessive administrative burden of the social

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<sup>14</sup> IRIS Network, Regional GAP Assessment on the current situation in service provision for migrants with Recommendations: Albania, Bosnia and Herzegovina, North Macedonia, Montenegro and Serbia

<sup>15</sup> Shadow Report Bosnia and Herzegovina (2020)- Chapter 19

<sup>16</sup> European Commission, Bosnia and Herzegovina 2020 Report, Brussels, 6.10.2020

<sup>17</sup> <https://www.unicef.org/bih/en/reports/manual-inclusion-refugee-asylum-seeker-and-migrant-children-education-process>

protection system through the improvement of the information system for the management and introduction of digitized social services.<sup>18</sup>

One of the strategic goals of Bosnia and Herzegovina's development is the reduction of poverty and social exclusion. Due to financial constraints at all levels of government, the rights of social protection prescribed by the laws in this area<sup>19</sup> have not been fully implemented in practice, so that some benefits are not paid or the amounts are reduced. Social Welfare Centers/ Social Welfare Offices<sup>20</sup> do not have enough capacity to assess the needs of vulnerable groups, nor funding to provide adequate support. Economic and social changes that are constantly taking place in Bosnia and Herzegovina make the social security of citizens more uncertain. As stated in Regional Guide on referral system/social service delivery for migrants and based on the analysis of civil society organizations in Bosnia and Herzegovina, it is recommended to develop a Strategy for accommodation and support to migrants at entity, national and regional level, improve communication between organizations, define the role of the institutions and CSOs in assisting migrants, organize trainings, evaluations, cultural mediations and family group conferences, develop Strategy for family group conferences at national and regional level, secure financial resources in order for CSOs to be able to support migrants and develop social work in crisis.

Identified problems regarding provision of services in the social protection system in B&H are lack of defined standards of social protection services, lack of procedures for licensing service providers, insufficient existence of strategic plans for the development of social protection services at the local level and lack of research on the needs of citizens for social services, the need for additional sensibility of decision-makers at the level of local communities, weak professional resources of non-governmental and private sectors and lack of practical exchange of experiences, insufficient existence of social protection institutions,<sup>21</sup> need to strengthen capacities of professional workers in social care institutions and increased number of social protection system beneficiaries.<sup>22</sup>

Shadow Report Bosnia and Herzegovina 2020 pointed to status of Roma as the most vulnerable and disadvantaged minority. A Roma strategy has been in place since 2005, it is being implemented via the Roma action plan on housing, employment and healthcare 2017-2020 and the action plan on Roma educational needs 2018-2022. Roma unemployment rate, at 56%, is among the highest in the Western Balkan region and twice as high as that of non-Roma living nearby. There are very few Roma in secondary and higher education. Access of Roma to mainstream education in Bosnia and Herzegovina is rather good and there are no reports of segregated classes or schools. There is no teaching in and of the Romani language, and awareness of Roma culture by the rest of the population is very limited. As a result of the good cooperation between the authorities and civil society organizations, the process of civil registration of the Roma population is almost complete. When it comes to employment, the challenges that are present in Bosnia and Herzegovina are *non-reporting of workers, lack of adequate analysis, no data on the exact number of undeclared workers and not adequate implementation of Labor laws in Bosnia and*

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<sup>18</sup> National Human Development Report for 2020, Social inclusion in Bosnia and Herzegovina. UNDP Bosnia and Herzegovina

<sup>19</sup> All laws and bylaws are available on the websites of the relevant ministries in Bosnia and Herzegovina

<sup>20</sup> In smaller places in the country, social welfare offices have been established instead of social work centers

<sup>21</sup> In Bosnia and Herzegovina there is no Institute for social protection nor development institutions in this area

<sup>22</sup> Anđelić, J., Zgonjanin, B. (2018). Guide on referral system/social service delivery for migrants- Regional overview, Initiative for Development and Cooperation

*Herzegovina*, especially when it comes to social dialogue, employee protection and labor inspection. In order to prevent, various inspections are carried out. Bosnia and Herzegovina is working to strengthen the model of alternative social welfare. With regard to social dialogue, labor laws in Bosnia and Herzegovina provide the basis for the conclusion of the General Collective Agreements that apply to all employees, as well as branch collective agreements. The Economic and Social Councils work at the entity level, while the State Council has not yet been established. Republic of Srpska has a Strategy for employment for the period 2016-2020. Although there is no employment strategy in the Federation of Bosnia and Herzegovina, several employment programs are currently being implemented. When it comes to people with disabilities, institutional protection is still prevalent. In B&H, there is no national framework for intersectoral cooperation in dealing with the economic exploitation of children/begging. During 2018, an assessment was made of the situation of migrant and refugee children, including unaccompanied and separated children, in which one of the basic recommendations is that all unaccompanied and separated children immediately receive legal guardianship and that all unaccompanied and separated children, as well as children with families have access to ongoing psychosocial counseling.<sup>23</sup>

In order to *improve social services and overall social protection* in the country, recommendations from Shadow Reports Bosnia and Herzegovina 2019 and 2020 include:

- Development of a new Action Plan for Children of Bosnia and Herzegovina and unique collection of data on children without violating the competencies of the entities (according to the latest data, a new Action Plan has not been drafted yet, but a Framework Action Plan on the educational needs of Roma men and women in Bosnia and Herzegovina 2018-2022 has been drafted<sup>24</sup>),
- Establishing mechanisms for dealing with cases of discrimination and trainings for legal professionals (activities are still underway to improve communication between institutions in order to speed up legal procedures and increase the number of trainings, so far most training has been predominantly funded by donors),
- Development of a strategy for poverty reduction and social inclusion, revision of the social benefits system, continuation of improvement of the laws and bylaws that regulate the system of social and child protection and strengthening of social work centers (during April 2021, the Law on Social Services of the Federation of Bosnia and Herzegovina was presented, and in the Republic of Srpska during 2019 and 2020, amendments to the Law on Social Protection<sup>25</sup> and amendments to the Law on Child Protection were made<sup>26</sup>),
- Adoption of a national strategy for the prevention and suppression of violence against children in B&H, determine the establishment of specialized social care services, continue to improve cross-sectoral cooperation,
- Strengthening the awareness of the population about the consequences of violence, initiate preventive activities and conduct trainings on the topic of violence in primary and secondary schools (In the Republic of Srpska, the revised Law on Protection from Domestic Violence entered into force in May 2020, which prescribes domestic violence as a criminal offense and which provides fines for those who do not report domestic

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<sup>23</sup> <https://www.vecernji.ba/vijesti/završena-procjena-situacije-djece-migranata-i-izbjeglica-1251373>

<sup>24</sup> adopted at the 155th session of the Council of Ministers of Bosnia and Herzegovina held on September 25, 2018

<sup>25</sup> Official Gazette of Republic of Srpska No. 94/19 and 42/20

<sup>26</sup> Official Gazette of Republic of Srpska No. 122/18 i 107/19

violence,<sup>27</sup> there is more campaigns on the prevention of violence against children in the digital environment),

- Conduction of anti-gypsy campaigns, monitoring Roma action plans, provide free textbooks for all children, strengthen parent-school cooperation, recognize the importance of cultural mediators (Roma are included in the social and child protection systems in Bosnia and Herzegovina as equals with other beneficiaries of these systems, but it is certainly necessary to improve this area),
- Develop emergency plans and plans for adequate care of unaccompanied children and migrants, create guidelines for the media on reporting on migrants, provide translators, produce and distribute reports more visible to citizens in Bosnia and Herzegovina (The Council of Ministers of Bosnia and Herzegovina has adopted the Strategy for Combating Trafficking in Human Beings in Bosnia and Herzegovina 2020-2023, research on the way migrants are described in the media in Bosnia and Herzegovina showed that the negative content of publications was recorded in slightly more than a third of the analyzed publications, and included sensationalism, illegal and deviant behavior of migrants in B&H<sup>28</sup>),
- Apply existing laws in the field of disability, motivate organizations of persons with disabilities to write projects and apply for funds, open day care centers, provide adequate therapy for children and psychological support to parents, accelerate the process of deinstitutionalization, improve the quality of work in children's homes, improve access to social services, establish a support system for children leaving institutions (The process of deinstitutionalization has been going on for some time in Bosnia and Herzegovina, with the aim of reducing the number of children in institutions and increasing alternative forms of care; Foster care development campaigns are actively implemented; The area of support for children after leaving institutions is part of the strategic documents).

### **Justice, freedom and security**

Bosnia and Herzegovina is facing two levels of challenges in migration- internally (conflicts in ex-Yu Republics during nineties) and externally induced migration (increasing number of migrants and refugee).<sup>29</sup> In the last European Commission Bosnia and Herzegovina 2020 Report it is stated that Bosnia and Herzegovina has reached a certain level of readiness to implement the EU acquis in the area of justice, freedom and security. Laws across the country are not harmonized with each other, and institutional cooperation and coordination are weak. As a result, implementation is often unsatisfactory. It is stated that Bosnia and Herzegovina should take full political responsibility for managing migration and ensure that refugees and migrants receive adequate protection and assistance, improve crisis response capacity and ensure effective coordination and appropriate intervention planning, strengthen asylum procedures so that persons in need have international protection, strengthen border controls, including human resources and equipment and improve the legal framework and implementation capacity for voluntary and forced return. Regulations on foreigners are mostly in line with the EU acquis, they need to be further harmonized in terms of access to rights, especially for vulnerable migrants and country needs to develop a realistic plan of emergency measures to deal with the possible additional influx of migrants and refugees. Bosnia

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<sup>27</sup> <https://www.hrw.org/bs/world-report/2021/country-chapters/377351>

<sup>28</sup> Kržalić, Kobajica: Migrants in the Public Discourse of the Media in Bosnia and Herzegovina. Pol. Sec.. (Zagreb), year 30 (2021), number 2, p. 233 - 244

<sup>29</sup> Shadow Report Bosnia and Herzegovina 2019

and Herzegovina has ratified readmission agreements with the EU, with all Western Balkan countries, Turkey, Russia and Moldova, as well as implementing protocols with 16 EU member states and signed a readmission agreement with Pakistan in November 2020 which entered into force in July 2021.<sup>30</sup>

The facilities are still not enough to provide shelter and protection to those in need. It has been shown that the authorities at all levels are *not able to coordinate activities and allocate appropriate premises to reception centers* for the relocation of asylum seekers and migrants from the most vulnerable local communities. *The response to migration flows remains inadequate and shows significant institutional and coordination weaknesses.* Most of the responsibility fell on Una-Sana Canton and Sarajevo Canton. Political inactivity and negative rhetoric undermine the timely provision of protection and assistance in line with international standards. It is also stated that Bosnia and Herzegovina should take full responsibility for the management of reception centers and adopt effective crisis plans to deal with possible increased influx of migrants in the future.<sup>31</sup> In January 2021, the Council of Ministers adopted a plan of measures and activities for the effective management of migration to strengthen operational coordination mechanisms at all levels of Government.<sup>32</sup>

Refugees and migrants trapped along the Balkans migration route, including some 500 unaccompanied children and 400 children with family who are currently in Bosnia and Herzegovina, are facing increased risks from smugglers, traffickers and border authorities.<sup>33</sup> According to the latest Bosnia and Herzegovina Interagency response to The Mixed Movement: Monthly Operational Update (May 2021) during May, Bosnia and Herzegovina authorities recorded 1 937 migrants and asylum-seekers who arrived irregularly to the country, including 34 unaccompanied and separated children, representing a significant increase over the previous month and the highest number since August 2020. This brings the total number of new arrivals to 75 333 since January 2018. Total of 3 585 asylum-seekers and migrants were accommodated in reception facilities at the end of May, while between 1 500- 2 700 persons were estimated to be squatting outside of formal accommodation, mainly in Una-Sana Canton. The B&H Ministry for Human Rights and Refugees, in cooperation with UNHCR, held the first in a series of thematic round tables dedicated to the specific sets of rights of refugees and people granted subsidiary protection guaranteed by the Law on Asylum, which are essential components of integration. In May, 2 733 entry screenings for COVID-19 symptoms were performed, while no COVID-19 active case was recorded during May<sup>34</sup> The European Commission has announced an additional €3.5 million in humanitarian aid to help vulnerable refugees and migrants in Bosnia and Herzegovina facing a humanitarian disaster.<sup>35</sup>

European Commission stated that the response to the crisis during the outbreak of COVID-19 was generally satisfactory, which prevented a greater spread of the infection and more severe

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<sup>30</sup> <http://msb.gov.ba/vijesti/saopstenja/default.aspx?id=20666&langTag=bs-BA>

<sup>31</sup> European Commission, Report on Bosnia and Herzegovina for 2020, Communication on EU Enlargement Policy for 2020

<sup>32</sup> European Commission, Report from the Commission to the European Parliament and the Council, 4.8.2021

<sup>33</sup> <https://reliefweb.int/report/bosnia-and-herzegovina/hundreds-unaccompanied-minors-and-children-families-are-trapped>

<sup>34</sup> Bosnia and Herzegovina Inter-agency Response to the Mixed Movement: Monthly Situation Report, May 2021

<sup>35</sup> [https://ec.europa.eu/neighbourhood-enlargement/news/bosnia-and-herzegovina-eu-allocates-additional-eu35-million-support-vulnerable-refugees-and\\_en](https://ec.europa.eu/neighbourhood-enlargement/news/bosnia-and-herzegovina-eu-allocates-additional-eu35-million-support-vulnerable-refugees-and_en)

consequences for the migrant population. It is emphasized that protection of vulnerable groups of migrants should be more adequate and that these groups should be identified and referred to the competent authorities in order to receive assistance and services in accordance with international standards. Many registered unaccompanied children have not yet been identified. Adequate accommodation is not enough to meet all needs. Mechanisms for collecting, exchanging and analyzing migration statistics in the Migration Information System have been improved. Cooperation on identification and return procedures needs to be improved. Asylum regulations are largely in line with international standards and the EU acquis but it is needed to improve areas of interviewing techniques, access to rights and legal aid and the definition of asylum seekers and refugees. Interdepartmental cooperation needs to be improved. In 2019, 784 persons applied for international protection, of which 3 persons were granted refugee status (for the first time since 2014), 8 persons received subsidiary protection, individual claims of 9 persons were annulled as applicants left or tried leave the country or did not appear at the interview. By mid-August 2020, only 180 people had applied for or succeeded in applying for asylum in Bosnia and Herzegovina in 2020, significantly less than the previous year.<sup>36</sup>

As presented in Shadow Reports Bosnia and Herzegovina from 2019 and 2020, the process of implementation of asylum procedures is facing significant obstacles due *to lack of employees in respective institution, lack of facilities* for increased number of asylum seekers while in process and *poor coordination amongst the authorities* on state, entity and cantonal level. Recommendations from Shadow Reports Bosnia and Herzegovina include effective coordination of border control and migration management, strengthening asylum procedures and the operational coordination mechanisms, special attention to vulnerable groups of migrants, such as unaccompanied and separated children, pregnant women, single parents, persons with disabilities, ill persons and victims of violence and their identification, defining mechanism for early warning of the arrival of migrants, strengthening social dialogue and democracy between institutions and continue/initiate awareness-raising activities of the domicile population in relation to the migrant population, defining the referral system for migrants at regional level, coordination of national bodies and institutions at the regional level and the opening of regional funds for the work with migrants.<sup>37</sup>

During May 2021, a workshop was held in Bihać<sup>38</sup> on the topic of improving the migrant situation in B&H, and defining the steps on how domestic institutions can take over the management of temporary reception centers. The conclusion of this workshop is that the migrant situation has significantly improved in the last few months as a result of more active involvement of the B&H Ministry of Security, security and police agencies and partner organizations. During May 2021, the Service for Foreigners Affairs of B&H, in cooperation with the local police, carried out numerous actions of relocating migrants from abandoned facilities to reception centers, and during two weeks, about 600 people were transferred.

The Ministry of Security of Bosnia and Herzegovina has started drafting a new Strategy in the field of migration and asylum and an Action Plan for the period 2021-2025.<sup>39</sup> This five-year

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<sup>36</sup> European Commission, Report on Bosnia and Herzegovina for 2020, Communication on EU Enlargement Policy for 2020

<sup>37</sup> Shadow Report Bosnia and Herzegovina 2019 and 2020, Chapter 24

<sup>38</sup> <http://msb.gov.ba/vijesti/saopstenja/default.aspx?id=20465&langTag=bs-BA>

<sup>39</sup> Consultations are underway and a preliminary draft of the document has been prepared and is available on the website of the Ministry of Security of BiH <http://www.msb.gov.ba/>

strategic document is very important for the development of the asylum and international protection system, which defines the key goals for the efficient management of this process. Seven key goals that B&H wants to implement in the field of migration have been defined, which are in line with EU legislation. It envisages improving the management system of migration and asylum policies, increasing the efficiency of state border control, more efficient management of illegal migration, improving the asylum system, combating migrant smuggling and human trafficking, supporting legal migration and strengthening coordination in migration management. Among other things, it is planned to establish a new agency for the management of illegal migration, so that B&H can fully take over the management of reception centers and migration in B&H.<sup>40</sup>

During 2021, diplomatic dialogues were held on B&H's international support in migration management, which concluded that progress had been made in migration management, but that capacity needed to be further strengthened and the burden of migration distributed more evenly, a much more efficient coordination of competent institutions has been established in relation to the situation a year ago, and at the same time the number of migrants in B&H has been significantly reduced.<sup>41</sup>

New Information with the Plan of Measures and Activities for Effective Management of the Migrant Crisis in Bosnia and Herzegovina was adopted at the 22nd session of the Council of Ministers of Bosnia and Herzegovina held on December 16, 2020. This is the second document prepared in a row in order to manage the migration situation in B&H conditioned by multiple increased migration pressure.<sup>42</sup>

Bosnia and Herzegovina's *new priorities in the field of migration and asylum* relate to strengthening the B&H Border Police for better border control, strengthening capacity for more efficient management of illegal migration in Bosnia and Herzegovina, and functioning of existing and establishment and functioning of new temporary reception centers for migrants, implementation of readmission agreements and strengthening of readmission capacities, strengthening of capacities in the field of asylum, intensification of fight against smuggling of migrants, support to local communities in which temporary reception centers have been established and strengthening of capacities of Coordination Body for Migration Issues in B&H. The key challenges for managing various aspects of migration in B&H identified in 2020 are the lack of the necessary political consensus on the management of illegal migration in Bosnia and Herzegovina, the problem in the system of coordination of different levels of government in managing mass illegal migration in Bosnia and Herzegovina and insufficient strengthening of the institutions of Bosnia and Herzegovina for the country to take over the management of migration flows in both security and humanitarian aspects, long-term lack of financial, human and technical capacity in all institutions and agencies responsible for migration and asylum. From 2012 to 2020, the Service for Foreigners returned a total of 2 527 foreign citizens from B&H. Asylum in B&H was requested by 244 people in 2020, while in 2019 the number was 784. In total. In May 2021, Parliamentary Assembly of Bosnia and Herzegovina adopted amendments to the Law on Foreigners regulation of the migrant crisis in B&H, and the aim of the proposed changes is to achieve the effect of deterring migrants from committing crimes and misdemeanors with

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<sup>40</sup> <http://msb.gov.ba/vijesti/saopstenja/default.aspx?id=20473&langTag=bs-BA>

<sup>41</sup> <http://msb.gov.ba/vijesti/saopstenja/default.aspx?id=20579&langTag=bs-BA>

<sup>42</sup> First document was adopted on 05/15/2018

characteristics of violence, violation of public order and peace during their stay in B&H through general prevention.<sup>43</sup>

In 2019, 29,124 migrant and refugee arrivals were detected, and the trend continued throughout 2020 with 16 150 migrant arrivals registered in B&H. The composition of the migration flows is mixed, with top declared countries of origin being Pakistan, Afghanistan, Bangladesh, Iraq, Iran and Syria. While the vast majority is single men, there are also families with children, elderly, unaccompanied migrant children, and other vulnerable categories. Bosnia and Herzegovina has two state-managed reception centres, Salakovac Refugee Reception Centre, managed by the Ministry for Human Rights and Refugees and the Delijas Asylum Centre, managed by the Sector for Asylum within the Ministry of Security. Sedra Temporary Reception Centre in Cazin Municipality for families and vulnerable migrants opened in July 2018. On 30 June 2021, the closure of TRC Sedra was formalized with the transfer of the migrants and asylum-seekers who were still accommodated in Sedra to TRC Borići. Bira Temporary Reception Centre in the City of Bihac, primarily for single men, opened in October 2018 and was closed by decision of the local authorities in Una-Sana Canton, on 30 September 2020. Miral Temporary Reception Centre in Velika Kladusa municipality primarily for single men opened in October 2018, with IOM supporting the site management from November 2018. Usivak Temporary Reception Centre in Hadžići Municipality for single men, families and vulnerable migrants opened in October 2018. Borići Temporary Reception Centre in City of Bihac for families and vulnerable migrants reopened in December 2018 following complete renovation. Blazuj Temporary Reception Centre in Sarajevo Canton, started providing provisional accommodation solutions during the winter in 2019, and will continue to scale up its capacity and to improve living conditions as reconstruction works to fully operationalize the site are still ongoing.<sup>44</sup>

Capacity-building activities remain a priority to progress towards the overarching goal of ensuring state ownership of the emergency response in B&H. It is also needed to systematize data collection on migrants, including outside official reception centres, and to gather additional information on their needs and vulnerabilities.<sup>45</sup>

Research on reporting on migrants and refugees<sup>46</sup> showed that migrants and refugees were reported in a very unprofessional way and that more than half of the analyzed texts mentioned migrants and refugees as dangerous for B&H citizens, and already in the headlines there was an attempt to spread panic, while in the contents themselves the authors used assumptions and unverified information.<sup>47</sup> The latest UNICEF Bosnia and Herzegovina Situation Report<sup>48</sup> states that an estimated 6 000 migrants, refugees and asylum-seekers, including approximately 750 children in Bosnia and Herzegovina, are in need of immediate humanitarian assistance. The lack of sufficient accommodation capacities and access to support services for unaccompanied children highlights the need for a small-scale facility and appropriate alternative care options for particularly the most vulnerable.

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<sup>43</sup> <https://ba.n1info.com/vijesti/usvojene-izmjene-zakona-stranci-koji-cine-krivicna-djela-ce-bit-deportovani/>

<sup>44</sup> <https://bih.iom.int/iom-migration-response>

<sup>45</sup> IOM Bosnia and Herzegovina Migration Response, Situation Response, July 24-30, 2021

<sup>46</sup> author Rea Adilagić from the Association of BH Journalists

<sup>47</sup> <https://www.diskriminacija.ba teme/izvje%C5%A1tavanje-o-migrantskoj-i-izbjegli%C4%8Dkoj-krizi-u-bih-insinuacije-rasizam-i-ksenofobija>

<sup>48</sup> 21 May 2021



## Montenegro

In the European Commission Montenegro 2020 Report is stated that Montenegro has some level of preparation on social policy and employment and that country should, in particular implement the revised labour law, revise the anti-discrimination law, introduce better quality employment measures aimed at youth, women, disabled people, and minorities and further support the reform of social protection. Also, it is stated that country is moderately prepared in the area of justice, freedom and security, that legislative and institutional frameworks are now largely in place and that it should in particular further strengthen the capacity to deal with mixed migration flows and the integration of refugees and continue to increase human and material resources devoted to border management and the migrant registration system.<sup>49</sup>

The legal framework on asylum continued to be consolidated with the adoption of two new by-laws to the asylum law. The Ministry of the Interior has established a department in charge of identifying and referring victims and has adopted standard operating procedures. In January 2020, Montenegro police uncovered a trafficking network from Taiwan, leading to the arrest of 93 people, the largest human trafficking case in the Western Balkans.<sup>50</sup>

Reports of the European Commission on Montenegro for 2019 and 2020 emphasize the fact that the COVID-19 pandemic has had a detrimental effect on society as a whole, especially on vulnerable groups and that the authorities of Montenegro are invited to take into account the needs of these groups in the design and implementation of socio-economic assistance measures for COVID-19. Concern is expressed at the limited results of existing policies and projects aimed at encouraging women's participation in employment and social policies and it is stated that progress has been made in protecting the rights of members of the LGBTI community.<sup>51</sup>

In the Guide on referral system and/or provision of social services to migrants in Montenegro two issues are indicated- problematic terminology that brings many ambiguities when it comes to the work with migrants and issue of competence of institutions and organisations.<sup>52</sup> Although it is challenging to keep statistics about migration, the available data show that most people who are asylum seekers and who are seeking international protection in Montenegro are males. At the start of 2018, the National Office for Combating Human Trafficking, in cooperation with UNICEF, developed standard operational procedure for treating unaccompanied minor migrants, as well as children victims of human trafficking. Law on International and Temporary Protection of Foreigners in Montenegro defines competences of state institutions when it comes to support provided to asylum seekers and/or persons enjoying international or temporary protection. There are many public institutions involved: Ministry of Interior- Office for Asylum, Centre for reception of persons seeking international protection, Police Administration, Department for Foreigners, Visas and Combating Illegal Migrations, National Office for Combating Human Trafficking, Ministry of Labour and Social Welfare, Centres for Social Work, Employment Office Community Health Centres, Clinical Hospital Centre and Ministry of Education. International organizations such as United Nations High Commissioner for Refugees and International organisation for

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<sup>49</sup> European Commission, Montenegro 2020 Report, Brussels, 6.10.2020

<sup>50</sup> European Commission, Report from the Commission to the European Parliament and the Council, 4.8.2021

<sup>51</sup> European Parliament Resolution of 19.05.2021. on the reports of the Commission on Montenegro for 2019 and 2020

<sup>52</sup> Guide on referral system and/or provision of social services to migrants in Montenegro (2018) SOS telephone for women and children victims of violence Podgorica

migrations provide various forms of support to persons seeking international protection, but also to public institutions. Regarding civil society organizations in Montenegro, the Red Cross of Montenegro with its 21 local organizations provides support to migrants, international protection seekers and refugees in the entire territory of Montenegro. NGO Pravni centar and NGO Bona fide provide support in access to rights, legal assistance and support to women and children victims of domestic violence.<sup>53</sup>

Many organisations in Montenegro provide support services for various categories of persons, and they can be a strong resource in the development of services intended for migrants/asylum seekers/returnees, but *there is no valid data base* on these organisations at the moment. Civil society organisations are actively monitoring the legislative and political framework related to migrations, campaigns, reintegration of human trafficking victims, Roma persons, displaced and internally displaced persons, like NGO CEDEM, SOS telephone for women and children victims of violence Podgorica, Montenegrin Women's Lobby etc. There is *no formal intersectoral cooperation* between relevant state institutions and potential service providers among civil society organisations. Obstacles in the provision of social services to migrants and asylum seekers in Montenegro are visible in *language barrier, a short period of stay, discrimination and stereotypes* by local communities, *difficult access to labour market*, need to work on raising awareness and *shortage of financial resources and funds* that would enable organisations to properly strength their own capacities and ensure conditions for the provision of support. Social services are mainly of urgent medical and humanitarian character.<sup>54</sup>

As stated in Regional Guide on referral system/social service delivery for migrants, civil society organisations make more than one half of various social services providers in Montenegro, hence it is necessary to *strengthen the capacity of CSOs* and then to *include them* in all aspects of providing services and support to migrants. It is necessary to prepare an *action plan at the level of local self-government units* and allocate resources for the work with beneficiaries, to clearly define in the law the *role* of civil society organizations in Montenegro, when it comes to international protection seekers and migrants (memoranda on cooperation with relevant state institutions and clearly defined responsibilities of organizations). An example of good practice are *multidisciplinary operational teams* (composed of representatives from state institutions and civil society organisations) for the provision of support to persons in need. There is *lack* of psychosocial support programs and *individual approach* to each individual case is required when providing social services and support. Stronger engagement of CSOs is required in the provision of specific services to migrants/international protection seekers/persons with granted protection in Montenegro.

Identification of cases of trafficking among migrants in transit is challenging. There are *no budget funds* strategically allocated by the government to civil society organizations for providing services for migrants. Further activities should be focused on harmonization of legislation and its monitoring, involving CSO as service providers, establishing cooperation of all relevant actors at national level, strengthening response to migration at municipal level, additional training programs

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<sup>53</sup> Shadow Reports Montenegro, 2019 and 2020

<sup>54</sup> Anđelić, J., Zgonjanin, B. (2018). Guide on referral system/social service delivery for migrants- Regional overview, Initiative for Development and Cooperation

for state and CSO service providers, breaking prejudices and xenophobia and improving living and health condition in accommodation.<sup>55</sup>

Civil society, and especially non-governmental organizations, have an important role, and with their specific knowledge and experience, they significantly contribute to the process of European integration. As an important partner in implementing reforms on the road to the EU, NGO representatives make a significant contribution to the development and improvement of key legal and strategic documents, as well as policy implementation. Appreciating the role and importance of non-governmental organizations, Montenegro is the first country to include representatives of the NGO sector in its negotiating structure.<sup>56</sup>

### **Social policy and employment**

With the Program of Accession of Montenegro to the European Union 2020-2022, during 2020, all planned activities in the field of anti-discrimination and equal opportunities were implemented, which relate to the implementation of the Strategy for Improving the Quality of Life of LGBTI People in Montenegro 2019-2023 and the Strategy for Inclusion Roma and Egyptians in Montenegro 2016-2020. Within the area of social protection, the Law on Amendments to the Law on Pension and Disability Insurance were adopted. In the coming period, the focus is on the adoption of strategic documents, primarily the National Employment Strategy 2021-2024.<sup>57</sup> In the area of social protection, Protector of Human Rights and Freedoms of Montenegro had 21 complainants in 2018, 12 in 2019 and 18 in 2020.<sup>58</sup>

The Strategy for the Realization of the Rights of the Child 2019-2023 has been drafted, which is a national, comprehensive and interdepartmental document that deals with the improvement of conditions for the realization of children's rights in all areas covered by the United Nations Convention on the Rights of the Child and its Optional Protocols. Montenegro Shadow Reports for 2019 and 2020 pointed to *uncertainty of stability of social services delivery*, issues regarding discrimination and equality between women and men in employment and the fact that social policy remains a serious problem. Foster care is not sufficiently developed, especially emergency foster care. Adequate licensing of foster parents, as well as monitoring, control and support of engaged foster parents and children is questionable. The Government of Montenegro adopted the Strategy for the improvement of Safety and Health at Workplace in Montenegro for the period 2016-2020. Representatives of the Government and social partners signed a Memorandum of Understanding on the Dignified Work Agenda for 2019- 2021. In the field of social protection, the Strategy for the Development of the Social Protection System for the Elderly for the period from 2018 to 2022 was adopted, also the Strategy for the Prevention and Protection of Children from Violence with the Action Plan 2017-2021 and the Strategy for the Development of the Social and Child Protection System for the period from 2018 to 2022.<sup>59</sup>

The system of protection of children without adequate parental care has been improved in Montenegro in recent years. Thanks to the joint efforts of UNICEF, the EU Delegation to

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<sup>55</sup> IRIS Network, Regional GAP Assessment on the current situation in service provision for migrants with Recommendations: Albania, Bosnia and Herzegovina, North Macedonia, Montenegro and Serbia

<sup>56</sup> <https://www.gov.me/clanak/saradnja-sa-civilnim-drustvom>

<sup>57</sup> Report on the implementation of the Program of Accession of Montenegro to the European Union 2020-2022, for 2020, Government of Montenegro, Office of the President, Office for European Integration

<sup>58</sup> Annual Reports on the Work of the Protector of Human Rights and Freedoms, Montenegro  
[https://www.ombudsman.co.me/Izvjestaji\\_Zastitnika.html](https://www.ombudsman.co.me/Izvjestaji_Zastitnika.html)

<sup>59</sup> Shadow Reports Montenegro, 2019 and 2020

Montenegro, the Ministry of Labor and Social Welfare, national and local authorities, the Parliament of Montenegro, civil society, the media, academia and the international community, between 2010 and 2019 the number of children placed in institutions in Montenegro decreased by 50 percent, while in 2017, the state achieved an important milestone by not having any children under the age of three in institutions. During 2020, 348 children were placed in foster families, which is 5.18 percent less than in 2019 and 4.40 percent less than in 2018.<sup>60</sup>

The Transformation Plan of the Public Institution for Children “Mladost” Bijela for a period 2020-2024 was adopted. Of great importance is the fact that Montenegro has established the Institute for Social and Child Protection, whose activities create conditions for continuous professional development of professionals and associates in order to improve and achieve better quality of service to beneficiaries. In Montenegro, citizens have access to a single telephone line of social work centers intended for citizens, if they know that a certain person needs an appropriate form of social protection due to special circumstances and social risk, they can report to the competent center free of charge and receive information of importance for the realization of rights and services from social and child protection.<sup>61</sup>

In the Montenegro Shadow Reports it is stated that in the field of labor rights, a new Labor Law was adopted in December 2019, which entered into force on January 7, 2020, after several years of dialogue between the social partners. In the field of health care, there are certain risks: activities on the development of Strategies which will soon expire related to the field of health have not started yet, annual reports on the implementation of action plans are not available, the work of the Vocational Rehabilitation Center<sup>62</sup> established in 2017 is not transparent, disease lists are outdated and do not meet the real needs of workers. In the area of employment policies, significant progress has been made, with the development of a National Employment Strategy, followed by local strategies in almost all Montenegrin municipalities. When it comes to people with disabilities, Montenegro has not yet started developing a strategy for deinstitutionalization. For 2020, plans have been adopted related to the implementation of the Strategy for the Development of the Social and Child Protection System 2018-2022 and the Strategy for the Development of the Social Protection System for the Elderly for the period 2018-2022.

The analysis of the Montenegro Shadow Reports indicated the following:

- *Too high standards* for licensing of NGOs, providers of social services result in the *unavailability of necessary services to citizens*. Range of social services is *inadequate*, *accessibility is poor and regional representation is uneven*;
- Centers for social work still have a weak role in assessing and exercising the right to services, so some of them that are needed in practice and are implemented as NGO projects are *not even guaranteed*;
- In terms of quality, licensing conditions are formal-technical in nature, and *do not ensure the sustainability of the service for the provider*, nor does the country, in addition to formal conditions, require a high level of knowledge of service providers about international standards or the target group;

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<sup>60</sup> <https://www.roditelji.me/blog/2021/04/05/u-djecijem-domu-u-bijeloj-znatno-povecan-broj-djece/>

<sup>61</sup> <https://www.gov.me/mif/socijalna-i-djecja-zastita> <https://www.csrcg.me/>

<sup>62</sup> <https://czpr.me/>

- Professional workers at the service provider are *not obliged to go through an accredited training program* in a specific area and there is a danger that insufficiently or incorrectly prepared professional staff will not provide or control the provision of services in a proper way;
- Civil society organizations face the *impossibility of obtaining appropriate permits* for the provision of services due to the nature of existing bylaws. The Institute for Social and Child Protection still does not have sufficient resources and social services provided at the local level are still considered inadequate. Not enough has been achieved to ensure that Montenegro successfully continues to establish community-based and family-based care services.

In accordance with the Law on Social and Child Protection, services in the field of social and child protection are support for community life, counseling-therapeutic and social-educational service, accommodation, emergency interventions and other services.<sup>63</sup>Total number of issued licences in 2020 was 14 licences, and during 2019 total of 19 licences were issued.<sup>64</sup> Total number of issued licenses is 57.<sup>65</sup> The Law on Social and Child Protection prescribes that a license to perform activities for service providers is issued by the Ministry of Labor and Social Welfare<sup>66</sup> for a period of six years. The license to perform the activity is issued to the service provider registered in the Register and meets the standards for providing the service for which the license is requested, which relate to: location, space, equipment, number and type of professional staff and service program. The licensing system remains *unadapted to the limited resources of NGOs*, the availability of community-based services remains weak, and the diversity of services and equitable regional representation need to be improved. Excessive standards that cannot be reached by potential service providers result in the *unavailability of necessary services* to citizens. The existing system is more focused on service providers in the public administration system and customer care, while the *standards for NGOs are restrictive*. Public hearings on amendments to the Law on Prohibition of Discrimination were held in March 2020, but civil society organizations are still not sufficiently involved in decision-making. Additional efforts are needed to establish sustainable and effective services available to the Roma and Egyptian communities, and monitoring and reporting needs to be improved. It is necessary to ensure the successful implementation of the new strategy for LGBTI (2019-2023), for which a national implementation monitoring team was formed in August 2019.<sup>67</sup>

Recommendations from Shadow Reports Montenegro for 2019 and 2020 include establishing a system of monitoring and evaluation of relevant laws and strategies with clearly set indicators and a reporting system (according to the latest data, the General Secretariat of the Government of Montenegro has developed a Methodology for policy development, development and monitoring of implementation of strategic documents),<sup>68</sup> to harmonize the provisions of the existing laws related to labor and employment with other laws (the new national employment strategy has not

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<sup>63</sup> Official Gazette of Montenegro, No. 27/2013, 1/2015, 42/2015, 47/2015, 56/2016, 66/2016, 1/2017, 31/2017, Decision US 42/2017 and 50/2017

<sup>64</sup> Report of the Ministry of Labor and Social Welfare on work and the situation in administrative areas for 2020, Montenegro

<sup>65</sup> Register of licensed service providers, available at <https://www.gov.me/dokumenta/767ad332-7dae-4b8e-aecc-031e9298793c>

<sup>66</sup> The current name of the Ministry is the Ministry of Finance and Social Welfare of Montenegro

<sup>67</sup> Shadow Report Montenegro 2020, Chapter 19

<sup>68</sup> Published 22.02.2021. and available at [https://www.gov.me/biblioteka?page=1&sort=published\\_at&q=metodologija%20razvijanja](https://www.gov.me/biblioteka?page=1&sort=published_at&q=metodologija%20razvijanja)

yet been adopted), to improve the quality and efficiency of inspection bodies and to keep records related to occupational health and safety (according to the latest report, number of systematized jobs for labor inspectors increased in 2019, the Labor Inspectorate conducted a total of 11 430 inspections in which it identified a total of 6 548 irregularities<sup>69</sup>), increase the transparency of the work of the Social Council and promote the establishment of Social Councils at the local level (Social Council activities are more visible than in the previous period due to active communication with the public by some members of the Council, the status of local social councils remains unclear), improve the framework for supporting the employment and self-employment of socially vulnerable groups (special regulations are adopted at the local level to improve the position of vulnerable groups in the labor market, municipalities introduce new measures to encourage women's entrepreneurship), amend the legislative framework for the provision and use of social services, active participation of civil society (regulations on closer conditions for issuing, suspending and revoking licenses for social and child protection activities have been adopted), strengthen the primary support system to the family, with special support measures for single parents (it is necessary to expand the scope of the family associate service to more municipalities in Montenegro<sup>70</sup>), strengthen and expand alternative care services in order to advance the deinstitutionalization reform (no progress has been made in this area<sup>71</sup>), laws and other regulations as well as planning documents to introduce general and special measures to eliminate discrimination (the New Labor Law prescribes greater protection of pregnant women and mothers from employers).

Also, in the field of social protection and inclusion, it is necessary to *continue the dialogue* between the public and non-governmental sector in order to consider the conditions for licensing certain services, provide a wider range of rights to services for persons with disabilities and ensure their regular and sufficient funding, enable allowance for all children, develop a strategy to combat transgenerational poverty, an accredited training program for a specific service for people with disabilities must be one of the requirements for obtaining a license to provide this service and monitoring the implementation of local plans for social inclusion of Roma and Egyptians.<sup>72</sup>

## **Justice, freedom and security**

When it comes to key results achieved during 2020, in January 2020, Montenegro adopted the Integrated Border Management Strategy 2020-2024, which aims to align with the concept of integrated border management in the European Union. In the field of combating terrorism, in

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<sup>69</sup> Report on the work of the Directorate for Inspection Affairs for 2019, Directorate for Inspection Affairs, Montenegro

<sup>70</sup> During 2020, the family associate service was available in 10 municipalities in the municipalities of Podgorica (3), Danilovgrad (1), Nikšić (1), Pljevlja (1), Bijelo Polje (1), Berane (1), Kotor, Tivat, Budva and Herceg Novi (1), and a total of 9 family associates were hired. Report of the Ministry of Labor and Social Welfare on work and the situation in administrative areas for 2020, Montenegro.

<sup>71</sup> Information is available to the public that the Ministry of Finance and Social Welfare in cooperation with UNICEF is currently conducting an analysis of the social protection system which will create a roadmap for reforming social and child protection, preventing social problems and providing better services in social and child protection and reducing the number of beneficiaries who use the service of accommodation in social and child protection institutions, in order to implement the further process of deinstitutionalization, available at <https://www.standard.co.me/drustvo/pod-lupom-ministarstva-svi-direktori-centara-za-socijalni-rad-najavljenarevizija/>

<sup>72</sup> At the national level, in the period from May to June 2021, public debates were held on the Draft Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2021-2025. with the Action Plan for 2021, available at <https://www.gov.me/clanak/izvjestaj-o-javnoj-raspravi-o-nacrtu-strategije-socijalne-inkluzije-roma-i-egipcana>

February 2020 the Strategy for Prevention and Suppression of Radicalization and Violent Extremism for the period 2020-2024 was adopted, which sets as the main strategic goal increased resilience of society, better response of institutions and stronger international position of Montenegro in the fight against radicalism and violent extremism. The priority for 2021 is the development of the Strategy on Migration and Reintegration of Returnees in Montenegro for the period 2021-2025.<sup>73</sup>

During 2020, 3149 migrants were registered, of which 2506 in the interior and 643 at the border. The Government of Montenegro has adopted an Action Plan for the implementation of the Integrated Border Management Strategy for 2021.<sup>74</sup> In the period January 25-29, 2021, European Commission Peer Review Mission was held in Montenegro to assess Montenegro's border management capacity at the strategic, political, managerial, administrative and operational levels. It was pointed out that Montenegro is continuously preparing for the biggest challenge in the process of Montenegro's accession to the EU, which refers to the preparation for taking over the responsibilities of surveillance of EU external borders, which means implementing significant activities to raise security standards through intensive cooperation with neighboring countries. Preliminary recommendations relate to the development of strategic planning and improvement of human resources, development of a system for electronic identification of migrants and harmonization of this system with EURODAC, improvement of equipment at border crossings and further development of training in accordance with Schengen standards in the field of supervision and control of crossing the state border.<sup>75</sup>

Regarding legal migration, procedures for requesting work permits were simplified. Until 08.10.2020. total of 13 951 work and employment permits were issued to foreigners, ie 40.25% less compared to the same period in 2019, which is directly related to unexpected events related to the COVID-19 pandemic. The Law on the International and Temporary Protection of Foreigners in Montenegro was adopted<sup>76</sup> and began to apply from 1 January 2018, within which a set of bylaws was drafted, which should facilitate its implementation. The Government has adopted a Strategy for the Reintegration of Persons Returned under the Readmission Agreement 2016-2020. In 2016, a readmission request was received for 965 persons, in 2017 for 756 persons, in 2018 for 619 persons, in 2019 for 392 persons and for 2020 for 278 persons.<sup>77</sup> With the adoption of the secondary legislation for the Law on asylum, Montenegro is now equipped with a largely EU-compliant legal framework. Despite the continuous training delivered in 2018, *migration management capacities remain limited*, which often results in overstressing the system. Cooperation with civil society organizations has not been sufficiently developed, which reduces the level of support in the integration and social inclusion of persons with approved protection in Montenegro. The number of persons admitted to Montenegro in the last five years has greatly increased (especially in the last two years), in 2016 total of 259 persons were admitted, in 2017 total of 799 persons were admitted, in 2018 total of 4 570 persons were admitted, and in 2019 total

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<sup>73</sup> Report on the implementation of the Program of Accession of Montenegro to the European Union 2020-2022, for 2020, Government of Montenegro, Office of the President, Office for European Integration

<sup>74</sup> 20.05.2021.

<sup>75</sup><https://www.gov.me/clanak/saopstenje-sa-zavrsnog-sastanka-peer-review-misije-na-temu-integrisanog-upravljanja-granicom>

<sup>76</sup> "Official Gazette of Montenegro", No. 12/2018 i 03/19 The key novelty is that in the future, the annual quota will be determined only by activities, and not by occupation in which foreigners can be employed

<sup>77</sup> Final Report on the implementation of the Strategy for reintegration of persons returned on the basis of the readmission agreement for the period 2016-2020. year, Ministry of Interior, Government of Montenegro

of 7 832 people were admitted. In order to provide accommodation for all persons, alternative accommodation capacities were continuously engaged, because the capacities of the Reception Center were not sufficient to accommodate all foreigners seeking international protection.<sup>78</sup>

Illegal migration in Montenegro mainly has a transit character towards EU countries, and it is mostly about economic migrants. The illegal movement of migrants continued in 2019, when there were 60% more illegal crossings than in the previous year, so even in 2020 there are no significant deviations. When it comes to the reception of migrants, the Center for the reception and accommodation of foreigners seeking international protection has an accommodation capacity of 104 places, alternative accommodation is provided with a capacity of up to 200 places, by renting facilities from individuals. In case of the need to accommodate unaccompanied minor migrants and other members of vulnerable groups, 25 places were provided in the Public Institution Center "Ljubović". The shelter for foreigners has an accommodation capacity of 46 places. During 2020, the reconstruction of the former watchtower "Božaj" into a modern center for the reception of foreigners seeking international protection was completed, so it can accommodate 60 people. As from March 2020 preventive hygiene and disinfection measures were applied in all the centres to prevent the spread of COVID-19. Reception costs are entirely paid from Montenegro's budget, with no external support. The number of people under a protection status currently living in Montenegro dropped to 28 people.

Regarding this area, as stated in Shadow Report for 2019 and 2020 involvement of civil society organizations is insufficient and there is the lack of promotional activities. Still there is no Electronic Register of Asylum Seekers. Montenegro is viewed as transit country and people leave before the end of proceedings. The provision of free legal aid to asylum seekers has been made possible through communication with the UNHCR and NGOs. Integration into education remains a challenge.

The EU-Montenegro readmission agreement is facilitated by 15 implementing protocols on readmission with EU Member States, including the implementing protocol signed with Greece in March 2019. Montenegro has 10 readmission agreements with non EU countries, including all Western Balkan partners and Turkey, and has finalized the negotiations with Georgia. Requests to start readmission negotiations were sent to Pakistan, Iran, Iraq, Morocco and Algeria. Montenegro's border police still does not have a biometric system of registration and identification of migrants. The risk of double registration of migrants following secondary movements, re-entry and subsequent asylum applications remains a concern. In July 2019, new integration measures, including financial assistance, language and culture courses, school enrolment for children and job placement were developed, but so far, the number of people concerned remained limited.<sup>79</sup> The average number of migrants who passed through Montenegro is about 500-600 migrants per month, so even in 2020 there are no significant deviations.<sup>80</sup>

Conclusions and recommendations stated in Montenegro Shadow Reports, based on situation in 2019 and 2020, include:

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<sup>78</sup> Strategy on Migration and Reintegration of Returnees in Montenegro, for the period 2021-2025., with an action plan for 2021 and 2022, the Ministry of Interior, Montenegro

<sup>79</sup> Shadow Report Montenegro 2020

<sup>80</sup> Strategy on Migration and Reintegration of Returnees in Montenegro, for the period 2021-2025., with an action plan for 2021 and 2022, the Ministry of Interior, Montenegro



- *Further development of international cooperation* on readmission and support to successful reintegration of returnees, strengthening the capacities of CSO and their inclusion in all aspects of providing services and support to all groups of beneficiaries in the field of migration (there is still an insufficient number of trainings for CSOs);
- *Strengthening reception capacity* and preparation of *action plans at the local level* (no local action plans were developed and it is recommended to include the target group of migrants and asylum seekers in the Local Action Plans), implementation of activities in the field of combating discrimination and xenophobia (in the period 2019-2020, no campaign was conducted to prevent xenophobia and discrimination);
- *Better coordination* between ministries and greater involvement, development of an *efficient IT system for monitoring migration flows* and identifying vulnerable categories (still not done), prevention of social intolerance and conflicts (public opinion survey is needed), improvement of the cooperation of all relevant bodies and institutions, international and domestic organizations in order to act together in the process of protection and integration of asylum seekers and persons with international protection;
- Conducting regular joint *trainings of police officers* in charge of working with asylum seekers and training programs on the gender component of asylum in accordance with the Istanbul Convention, establishing *local multidisciplinary teams* for the asylum system in Montenegro, ensure timely access to NGOs at border crossings (organizations dealing with migration of the NGO Legal Center and the Civic Alliance are provided with access at border crossings);
- Provision of *ongoing support to civil society organizations* to implement programs to support integration and naturalization of persons who are granted asylum status (there are no budget funds allocated to civil society organizations for this area).

Further recommendations include identifying vulnerable categories in accordance with EU standards and best practices, development and distribution of information material in several languages about newly adopted regulations and standards in the field of migration and asylum, increase of capacities to prosecute migrant smuggling networks, secure the necessary financial resources for better reintegration of persons in the phase of voluntary return and reintegration, include refugees (asylum seekers), international protection seekers and persons at risk in all socio-economic measures in order to mitigate the impact of measures adopted to combat the spread of COVID-19 and initiate socio-economic recovery.

One of the main challenges that needs to be focused on in the coming period is the establishment of an electronic database that would represent an improved system of identification, registration and connection of data for persons from the system of international protection. Also, it is necessary to continuously conduct training of persons conducting first-instance and second-instance procedures for determining the status of asylum seekers, in order to further improve the asylum procedure and respond to specific challenges.<sup>81</sup>

## **Albania**

As a result of the recent decentralization in Albania, large parts of social protection and social care services have been transferred from the central government to the 61 municipalities in the

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<sup>81</sup> Final Report on the Implementation of the Strategy for Integrated Migration Management in Montenegro for the period 2017-2020, Ministry of Interior, Montenegro

country with support from the central government institutions. The local governments now play the main role in planning and budgeting social protection benefits and social care services. Many local governments face a great challenge to ensure adequate level of resources from local sources and the state budget.<sup>82</sup>

Albania is considered as the country with the highest migration flow in Europe. The strategic documents on migration governance adopted so far have recognized strengthening institutional capacities as essential to effective migration management. A key factor conducive to ensuring institutional ownership is clarity in terms of roles and responsibilities of and in institutions under migration governance at both the central and the local level. Institutions involved are Ministry of Interior, State Minister for Diaspora, Ministry of Finance and Economy and subordinate institutions, Migration Counters at the National Employment Service, Directorate of Border and Migration, Ministry of Health and Social Protection and the Institute of Statistics. UNHCR, the Office of the Resident Coordinator of the United Nations, Save the Children, Terre des Hommes, UNICEF, GIZ, and World Vision are among international organizations that are dealing with migration issues. The most recognizes civil society organizations in Albania working in this area are NISMA ARSIS and IMZHI- Institute of Migration, Development and Integration.<sup>83</sup>

Based on the analysis of the Regional GAP Assessment on the current situation in service provision for migrants, Albania is facing many challenges regarding quality and standardization of the services:

- There is the *lack of data collection and no management information system*, local capacities in the area of services, especially in those municipalities with high numbers of returnees *need to be strengthened, simplified procedures* should be applied to minimize expenses for returning families and further assistance with Albanian language courses (for children who have difficulties) is necessary for children;
- *Psychological treatment and counselling sessions* are needed and the readmission of returned children into the educational school process is the area which needs changes. There is a *lack of financial aid* from the state structures and various NGO's that offer it is not enough;
- Albania needs to continue to modernize border management equipment and infrastructure to strengthen border surveillance. There is a *need to ensure access to information* on the phases of the pre-screening process. Information can be made available through printed materials and interpreting services at the border crossing points as well as inside the country. *Strengthening national and local capacities* and dedicating adequate resources for the effective processing of persons on the move is crucial to ensure adequate treatment and respect of human rights;
- Access to *information and interpreters* (lack of qualified interpreters- especially women interpreters, there is no proper information on rights, duties and services), *access to primary health assistance/services* (no medical screening at the border, lack of psychological support to all arrivals, limited to no knowledge on procedures to handle services for mixed migration flows among officials of municipalities), *pre-screening (identification) of persons/groups with specific needs* (lack of qualified personnel, the

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<sup>82</sup> [https://www.ilo.org/budapest/whats-new/WCMS\\_804299/lang--en/index.htm](https://www.ilo.org/budapest/whats-new/WCMS_804299/lang--en/index.htm)

<sup>83</sup> IRIS Network, Regional GAP Assessment on the current situation in service provision for migrants with Recommendations: Albania, Bosnia and Herzegovina, North Macedonia, Montenegro and Serbia

duration of stay is extremely limited, the pre-screening questionnaire does not contain all necessary questions), *access to accommodation and social services* (inappropriate for long stay, lack of staff and not trained enough, residential care institutions are not opening their doors to foreign nationals, no services are provided persons with disabilities). No social services are provided to categories of non-nationals (asylum seekers, migrants), who are not included in the National Social Services scheme (The Law on Social Services provide this service only to nationals and foreigners that have a definite legal status, such as refugees)).

## **Social policy and employment**

As stated in European Commission 2020 Report Albania has some level of preparation on social policy and employment. Social services reform is progressing but financial and administrative efforts should be stepped up to strengthen the local level. In the 2021, the country should continue the operationalization of the employment and vocational education and training structure, following the establishment of the new National Agency for Employment and Skills, finalize the adoption of the necessary implementing legislation for the employment reform, ensure implementation of the National Strategy on Social Protection (2020-2023) and the social inclusion policy document (2015-2023) and strengthen inter-institutional coordination on measures affecting the most at risk groups. Despite some improvement, the overall unemployment rate remains high, particularly among women, young people, Roma and Egyptians, and people with disabilities. The needs assessment for social services conducted in 2019 by the State Social Service in the 12 regions of Albania highlights that *34% of municipalities (21 municipalities) do not provide any social care services*. In April 2019, the government set up the Social Fund Mechanism as a transitory measure to distribute funding from the state budget to municipalities.<sup>84</sup>

Guide on referral system/social services delivery for migrants in Albania showed that the national legal framework and social policies in the protection and empowerment of migrants are still in reformation, also influenced by the genesis of the movement of Albanian citizens. Specific services are only guaranteed for certain categories of returnees, in accordance with relevant legal policies and provisions. *Access to public services* is another factor with strong impact on the reintegration of returnees and based on it depends the decision of a citizen to contact them or get general or specific information. The analysis conducted under this Guide showed that the reintegration mechanism has begun to function more effectively but the migration management and its interaction with social and protection systems still seems labeled by the lack of coordination among institutions followed by the lack of human and financial resources. The analysis also showed the inconsistency between the national priorities and the local situation and concerns, the *reaction rather than prevention* towards the dangerous types of migration and the programs in line with international standards, their implementation continues to be a problem. The systems of migration management and social protection are limited by the *lack of sufficient coordination* among institutions followed by the *lack of human and financial resources*. Migrants have the same access to all services as the rest of Albanian citizens but in the same context led by the skepticism towards the institutional and administrative bureaucracies.

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<sup>84</sup> European Commission Albania 2020 Report Brussels, 6.10.2020

Current laws and policies are not in line with recent developments for migration trend. The NGO sector are one of the main service providers for migrants and mainly for unsupported migrant target-groups and their provided services are not sufficient to improve the life situation of returned migrants. In the municipalities of the districts, the *services are not complete and coordinated*, affected by the *lack of budget* but also the *expertise of service providers*. Only the existence of the reintegration mechanism is not enough to improve the holistic approach towards returned migrants. Findings of the analysis also showed that the local services have a lack of financial resources because they depend completely on donor funds, that is needed to upgrade laws, procedures and institutions dealing with the protection of children and the cases of migrant children, that the State Agency for the Protection of Child Rights should establish a child protection system from migrant families, that is needed to build a *database* for all migrant categories in order to serve as an inventory for returned migrant skills and their orientation in the labor market and that the identification and the referral of the cases should start at the border.

Recommendations stated in the Guide include a full need assessment of returnees, effective information provision and counseling at the post-arrival stages, involvement of the local communities in order to foster dialogue, social cohesion and empowerment, an increased access to qualitative public services for families of the returnees, capacity building to overcome the initial discomfort and development of positive approaches to create a friendly environment for their family members. Policy frameworks for returnees need to be upgraded, as well as the standard operating procedures and protocols. Regarding services, it is recommended to *improve access to public services and their quality* and to expand the range of services that affect the social and cultural reintegration of migrants through community-provided services (and local service providers). Also, public institutions should develop and implement projects, processes and administrative costs in the municipality for returnees should be simplified, internal conflict within communities avoided and a strong coordination mechanism should be in place to connect central and local authorities. From the point of view of increasing the quality of public services, it is recommended to *set delivery standards for each public service*, together with rigorous monitoring of their implementation and the grievance process.<sup>85</sup>

With the contribution of the International Labour Office, in 2019 a national database on collective agreements and trade unions was created. Regarding employment policies, the National Strategy for Employment and Skills 2014-2020, and its action plan, have been revised and their duration has been extended until 2022. The Council of Ministers approved the establishment of the National Employment and Skills Agency in July 2019 (38 employment offices are organized and operate with the new model of employment services). The implementation of the National Strategy for Social Protection 2015-2020 has led to the transformation of the economic assistance scheme into an active scheme that enables social reintegration, review of the disability assessment system, intervening and ensuring the reintegration of children into the family and community, providing special care for social and biological orphans, and ensuring the provision of integrated social and community welfare services. In 2019, Law No. 57/2019 "On Social Assistance in the Republic of Albania" was approved.<sup>86</sup>

In Albania, the right to social protection is established by the Constitution, as well as specific laws regulating social protection benefits. Social assistance and social care services in Albania consist

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<sup>85</sup> Guide on referral system and/or provision of social services to migrants in Albania, 2018

<sup>86</sup> Shadow Report Albania 2020, Chapter 19

of the economic assistance which is a means-tested social assistance programme providing support, cash or in kind, to families and individuals in need, the disability allowance providing monthly payments to persons with disabilities who are not eligible under the contributory scheme and social care services providing a range of services to individuals and groups in need, who are unable to meet their life needs with their own resources. Child Protection Units and Needs Assessment and Referral Units are responsible for the establishment and management of local community social services and local social services provision centers. According to the State Social Service, social care coverage is extremely low, with only about 10 000 beneficiaries in 2019 (0.35 percent of the population).<sup>87</sup>

Law on Social Care Services in the Republic of Albania defines social services as an integrated and organized system of benefits and facilities, that are provided by the practitioners of the respective fields of public or non-public subjects, in order to ensure well-being, independence and social inclusion of individuals and families in need of social care. The Law stipulates the different types of services: pre-social services (information and counselling, homecare service, psycho-social support, early intervention), services in community centres, services in residential centres, including shelters, including temporary housing, alternative care services to children without parental care, telephone or online consulting service. All the subjects that have expertise and experience in organizing activities of continuing education in the field of social care services, licensed to provide training and qualification, shall be accredited by the ministry responsible for the social care services, on regular basis, to assess the level of fulfilment by them of the standards predefined by the Council of Ministers. Ministry responsible for social affairs created a mandatory programme for the continuing professional education, known as “Certification programme of professionals of social care services”. Accreditation is the process of approval of continuing education activities or/and provider of continuing education activities, based on the procedures, standards and criteria approved by the decision of the Council of Ministers (Article 43).<sup>88</sup>

*The State Social Services* is a government agency in Albania whose mission is to implement policies, legislation on economic assistance, as well as to ensure the coverage of wages and social services the disabled through its network of 28 social care institutions and 12 regional centers around the country.<sup>89</sup> The State social service provides economic assistance, standardization of social services, administration and budgeting of social services, institutional improvements, inspections of social services and licensing of non-profit organizations.<sup>90</sup> It is the executive agency in charge of the management of the cash programmes in social protection policy, as well as serving as a monitoring and appeal agency for social care services and delivery of national scale social care services. Social care services in Albania *lack coherence, long-term vision and harmonized strategic planning* that addresses the needs of population. Inventory of social services clearly indicates the *uneven supply of services, concentration in central urban areas, duplication of some services*, especially residential ones, and, crucially, an *under supply of appropriate community-based services* which are accessible and adequate for local needs. Reform objectives in the area of social care services are clear but there is *no available budget* to fund the priorities. Actions should be concentrated on professionalization of social care workers- *qualification of workforce*,

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<sup>87</sup> ILO. 2021. Review of social protection system in Albania: coverage, expenditure, adequacy and financing

<sup>88</sup> Law No. 121, dated 24.11.2016, “On Social Care Services in the Republic of Albania”

<sup>89</sup> [https://en.wikipedia.org/wiki/State\\_Social\\_Services\\_\(Albania\)](https://en.wikipedia.org/wiki/State_Social_Services_(Albania))

<sup>90</sup> Aa.vv. Social services in Albania, background and state of the art. A Report from Tirana, Shkoder and Elsban (2020). Cacucci editore

establishment of *effective social care service planning* and delivery structures at local level, *capacity building activities* for local staff, strengthening case management system and develop new service delivery models based on deinstitutionalization objectives and expansion of community based services.<sup>91</sup>

Social care services lack a clear institutional and financial framework, and instruments for the delivery and financing of social care services have not been spelled out clearly. Coverage of social care services is traditionally very limited in the country. The majority of services are provided by the non-public sector and funded by donors or charities. Studies indicate that the lack of child-support services is a key deterrent to women's employment.<sup>92</sup>

As stated in Albania Shadow Reports, in line with the legislation on social services, the *National Electronic Register of Social Care Services* has been established and operates since 2018. The implementation of the National Strategy for Gender Equality 2016-2020 has led to the establishment and strengthening of structures at the central and local level to achieve gender mainstreaming, implementation of general gender budgeting, capacity building of professionals in framework of protection of women's rights and non-gender discrimination, improvement of services for victims of domestic violence, as well as the establishment of new specialized services for victims of sexual violence. The Strategic Plan 2018- 2021 of the Commissioner for Protection from Discrimination is approved and entered in force. Even though the Labor Code has been amended and is being implemented, a monitoring system related to its implementation is not yet in place due to the lack of reliable systems of data collection and processing. A National Action Plan for the Protection of Children against Economic Exploitation 2019- 2021 was adopted. It is necessary to strengthen the system of monitoring child labor and sustainable mechanisms to prevent, identify and address it.

Concerning child rights, progress has been made towards the legal and institutional framework for the protection of the human rights of children, in particular the adoption in 2017 of the Law on the Rights and protection of the Child which describes the structures and actions that Albania's central and local governments must put in place, with a view to guarantee child rights and coordinate child protection interventions. To protect the child from violence, exploitation and neglect, an inter-sectoral response is prescribed and the public administration is empowered to take immediate protection measures.<sup>93</sup>

Social dialogue in Albania remains weak in both the private and public sector. In 2018, the unemployment rate in Albania was 12.3 %, in 2019 it was 11.47%, and in 2020 it was 11.7%.<sup>94</sup> On deinstitutionalization, one step towards progress is the development of a roadmap for the reassessment and transformation of social care services, the development of measures to prevent the institutionalization of children aged 0-18, and children with disabilities in social care institutions and the promotion of support for their family (with support of the international organizations). Deinstitutionalization of children from public residential social care institutions

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<sup>91</sup> Country brief Governance of Social Services: The case of Albania (2018). A Western Balkans Regional Initiative, the future of the Welfare State.

<sup>92</sup> European Social Policy Network (2019), Financing social protection Albania, Sabina Ymeri

<sup>93</sup> <https://www.unicef.org/albania/press-releases/albanian-parliament-approves-child-rights-and-protection-law-foundation-protect>

<sup>94</sup> <https://www.statista.com/statistics/444445/unemployment-rate-in-albania/#statisticContainer>

has increased by 40% compared to 2013 and the number of children in foster families has increased in 2019 by 20%.<sup>95</sup>

Starting from January 2019, the Albanian Government has been providing direct support to children, families, and society development through new social and family incentivizing policies. Improvement of the outreach and coverage of social care services, such as childcare facilities, settings for persons with disabilities or the elderly, is a key component lacking in the social protection system. *Children's services occupy the main share in the total number of services*, namely about 27%, services for persons with disabilities and services for persons in need occupy respectively 25% of the share, services for the elderly occupy about 18%, while services for women in need are very few, namely about 5% of the total number of services. Non-public centers provide about 46% of social services, compared to 54% of the total provided by public centers, while community/day care centers provide about 74% of social services versus 26% provided by residential centers. In 2019, the number of beneficiaries of public residential and day care services, provided by the state, was 1716 and the number of children benefiting from alternative foster care and non-residential services increased by 13%, while the rate of population accessing the basic social services package is 0.5%.<sup>96</sup>

Recommendations for further strengthening of social policy in Albania include review of the National Strategy for Gender Equality 2016-2020 and drafting of the new Strategy for the 2021-2025, capacity building of health personnel to address LGBTI issues, raising awareness of the public, professionals in the field, gender officials, further promotion of opportunities for decent work, improvement of mechanisms for tracking poverty, provision of systematic and integrated social services for vulnerable groups, fight child labor and create functional schemes of offering standardized social services for children without parental care out of residential care, involving civil society, stakeholders, academia, and local government in the EU accession negotiation process and strengthen the capacities of local CSOs which are key to assess and address the real needs of those at most vulnerable situations.<sup>97</sup>

## **Justice, freedom and security**

Migration in the Albanian context is characterized more by the international emigration of the local population and less by the immigration of foreigners in the country. Albania is the first country in the region where a European Border and Coast Guard Status Agreement with the EU has entered into force. Albanian authorities have strengthened dialogue and cooperation with the most affected countries. In this regard, three Albanian police liaison officers have been deployed to the EU to expedite repatriation to Albania, and a liaison officer from the EU is located in Tirana to assist on exit checks. Legislative improvements recorded during 2019 and 2020 are visible in approve of Law “On some amendments in Law No. 108/2013 on Foreigners”<sup>98</sup>, the National Strategy for Migration and its Action Plan 2019-2022, the Decision of the Council of Ministers “On the approval of the Extended National Migration Profile for the period 2015- 2018” and new Law on Asylum during 2020 (Law No. 10/2021 on Asylum in the Republic of Albania). The National

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<sup>95</sup> Shadow Report Albania 2019, Chapters 19 and 24

<sup>96</sup> Ministry of Health and Social Protection Albania, Progress Report 2019, National Social Protection Strategy 2015-2020

<sup>97</sup> Shadow Report Albania 2020, Chapter 19

<sup>98</sup> The changes in the Albanian legislation affect different aspects of Residence, Visa and Work Permit procedures <https://www.hg.org/legal-articles/amendments-on-the-law-no-108-2013-on-foreigners-albania-55870>

Strategy on Migration and its Action Plan 2019-2022 represent an important step towards the accomplishment of the national and international commitments of the Government of Albania in the field of migration and contains clear responsibilities for different government institutions, agreed budget, timetable and monitoring system strongly indicating government commitment to implementation.<sup>99</sup> A first monitoring report on the implementation of the strategy and action plan was released in March 2020. The Council of Ministers approved the National Strategy of the Albanian Diaspora and the Action Plan 2021-2025. The decision of the Council of Ministers is put into force after its publication in the “Official Book” and it is made effective from January 1, 2021.<sup>100</sup>

Statistics on foreigners with residence permits and asylum seekers in Albania are included for the first time in the Official Statistics Program 2017-2021. Albania continues to be a transit country by migrants seeking asylum in Albania, who continue to consider Albania not a destination country, but a transit country to reach the main destination, the western part of the European Union. Albania needs to improve reintegration schemes for the returned families and individuals as well as address the issue of unaccompanied minors. Migration management and its interaction with social systems and child protection in Albania seem to be characterized by a lack of coordination between institutions in general, combined with a lack of financial and human resources. The capacity and standards of care and accommodation for the families and children of asylum seekers, the place of residence, and detention conditions of migrants who have not applied for asylum remain a matter of concern. Albania must involve all the institutions that provide social services to migrants at the local level in the development of standard operating procedures, as well as identifying the responsible institutions in each phase of action and the interaction between migration and social service structures. Albania Shadow Reports also indicate that the border management agencies *do not always have the necessary experience, capacity, and tools to adequately perform their duties*.<sup>101</sup>

As stated in European Commission Albania 2020 Report Albania has some level of preparation to implement the EU acquis in this area. Some progress was made by improving the institutional capacity on border management, asylum, countering terrorism and violent extremism. Albania is the only country in the region to have established working agreements with all EU justice and home affairs agencies. Reception capacity to deal with mixed migration flows was further improved and remained sufficient to accommodate the increased number of arrivals. Albania should keep addressing the phenomenon of unaccompanied minors and should in particular further step up measures to address effectively the issue of unfounded asylum applications, including through addressing its underlying reasons, improving border checks and organizing further information campaigns on the rights and obligations of visa-free travel. Albania is a source, transit and destination country for *trafficking in human beings*. Albanian women and children are subject to trafficking for sexual and labour exploitation to neighbouring countries and EU Member States. The Prosecutor’s Office registered 22 new criminal proceedings for trafficking in 2018 and 25 in 2019.

The legal framework on migration is largely aligned with the EU acquis but needs updating in line with recent developments. Albania has readmission protocols with 12 Member States. The number

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<sup>99</sup> <https://sdgs.un.org/partnerships/national-strategy-migration-and-action-plan-2019-2022>

<sup>100</sup> <https://www.adbc.al/en/the-council-of-ministers-approved-the-national-strategy-of-the-albanian-diaspora-and-the-action-plan-2021-2025-2/>

<sup>101</sup> Shadow Reports Albania 2019 and 2020, Chapter 24



of irregular migrants apprehended in Albania increased by almost 83% compared with 2018. The migrant reception capacity increased in 2019 and 2020. Permanent training structures should be established in compliance with basic training standards for EU border guards. Legislation on asylum generally complies with European standards, gaps remain in the development of secondary legislation and internal guidelines to regulate procedures and guide competent authorities. A new Law on asylum is under finalization. Albania has the necessary institutions in place to handle asylum claims. In the 2019 number of asylum seekers in Albania was 6,557 asylum seekers, by increasing with 49.5 % compared to 2018.<sup>102</sup> In 2020, the number of asylum seekers in Albania has marked a significant decrease, as it coincides with the blockade within the Covid-19 pandemic. INSTAT has published figures that show that during the last year in Albania there are 2 232 asylum seekers, a decrease of 66.0%, compared to 2019.<sup>103</sup>

Albania was the first third country to conclude a Frontex status agreement on border management cooperation with the EU. The agreement entered into force on May 1, 2019. As regards asylum policy, on February 1, 2021, Albania adopted a new Law on asylum in close cooperation with the Commission and the United Nations High Commissioner for Refugees, further aligning domestic legislation with the EU *acquis* and international standards.<sup>104</sup>

## North Macedonia

The Western Balkan Route that crosses North Macedonia is one of the main migration routes into the European Union. In North Macedonia, international and domestic organizations are with mainly reduced capacities and activities at the transit and reception centres. Only a small number of migrants who entered the country filed for asylum. North Macedonia continues to play an active and constructive role in the management of mixed migration flows.<sup>105</sup>

As stated in Regional GAP Assessment on the current situation in service provision for migrants public institutions that are responsible for this area are Ministry of Interior, Ministry of labor and social policy, Administrative Court in Skopje, Reception center for asylum seekers and Ministry of justice and Ombudsman in the Republic of North Macedonia. Main international organizations in this area are International Organization for Migration in North Macedonia, United Nations High Commissioner for Refugees and United Nations Children's Fund. Civil society organizations operating in this area in North Macedonia are Macedonian Young Lawyers Association, Open Gate, City Red Cross of Skopje, Center for Intercultural Dialogue, The Balkan Refugee and Migration Council and NGO Legis. Progress was made on implementing the standard operating procedures for unaccompanied and separated children and for vulnerable categories of foreigners. Both reception and transit centers on the southern and northern borders provide short-term accommodation for a total of 971 persons. Neither of the transit centres are suitable for long-term stays, and the authorities continue to be reluctant to allow for more than a temporary stay. There are no accurate data available related to funding of services for migrants in North Macedonia, only related to specific subgroups. Further activities should be focused on harmonization of legislation with the *acquis*, its enforcement and monitoring, strengthening of support programs capacities to migrants and asylum seekers provided by state and CSO, ensure that human rights of migrants,

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<sup>102</sup> <http://www.instat.gov.al/media/7360/asylum-seekers-in-albania.pdf>

<sup>103</sup> <https://politiko.al/english/e-tjera/azilkerkuesit-ne-shqiperi-instat-publikon-shifrat-emigrantet-nga-siria-d-i439253>

<sup>104</sup> European Commission, Report from the Commission to the European Parliament and the Council, 4.8.2021

<sup>105</sup> IRIS Network, Regional GAP Assessment on the current situation in service provision for migrants with Recommendations: Albania, Bosnia and Herzegovina, North Macedonia, Montenegro and Serbia

asylum seekers and refugees are respected and foster cooperation among relevant stakeholders dealing with migrant issue.

As stated in Guide on referral system/social service delivery for migrants in Macedonia, access to available social services to migrants is crucial for those who are transiting and those who are intending to stay in Macedonia. Government institutions are managed through several crucial legal frameworks in providing social services. The data about social services provided by municipalities and CSO vary and most of the services offered by the CSOs which are filling the gaps in the system. Good practices in social welfare system are seen through good coordination among CSOs, intersectoral cooperation is considered as good practice, especially in dealing with the complex cases of trauma, occupational activities and psychological first aid for adults are considered as the most vulnerable for the people while transiting and education along with occupational activities positively affect psycho-physical wellbeing of children. Good practice is also visible through awareness raising among local citizens for migration issue and migrants. Recognizing the importance of the issue of migration, Macedonia created its own *profile migration*<sup>106</sup> for the period 2015-2020, which were created by the inter-ministerial group on migration policy comprised of representatives of 12 institutions members and four international organizations.

Social protection is available to all refugees, persons who seek an asylum and persons under subsidiary protection. The right to financial social benefits, the recognized refugee or foreigner can exercise through the local Social Welfare Centers for a period of one or two years. The relevant documents that are the subject of this Analysis indicate various recommendations related to:

- *Better access to social services of the vulnerable groups*, through providing enough information for the available services and increasing the number of social services in other municipalities;
- *Increase social services on a local level in a public private partnership* between the civil society sector and the local self- government and provide inclusive education for asylum seekers and their children and providing them with classes for learning the official languages;
- *Provide full access to medical and health services* for asylum seekers at primary level and managing social services for certain target groups. Alternative services for vulnerable groups which can be offered by the CSO sector with well trained personnel could assure a quality of services according to already defined standards (similar examples are community-based services for people with disabilities or so called group homes);
- *Greater visibility of local municipalities and showing leadership in establishing social protection services* on a local level introducing a participatory approach of the local communities;
- *Education and training for professionals in each of the sectors* dealing with various types of vulnerable groups on the topic of social services for vulnerable groups and awareness promotion for integration and adaption of the migrants in the country (could be with support of youth volunteers).<sup>107</sup>

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<sup>106</sup> Resolution on the migration policy of the Republic of Macedonia 2015-2020, Official Gazette of the Republic of Macedonia No. 8, 2015

<sup>107</sup> Guide on referral system and/or provision of social services to migrants in Macedonia (2018)

An integral part of the Guide is overview to entitlements and rights to accessing services with focus on education, employment, protection of elderly persons, victims of domestic violence, persons with disabilities, Roma and migrants.

### **Social policy and employment**

Activities regarding drafting of the new Labour Law in North Macedonia continued, but the public discussion upon the draft has not started yet.<sup>108</sup> The new Employment and Social Reform Programme 2022 was adopted. The National Strategy on Integration of Refugees and Foreigners 2017-2027, which contains sections on employment, social protection, housing and education is still not adopted. Immediately before the start of the COVID-19 crisis in the country, at the end of January 2020, amendments to the Law on Safety at Work were adopted. The new Law on Social Protection<sup>109</sup> and the Law on Prevention and Protection against Discrimination<sup>110</sup>, both adopted in 2019, were adopted following a participatory process. North Macedonia's Constitutional Court ruled to repeal the Law on Prevention and Protection Against Discrimination. Process was finalized with the adoption of the new Law on Prevention and Protection against Discrimination (October 2020)<sup>111</sup>, a new equality body is being set up. A total of 15 local economic and social councils was established.

In accordance with the new Law on Social Protection, asylum seekers, persons with a recognized refugee status and persons under subsidiary protection have right to social protection.<sup>112</sup> The Institute for Social Affairs is a public institution for the improvement of social activities, established by the Government. As stated in Law on Social Protection, the Ministry provides funds to provide innovative or intervention social services, by municipalities, associations or private providers of services. Based on this Law, social services are information and guidance services, professional assistance and support services, counseling services, home services, community services and out-of-family care services. The public or private social service provider may provide social services if he has a permit issued by relevant ministry (Commission for licensing of social service providers) and renewed every five years. Professionals of public service providers employed in public and private institutions for social protection and other social service providers must have a license (issued for a period of 5 years) for performing professional work in the field of social protection. The *Institute for Social Affairs* issues, renews, extends and revokes licenses for work of professionals in social welfare institutions and other providers of social services, keeps a register of issued, renewed, extended and revoked licenses and conducts a professional exam in

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<sup>108</sup> The law is expected to enter the assembly procedure by the end of October or the beginning of November at the latest <https://www.karanovicpartners.com/news/north-macedonia-amendments-in-the-labour-legislation/>

<sup>109</sup> Law on Social Protection (Закон за социјална заштита), *Official Gazette of the Republic of North Macedonia*, No.104/2019

<sup>110</sup> Law on prevention and protection against discrimination (Закон за спречување и заштита од дискриминација), *Official Gazette of the Republic of North Macedonia* No. 101/2019

<sup>111</sup> Службен весник на РСМ, бр. 258 од 30.10.2020. *Official Gazette of the Republic of North Macedonia* No. 258/2020

<sup>112</sup> a number of bylaws have also been adopted such as Rulebook on the manner of placing unaccompanied minors and vulnerable categories of persons with recognized right to asylum (*Official Gazette of NMR*, no. 195 dated 24.9.2019), Rulebook on standards for acceptance of asylum applicants (*Official Gazette of NMR*, no. 195 dated 24.9.2019), Rulebook for the manner, volume, normatives and standards for giving social service for temporary stay and for space, funds, staff and necessary documentation for the center for temporary stay (*Official Gazette of NMR*, no. 91 dated 26.4.2021)

the procedure for issuing and renewing licenses. A large number of bylaws have been adopted that regulate the subject area in more detail.<sup>113</sup>

Government of the Republic of North Macedonia adopted Program for achieving social protection for 2021 in which it is stated that in relation to refugees, ie persons with recognized refugee status and persons under subsidiary protection, Ministry of Labor and Social Policy will take measures to facilitate the process of integration of these persons, in accordance with the Program for integration of the persons of who have been granted the right to asylum in the Republic of Northern Macedonia for 2021. Also, Ministry of Labor and Social Policy has started implementing the *Project for the promotion of social services* with financial support, a loan from the Group World Bank, which aims to improve access to care services and upbringing of preschool children and access to social benefits and social protection services. Namely, the project activities are aimed at the development of policies, setting up a comprehensive system of social services and systemic implementation of the reformed services through an expanded network of providers of social services, technical assistance and training to support and strengthen the capacity of local government. In 2021, administrative agreements will be concluded with licensed social providers services for providing social services.<sup>114</sup>

Of the 226 licenses acquired in 2020, 148 are licenses to operate in centers for social work, 56 for work of professional workers in institutions outside the family protection and 22 for employment of professionals in other social service providers. Total of 555 professionals were covered by continuous professional education in 2020, in 34 groups, and training in 17 modules/topics for education was delivered.<sup>115</sup>

Right to health care is foreseen for persons with a recognized refugee status and persons under subsidiary protection. Monetary assistance can also be provided to persons with a recognized refugee status and persons under subsidiary protection, subject to a decision of a Social Service Centre. North Macedonia Shadow Report from 2019 stated that the social protection for children with a disability is still insufficient and that Roma and persons with disabilities remain at the highest risk of poverty. In line with the Law on International and Temporary Protection, in August 2019, the Ministry of Labour and Social Policy adopted three rulebooks.<sup>116</sup> Civil society organizations note that there is *no credible and complete information* regarding the possible services available to foreigners offered by the municipalities, there is *lack of data* and there is *issue of integration of returnees*. The new 2018-2027 National strategy on deinstitutionalisation was adopted. The Social Work Centres capacity is insufficient and the field level support to those in need of social services is insufficient. Regarding CSOs, there is a clear trend of willingness for cooperation and high activity of CSOs, especially those that work on the field.<sup>117</sup>

North Macedonia Shadow Reports 2019 and 2020 explain the fact that public discussion regarding draft of the new Labour Law has not yet started and that the impact from the COVID-19 crisis in this area is still unfolding, that new Employment and Social Reform Programme 2022 was adopted but it has only few aspects of relevance for migrants and that the National Strategy on Integration

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<sup>113</sup> <https://www.mtsp.gov.mk/pravilnici.nspix> such as Rulebook on the manner of issue, extension, renewal and disclaimer of the license for work of professional employees, form and content of the work license form (Official Gazette of NMR, no. 79 of 26.3.2020)

<sup>114</sup> Official Gazette of the Republic of North Macedonia, no. 3 from 5.1.2021

<sup>115</sup> Report for 2020 on the work of the Institute for social activities-Skopje <http://zsd.gov.mk>

<sup>116</sup> Official Gazette of the Republic of North Macedonia No.195/2019

<sup>117</sup> Shadow Report North Macedonia 2019 and 2020, Chapter 19

of Refugees and Foreigners 2017-2027 remains not adopted. It is also stated that the licensing of CSOs is slow and that the resettlement of children and adults from institutional care to foster families or community-based housing is ongoing. Recommendations for future activities include *improvement of access to social assistance* by migrants (issues regarding identification, information, right to health care, legislative changes, translation), Governments *comprehensive analysis of the access* to and discrimination in social protection, health care and employment for migrants (comparative analysis of the national law against all relevant international standards and an analysis of the potential bottlenecks in law, policy or practice), secure conditions for the functioning of an independent, effective, impactful and secure equality body in line with international standards, *enhance inclusion* of Roma returnees, tailor the authorities measures for mitigating the pandemic crisis effects and the support programs with an intersectional perspective in mind, more focus on the legislative framework regarding health and safety, advance the *possibilities for training and education* of returnees, in order to enhance their employability, *achieve visibility* of migrants in employment, social protection and non-discrimination and gender equality issues, *support CSOs* and their potentials with regards to integration of migrants, transiting or remaining, and the realization of their human rights, establish *clear criteria and procedures* for meaningful participation of civil society representatives in public processes regarding the drafting of legal acts and policies that will make these public processes transparent and open, enhance the *role of the local authorities*, *improve data collection*, improve coordination among the various actors (CSOs, local authorities, state institutions, international organizations) and duly implement the policy framework.

As part of the child care reform in North Macedonia and the promotion and strengthening of the foster care system first Support Centre for Foster Families in the country was open during July 2021 in order to promote family-based care for children without parental care and to provide support to new and existing foster families. The new service will help mobilize foster parents who have a sincere desire and motivation to provide care to a child in need, including children with disabilities, babies, child victims of violence or neglect, and children exposed to risks.<sup>118</sup>

As stated in European Commission, North Macedonia 2020 Report,<sup>119</sup> the country remains moderately prepared in this area. There was some progress in reducing the unemployment rate and increasing the benefits of social assistance. The Youth Guarantee Scheme was successfully implemented on the territory of the whole country, including underdeveloped regions. The Employment and Social Reform Program is partially implemented. Implementation of the new Social Protection Act should reduce the poverty rate, which remains a serious problem. As a follow on to the COVID-19 crisis, the government of North Macedonia has taken a number of mitigating socio-economic measures. In the coming period, the country should in particular continue to implement activation measures for long-term and low-skilled unemployed people, including women, persons with disabilities and Roma, improve capacities of the State Labour Inspectorate and reinforce the bipartite social dialogue between employers and workers and continue provision of assistance to all vulnerable groups in society while addressing poverty and anti-discrimination. Limited progress was made on social dialogue. On employment policy, the unemployment rate dropped to its lowest level since the country's independence at 16.2% in quarter one of 2020 before the onset of the COVID-19 pandemic. Since March 2020, the Government has adopted a number

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<sup>118</sup> <https://www.unicef.org/northmacedonia/press-releases/new-support-centre-foster-families-opened-expand-family-based-services-children>

<sup>119</sup> Brussels, 6.10.2020

of temporary socio-economic measures to mitigate the impact of the COVID-19 pandemic on employment. The revised Economic and Social Reform Programme was adopted by the Government in December 2019. Progress continued on social inclusion and protection. The new Law on Social Protection represents the *start of a reform of the social protection system*. Implementation of the 2018-2027 National Strategy on Deinstitutionalization has started and has already contributed to the inclusion of children with disabilities in the society. As stated in European Commission Report, a new case management tool for processing asylum applications is also being developed, and is currently in its final testing phase.<sup>120</sup>

### **Justice, freedom and security**

The Law on International and Temporary Protection, adopted in April 2018, is largely in line with EU legislation, while the bylaws implementing this law have been adopted. The CSOs observe trends that North Macedonia was once a country of destination, but in the recent years is becoming more and more a country of origin of human trafficking. One of the main challenges victims of human trafficking are still faced with is the right to compensation. In order to improve the process of identification and protection of victims of trafficking in human beings, with the support of IOM, 5 mobile teams in Skopje, Bitola, Kumanovo, Gevgelija and Tetovo were established to identify vulnerable categories of citizens, including victims of human trafficking. The Strategy for Integration of Refugees and Foreigners (2017-2027) and the National Action Plan for its implementation are pending Government adoption. The Reception Centre for Asylum Seekers has a capacity to accommodate 150 people. The reports by CSOs state that the asylum application procedure is long and inefficient. The unaccompanied children in the country are appointed a guardian, and the Special Operating Procedures for dealing with unaccompanied minors are formally respected. In practice, this is not fully implemented because one social worker is appointed to many minors and their number is high. For the first time in the academic year 2019/2020, seven asylum-seeking children from Syria, Afghanistan and Pakistan enrolled in Macedonian-language primary education at a local school in Skopje.<sup>121</sup>

Also, it is stated that the practice of irregular deportation of migrants to Greece continued and the recognition rate for refugees continues to be very low. Amendments of the Criminal Code were adopted to incorporate the non-punishment principle, so that victims of trafficking in human beings are not punished for offences committed in the course, or as a consequence of being trafficked (but a gap remains in the area of detention for people in irregular movement). The Law on the Freezing, Confiscation and Management of Criminal Assets has not yet been amended and fully harmonized with the Strategy on Strengthening Capacities for Financial Investigations and Confiscation of Assets, Combating Trafficking in Human Beings and Illegal Migration (2017-2020).

The analysis of the recommendations from North Macedonia Shadow Reports 2019 and 2020 pointed out the following recommendations:

- *Need for adoption of the Draft Strategy for Refugees and Foreigners 2017-2027, importance of making information on rights and services of foreigners more accessible (Government and municipalities), increase the efforts in investigation of cases of trafficking and in effective prosecution of perpetrators, increase of Government budgets for implementation of national strategies and action plans in this area, investigate and*

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<sup>120</sup> European Commission, Report from the Commission to the European Parliament and the Council, 4.8.2021.

<sup>121</sup> Shadow Report North Macedonia 2020, Chapter 24

prosecute complicity of officials in cases of smuggling of migrants and trafficking in human beings;

- *Working more closely with the vulnerable groups in detecting human trafficking*, adoption of the Law on Compensation for Victims of Crime by Parliament and establishing a protection sensitive migration management system by relevant ministries. Responsible authorities, especially the police should ensure that the principle of non-refoulement is fully complied with, ensuring evidence in legal proceedings on smuggling, ensure an efficient asylum application procedure in line with the domestic law, further improve conditions in the Reception Centre for Foreigners and expand and increase capacity of the Centre for victims of human trafficking;
- *Define the status of the transition centre in order to ensure adequate protection* of the support to migrants, ensure consistent application of the Special Operating Procedures for Unaccompanied Minors, further develop integration of children of refugees in education system, draft and adopt a new policy document on integration of returnees in line with the readmission agreements and ensure unobstructed procedures for signature and ratification of the Agreement between North Macedonia and EU for cooperation with the European Border and Coast Guard Agency;
- *Ensure continuous involvement and partnership with CSOs in the area of migration*, through consultation in the policy creation and law making process with the Government, ensure longer-term funding for the services that CSOs provide to migrants, develop additional services for migrants in dialogue and partnership with the stakeholders, especially CSOs active on the field;
- *Ensure implementation and monitoring of the process of licensing of CSOs* for certain services and initiate a structured dialogue between responsible ministries and CSOs engaged in migration issues.<sup>122</sup>

As stated in European Commission, North Macedonia 2020 Report,<sup>123</sup> country is moderately prepared to implement the EU acquis. Migration management efforts continued. The status agreement with the EU for cooperation with the European Border and Coast Guard Agency has not been signed yet. Registration of migrants and protection sensitive profiling still needs to be carried out in a more systematic manner. The Resolution on Migration Policy adopted by the government in 2015 is the main policy document in this field and although the new strategy for integration of refugees and foreigners was prepared three years ago, it is still pending adoption as there is no political will to move it forward. The country has still not set up a fully fledged protection sensitive migration management system. Registration of all individuals apprehended in irregular movement for migration management purposes still needs to be carried out in a more systematic manner. The official number of irregular arrivals in 2019 stands at 20 314, a 16% increase compared with 2018. The Law on international and temporary protection, adopted in April 2018 is largely aligned with the EU acquis. A new Law on foreigners entered into force in May 2019. Among other benefits it grants long-term residence to people who have enjoyed international protection, thus facilitating their local integration. The asylum procedure still needs to be implemented fully in line with the EU acquis. In 2019, 490 applications for asylum were submitted (163 in 2017 and 299 in 2018).

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<sup>122</sup> Shadow Reports North Macedonia for 2019 and 2020, Chapter 24

<sup>123</sup> Brussels, 6.10.2020

The Council of Europe Development Bank and the International Organization for Migration signed three grant agreements, in total value of €900 000, to continue providing essential assistance to migrants and refugees in Bosnia and Herzegovina and North Macedonia. In North Macedonia, the grant will support the identification of and assistance to actual and potential victims of human trafficking.<sup>124</sup>

## Serbia

Although the Balkan route was closed in early March 2016, the mixed movement of refugees and migrants is still present. In 2021, refugees and migrants arrive on one of the main migration routes to the European Union and enter the Republic of Serbia, mostly from Northern Macedonia, Romania and Bulgaria. In 2020, there was a significant decrease in the number of new arrivals, expressed intentions to seek asylum and asylum requests compared to the same period in 2019.<sup>125</sup>

Social services are provided to migrants and asylum-seekers through work of country institutions as well as with international and national organizations and include information on asylum procedures and refugee status determination, reception and accommodation, food distribution, medical assistance, legal counselling and assistance, psychological and psychiatric counselling, educational activities and counselling related to integration, provision of Serbian language classes and vocational trainings, interpretation during medical and legal proceedings, assistance in search for job and/or accommodation and assisted voluntary return to the country of origin. The area of migration management is in its nature multi-sectoral and different aspects of migration can be found under the competencies of different ministries and other government agencies. Country institutions relevant for this area are Coordination Body for Migration Monitoring and Management, Ministry of Interior within the scope of work of Border police, Service for Foreigners' Affairs and Police, The Asylum Office, Police Directorate, Commissariat for Refugees and Migrations, Asylum and reception/transit centers, Ministry of Labor, Employment, Veteran and Social Policy, Centers for social work, Ministry of Education, Science and Technological Development, Ministry of Health and local self-government units. International organizations operating in Serbia provide support to relevant stakeholders, such as UN Country Team, UN Refugee Agency, UNICEF Serbia, The IOM Mission in Belgrade, Danish Refugee Council Serbia, ASB and many others. Civil society organizations are *filling a lot of gaps* that become visible in practice and *hold many initiatives and projects* related to the protection of refugees and migrants in Serbia, but the most important of all are *provision of information and concrete social services to migrants and asylum seekers*. There are 3 main areas of work of CSOs: dealing with the issues and challenges of unaccompanied minors, protection of children victims of trafficking and protection of gender based violence victims.<sup>126</sup> Various CSOs are active in the field of providing services to migrants and asylum seekers.<sup>127</sup>

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<sup>124</sup> <https://coebank.org/en/news-and-publications/news/ceb-and-iom-agree-additional-grant-support-refugees-and-migrants-bosnia-and-herzegovina-and-north-macedonia/>

<sup>125</sup> <https://www.unhcr.org/rs/pristup-teritoriji-i-azilna-procedura>

<sup>126</sup> IRIS Network, Regional GAP Assessment on the current situation in service provision for migrants with Recommendations: Albania, Bosnia and Herzegovina, North Macedonia, Montenegro and Serbia

<sup>127</sup> Red Cross of Serbia, ASTRA, Autonomous Women's Center, Group 484, Atina, Belgrade Centre for Human Rights, Praxis, Novi Sad Humanitarian Centre via the Terre des hommes Foundation, Crisis Response and Policy Center, Humanitarian Centre for Integration and Tolerance, Balkan Centre for Migration and Humanitarian Activities, Center for Research and Society Development IDEAS, Psychosocial Innovation Network, SIGMA PLUS



Given that social services for migrants depend not only on the country but also on the overall functioning of local self-government, social protection in Serbia deteriorated during the COVID-19 pandemic, in part due to a lack of capacity of relevant institutions to identify those most affected by the crisis and find new ways to help them. During the crisis, most local governments did not include civil society organizations in their crisis working groups or in decision-making processes, and the crisis may also increase the social exclusion of migrants at the local level.<sup>128</sup> Serbia included all migrants and refugees in the national vaccination strategy as high-risk, priority population groups.<sup>129</sup>

As stated in Regional GAP Assessment on the current situation in service provision for migrants, due to irregular migration, there are still a lot of migrants who enter and leave the country *without being registered* and having access to the social, educational and health system. Coordination among all these state institutions as well as with international and national organizations active in the field needs to be strengthened. It is necessary to further develop policies and capacities for the implementation of social protection services in order to enable *greater availability and quality of services*, especially to improve the regulatory framework and strengthen the existing mechanisms for the provision of the services including improvement of the system for funding the services. *Division of responsibilities* between state institutions and CSOs are dysfunctional. Some CSOs provide services to migrants and they are not licensed and not coordinating their activities with competent government bodies. The problems CSOs are facing in the provision of social services are related to cases that require *multi-sectoral cooperation or service that is a combination of services from different systems*. One of the very first problems that migrants encounter upon arrival in Serbia is the *language and cultural barrier*. Regarding the health services provided in the reception centers and accommodation in general, the most important types of support which are needed *include mental health services* and specialized support in the system of psychiatric care. Data exchange between government bodies and other stakeholders are limited, keeping records and documentation are not at the adequate level and *there is no reliable records on specific groups within the general migrant group*.

Further activities should be focused on:

- *Improvement of legislation and its enforcement*, improvement of the existing support system to migrants and asylum seekers provided by country and CSO, strengthened coordination among all state institutions, international and national organizations and improvement of living conditions in all types of accommodation;
- *Provision of additional support for vulnerable groups* in the accommodation, information, education, psychosocial and psychiatric support, integration of children in the education system and provision of quality education, improvement of support and employment possibilities for asylum seekers and other beneficiaries of international protection;
- *Keeping of an accurate statistical records* separated by gender, age and vulnerability criteria, improvement of provision of complete health services available free of charge for

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<sup>128</sup> International Organization for Migration (2020). Socio-economic impact assessment, the impact of Covid-19 on migration and mobility in Serbia

<sup>129</sup> <https://www.euro.who.int/en/countries/serbia/news/news/2021/5/refugees-and-migrants-hosted-in-serbian-reception-centres-get-their-covid-19-vaccine-doses>

all categories of migrants, raising public awareness on the rights of migrants, reduce discrimination and foster integration.<sup>130</sup>

## Social policy and employment

In February 2021, the Government of the Republic of Serbia adopted the Employment Strategy in the Republic of Serbia for the period from 2021 to 2026.<sup>131</sup> In February 2021, the Serbian Parliament adopted the Law on the Social Card<sup>132</sup>, which will enable a fairer distribution of money for the most socially vulnerable groups and the establishment of better control of social benefits.<sup>133</sup> On April 22, 2021, the Government of the Republic of Serbia adopted the Strategy for Prevention and Combating Gender-Based Violence against Women and Domestic Violence 2021-2025.<sup>134</sup> In the period April-May 2021, a public debate was held on the Proposed Strategy for Deinstitutionalization and Development of Community Social Protection Services for the period 2021-2026.<sup>135</sup>

The total number of migrants and refugees in December 2019 was, according to the data of the Commissariat for Refugees and Migration, 4427 migrants and refugees, including more than 800 children. On the territory of the Republic of Serbia, there are five asylum and fourteen reception centers for accommodation of refugees and migrants. One of the basic problems concerning unaccompanied children and separated children is the inability to adequately care for them. There is often a lack of interest in joining activities and workshops. During 2019, a significant number of legal acts related to the movement of foreigners and the Department for Foreigners within the Ministry of the Interior were created. During August 2021, the results of the Program of Local Initiatives for Social Inclusion and Poverty Reduction-Support to the Development of Innovative Models for Social Inclusion were presented, which aimed to contribute to improving the social inclusion of vulnerable social groups, especially those living in rural and extremely poor areas, through the improvement of existing and/or creation/establishment of new innovative measures, services or programs relevant to the social inclusion of socially excluded groups in the fields of education, employment, social protection, health care and housing.<sup>136</sup>

Although the adoption process took a long time, the Action Plan for Chapter 19 - Social Policy and Employment was adopted in May 2020, but civil society organizations did not have an adequate role in its adoption and their comments on the document were not included. In the field of Labor Law, the Law on Agency Employment was adopted, which has been in force since March 1, 2021.<sup>137</sup>

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<sup>130</sup> IRIS Network, Regional GAP Assessment on the current situation in service provision for migrants with Recommendations: Albania, Bosnia and Herzegovina, North Macedonia, Montenegro and Serbia

<sup>131</sup> <https://www.minrzs.gov.rs/sr/aktuelnosti/vesti/usvojena-strategija-zaposljavanje-u-republici-srbiji-za-period-od-2021-do-2026-godine>

<sup>132</sup> "Official Gazette of the Republic of Serbia", No. 14/2021

<sup>133</sup> <https://rs.n1info.com/biznis/usvojen-zakon-o-socijalnoj-karti-u-skupstini-srbije/>

<sup>134</sup> <http://socijalnoukljucivanje.gov.rs/rs/usvojena-strategija-za-sprecavanje-i-borbu-protiv-rodno-zasnovanog-nasilja-prema-zenama-i-nasilja-u-porodici-2021-2025-godine/>

<sup>135</sup> <http://www.osi-press.com/2021/04/30/socijalna-inkluzija-kroz-deinstitucionalizaciju/>

<sup>136</sup> <http://socijalnoukljucivanje.gov.rs/rs/rezultati-programa-program-lokalnih-inicijativa-za-socijalno-ukljucivanje-i-smanjenje-siromastva-podrška-razvoju-inovativnih-modela-za-socijalno-ukljucivanje-lip-2/>

<sup>137</sup> "Official Gazette of the Republic of Serbia", No. 86/2019

In order to ensure the quality of services, Law on social protection<sup>138</sup> has determined minimum standard services, licensing of professional workers and service providers, and certain mechanisms of service delivery control. Prescribed social services are assessment and planning services, day services in the community (the most incident ones), support for independent life, advisory-therapeutic and social-educational services and accommodation services (one of the most incident social protection services) and are partly under the competence of the Republic and partly under the competence of local self-governments. *Social service providers* are mostly public institutions and those under the competence of local self governments in Serbia are not developed to the required extent and are unequally available. The role of CSOs as providers of social protection services has significantly grown and their two most important functions- access to information and provision of services. All CSOs intending to provide social protection services shall be granted status of authorised providers if they hold a licence for the provision of certain service and sign an agreement with procuring entity through public procurement. It is necessary to enhance trust between local authorities and CSOs. Thanks to their experience in working with various vulnerable groups, expertise of their staff, efficient actions in different circumstances and already developed sensibility, and given the extensive work of the state system on meeting the needs of various beneficiaries, CSOs undertake ever more *important role* in the provision of social protection services.

The license for the provision of certain services in the field of social protection is issued by the ministry in charge of social protection for 6 years period. Licenses issued to social protection organizations are entered in the Register of Licensed Social Protection Service Providers, maintained by the relevant ministry.<sup>139</sup> In connection with the process of standardization of social protection services and licensing of social protection institutions and other service providers in order to harmonize the quality of services throughout the country, 438 licenses have been issued to social protection organizations so far.<sup>140</sup>

Some research has shown that social protection services in the mandate of local governments in Serbia are not sufficiently developed and are *unevenly accessible*. *The number of service beneficiaries is small*, and the funds allocated for these purposes are small, while some services are characterized by *instability and unsustainability*.<sup>141</sup> The number of licensed service providers, as well as the number of submitted applications, is progressively growing. Most licenses are issued for the accommodation service for adults and the elderly, and among community service providers, most licenses are issued for the help at home service. Many years of application of the Law and accompanying regulations that regulate the service quality system, indicate that some solutions should be corrected, some should be improved, and some should be established. The Republic Institute for Social Protection makes a great contribution to the standardization and licensing processes.<sup>142</sup>

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<sup>138</sup> Law on Social Protection, Official Gazette of the Republic of Serbia No. 24/2011

<sup>139</sup> Law on Social Protection, Official Gazette of the Republic of Serbia No. 24/2011

<sup>140</sup> <https://www.minrzs.gov.rs/sr/dokumenti/predlozi-i-nacrti/sektor-za-brigu-o-porodici-i-socijalnu-zastitu/usluge-socijalne>

<sup>141</sup> Mapping of social protection and material support services under the jurisdiction of local self-government units in the Republic of Serbia, 2020, Team for Social Inclusion and Poverty Reduction of the Government of the Republic of Serbia

<sup>142</sup> <http://www.zavodsz.gov.rs/>

The National Employment Service provides individual assistance and counseling to migrants on a daily basis through the Network of Migration Service Centers, of which there are a total of seven (Belgrade, Niš, Novi Pazar, Novi Sad, Kraljevo, Kruševac and Bor). During 2020, the services of these centers were used by a total of 95 people, of which 67.4% or 64 men, or 32.6% or 31 women (during 2019, the services were used by a total of 775 people).<sup>143</sup> In the forthcoming period, the focus should be on *developing better mechanisms for comprehensive inclusion of socially vulnerable groups*, establishing mechanisms for *collecting data* on national minorities and their rights, organizing an *awareness campaign*, finding an adequate way to *increase guardianship of unaccompanied children* and increasing integration migrants who have been staying in Serbia for a long time or intend to settle.<sup>144</sup>

As stated in European Commission 2020 Report<sup>145</sup> Serbia is moderately prepared in the area of social policy and employment. Budget allocations for active labour market policies slightly increased in 2019 but decreased again in 2020 and they are by far too low to cover the number of jobseekers. In the coming period, Serbia should in particular ensure adequate financial and institutional resources for employment and social policies to more systematically target the young, women and long-term unemployed, and improve the adequacy of social benefits for people below the poverty threshold, significantly strengthen the bipartite and tripartite social dialogue at all levels and ensure consistent implementation of the labour and social welfare legislation throughout the country. Social dialogue remains weak, in particular regarding the involvement of social partners in policy developments. There were no developments as regards preparations for the European Social Fund, apart from a few awareness-raising events. In the area of social inclusion and social protection, in 2018, 7.1% of the population was considered to be living in absolute poverty (7.2% in 2017). A new strategy for social protection in Serbia for 2019-2025 is still pending. The quality and coverage of service need to improve, oversight and regulatory mechanisms, monitoring and evaluation should be strengthened and no progress was made in local- level social care services.

### **Justice, freedom and security**

Based on latest available data by UNHCR (July 2021), 4,701 refugees and migrants are in the territory of Serbia, of which 3,618 are accommodated in 19 governmental centres across the country, 30 in specialized institutions for unaccompanied and separated children, 127 in private accommodation and 1,053 staying rough outside the centres. On July 7, the Government of Serbia, UNHCR, UNDP and the National Council of Roma signed a joint *Statement of Intent for cooperation on inclusion of Roma and other vulnerable groups*. Migration Profile of the Republic of Serbia for 2020, *for the first time in the region*, includes national indicators for Sustainable Development Goals concerning refugees and asylum-seekers. During 2020, asylum was granted to 29 people. All asylum seekers are covered by social protection services regardless of gender and age group. In the school year 2019/2020, 98% of migrant children placed in asylum and reception centers attended primary education.<sup>146</sup>

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<sup>143</sup> <https://kirs.gov.rs/lat/migracije/migracioni-profil-republike-srbije>

<sup>144</sup> Serbia Shadow Reports 2019 and 2020, Chapter 19

<sup>145</sup> Brussels, 6.10.2020

<sup>146</sup> <https://reliefweb.int/report/serbia/unhcr-serbia-update-july-2021>

Serbia has developed instruments for addressing migration at the local level through *Local action plans* for refugees and returnees under the Readmission Agreement, prepared by the Local migration councils and adopted by municipal authorities.<sup>147</sup>

In order to improve the systemic response of society to the problem of irregular migration, the Government of the Republic of Serbia on December 28, 2018 adopted the Strategy for Counteracting Irregular Migration in the Republic of Serbia for the period 2018-2020 with the accompanying Action Plan. The average number of accommodated persons in 2019 was 3,327, and in 2020 it was 5993. The largest number of accommodated people was in April 2020 during the restriction of movement due to the epidemic, when the occupancy rate was 147%. During 2020, an average of 362.25 juveniles and unaccompanied minors were present on the territory of the Republic of Serbia (maximum 691, minimum 133), of which an average of 35 were accommodated in social protection institutions. At the end of 2020, about 600 unaccompanied minors remained under the care of social work centers.<sup>148</sup>

In the work of reception centres, procedures intended for the asylum seekers are applied, such as early identification of persons with special needs. In accordance with the identified vulnerability, Standard Operating Procedures for the protection of children refugees/migrants, Manual for treatment of unaccompanied asylum seekers in the Republic of Serbia, Standard Operating Procedures for the prevention of and protection from gender-based violence and Standard Operating Procedures for treatment of victims of trafficking in human beings, are applied. These documents define procedures, roles and accountability of each individual provider of services involved in the prevention of and response for the protection of children refugees/ migrants, gender-based violence and treatment of potential victims of trafficking in human beings.<sup>149</sup>

Serbia Shadow Reports indicate a fact that especially year 2020 has been marked by intensified *hate speech and xenophobic narratives against refugees and migrants*. New Strategy for Public Health 2018-2026 relies on European policy document Health 2020: European policy framework supporting action across government and society for health and well-being. There are still concerns about systematic monitoring of minor asylum seekers during the asylum process.

Recommendations stated in Serbia Shadow Reports include *provision of necessary resources* for protection and humanitarian assistance to migrants and asylum seekers with attention to crisis caused by COVID-19, *transparency of information to all migrants* about health care, initiation of actions that can contribute to decreasing stereotypes and prejudice, *ensuring access to asylum procedure* and continuity of the process, following the issuance of the certificate in the language that the person understands, development of a *long term status strategy for refugees and persons granted international protection*, the Rulebook on the Travel Documents for refugees and persons granted with subsidiary protection and the Rulebook on family reunification of refugees and persons granted with subsidiary protection, *development of ID Health Card* for asylum seekers and persons granted international protection, ensuring state financial support for diploma validation procedure, enhancing the foster care system, continuation of proclaimed guardianship system and support with stable funding and develop as a systematic response, planning resources for further development and *improvement of services provided to victims of trafficking*, involving

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<sup>147</sup> Mitrović, O. (2020). International Organization for Migration, Socio-economic impact assesment, Impact of Covid-19 on migrations and mobility in Serbia.

<sup>148</sup> Report on the implementation of the Strategy for Combating Irregular Migration for the period 2018-2020., Ministry of Internal Affairs, Republic of Serbia

<sup>149</sup> <https://www.ohchr.org/Documents/Issues/Migration/pushback/SerbiaSubmission.pdf>

*civil society organizations* and establishing referral systems to ensure that persons with disabilities reach relevant service providers. Shadow Reports also emphasize the *need for innovation in social protection, availability of local community services* and their *better coordination at the local level*.<sup>150</sup>

As stated in European Commission Serbia 2020 Report country has some level of preparation to implement the EU acquis on justice, freedom and security. Serbia continued to significantly contribute, as a transit country, to the management of the mixed migration flows towards the EU by playing an active and constructive role and cooperating effectively with its neighbours and EU Member States. It also continued to effectively implement the integrated border management strategy and its action plan. In the coming period, Serbia should in particular continue increasing border controls, especially border surveillance including identification and registration measures in full respect of fundamental rights, and increase efforts to detect and prevent smuggling of migrants. Serbia adopted an action plan for 2019-2020 to implement the Strategy for the prevention and suppression of trafficking in human beings for 2017-2022., which has a focus on women and children. Serbia has 11 bilateral readmission agreements. The Government response plan to manage mixed migration for 2019 was implemented and the plan for 2020 was adopted by the government. Serbia has started implementing the legislation on state border control, on foreigners and on asylum and temporary protection as well as the relevant implementing legislation, adopted in 2018. Serbia has put in place a programme for voluntary return support to foreigners for 2019-2021 including funding for information and identification of potential returnees. Total of 19 governmental reception facilities (asylum centres, reception and transit centres<sup>151</sup>), two of which have been temporarily put on stand-by, can provide long-term accommodation for up to 6 000 people and temporary shelter for around 1 000 people. An information management system for regular monitoring, planning and managing accommodation and reception facilities in accordance with European standards for reception conditions is in place within the Commissariat for Refugees and Migration. A total of 2 186 unaccompanied or separated children were accommodated in Serbian centres in 2019, an increase of around 25% compared with 2018. Programmes for social integration, access to accommodation, language learning and access to the labour market for people granted asylum or subsidiary protection are in place. Serbia has also taken actions to develop a mechanism to monitor migration flows through migration profiles.<sup>152</sup>

As stated in Guide for the Provision of Social Welfare Services in the Republic of Serbia focusing on migrants, the biggest challenge in the process of accommodation and integration of refugees and migrants in the Republic of Serbia is the *increased number of unaccompanied minors* who are exposed to a higher risk of human trafficking. Civil society organisations are holders of many initiatives and projects related to the protection of refugees and migrants in Serbia (CSO activities are trainings for those employed in the public sector and for representatives of other CSO working with migrants). Local self-government units allocate *insufficient funds for social protection services*, relatively small number of beneficiaries is covered by the services and many services are provisional and unsustainable (*availability and the quality of services* in the community are very *limited and unequal*). In theory, migrants have same rights as citizens of Serbia regarding social protection services, but in practice situation is further complicated because many challenges

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<sup>150</sup> Shadow Reports Serbia, 2019 and 2020

<sup>151</sup> <https://kirs.gov.rs/eng>

<sup>152</sup> European Commission, Report from the Commission to the European Parliament and the Council. Fourth Report under the visa suspension mechanism.Brussels, 4.8.2021.

emerge in the implementation process, from *language and cultural barrier* (cultural mediators/translators) to obtaining legal rights.

Current human and material resources in the institutions of the system are not sufficient to provide adequate support to migrants in the Republic of Serbia without cooperation with institutions in other sectors and with civil society organisations, especially centers for social work as key institutions. Migrant population faces with many issues such as exposure to various forms of violence, poor living conditions in accommodation centres and often insufficient sensibility of the staff working in the centres. As for the services for migrants, it is necessary *to improve the system of informing migrants on their rights and services available* for them. It is important to establish instruments for regular *exchange of experiences* about policies, institutional and practical solutions in the Western Balkans and to encourage development of regional mechanisms for early detection of the position of migrants. *Commissariat for refugees and migrations* is responsible to manage all aspects of migration policy in the Republic of Serbia. *Council for Migrations* has been established at the *local level* with the role to monitor the situation with refugees and migrants, design solutions to problems they face, and create conditions for their full integration.<sup>153</sup>

All publications written on the topic of Serbia within this project point out that *civil society organisations are usually providers of various forms of support to vulnerable migrant groups* and their families: activities in the community, strengthening the capacity of institutions and local self-government units to develop appropriate programmes for the reception and protection of migrants, cultural mediation, provision of alternative accommodation, delivering workshops and psychosocial support to migrants, implementation of protection programme for specific migrant groups (unaccompanied minors, victims of family violence, human trafficking victims and the like). CSOs proved to have more dynamic networks and regional response on variety of topics, like IRIS Network, which provided a very good response during the refugee crisis and managed to open active channels of communication throughout the Balkan Route.

Key challenges related to the provision of social welfare services, focusing on services for migrants are language and cultural barrier, various forms of violence which often occur within the groups on their way from the country of origin to Serbia, placing of unaccompanied minors in the same space where adults are, disorder in keeping records and documentation, the lack of capacity for participative planning and evaluation, unsystematic and sporadic cross-sector cooperation, insufficient and inadequate resources within institutions, not established system for identification and reaction in cases of violence and children trafficking, need for definition and monitor the implementation of service provision quality standards, no overview of training sessions delivered to those engaged to work with migrants and dysfunctional assignment of responsibilities between institutions and CSO.<sup>154</sup>

Recommendations for the improvement of the social welfare system in the Republic of Serbia refer to:

- *Enhance the social welfare system in the Republic of Serbia* (further regulation and implementation of deinstitutionalisation process, support natural family and prevent separation of children, conducting analysis to determine a package of minimum services available at the local level, determining prices for social welfare services in the community per beneficiary, implementation of programmes to enhance capacities of local self

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<sup>153</sup> Guide for the Provision of Social Welfare Services in the Republic of Serbia focusing on migrants (2018)

<sup>154</sup> Stated in all project Reports created for Serbia

governments, CSOs and other local actors, development of a functional system to monitor and evaluate the provision of social welfare services, completion of service standardization process and licensing of social welfare institutions and professional workers, regulation of procedure related to introduction of new services and defining new standards in the system of social protection, development of regional social welfare services, development of mechanisms for cooperation between institutions and organisations in social welfare with other systems and strengthening the role and position of centres for social work as the key institution of social welfare system);

- *Improve services to support migrants in the Republic of Serbia* (regularly update the existing system to inform migrants on their rights and available services, make sure that distributed information reach all migrants, engaging male and female cultural mediators, establishing reliable data base on migrant population through cooperation with relevant institutions, implement programmes aimed at sensibilisation of those working with migrants, strengthening the existing institutional capacities, develop programmes for psychosocial support to migrants, provision of comprehensive support to local communities in implementing the integration programme in accordance with effective regulations and inform and raise public awareness of the rights of migrants and involvement of media);
- *Intensify activities at regional level* (organizing regular events for peer review between the Western Balkan countries, establishing instruments for sharing experiences at conceptual and technical level, exchange of data and establishing permanent forum for discussions at regional level, support in developing regional projects at different levels, encourage regional networking of CSOs, improving monitoring and evaluation system at regional level, development of regional mechanisms for acquiring timely information on the position of migrants and conducting regional studies on specific issues related to the position of migrants).<sup>155</sup>

## **QUALITY OF SOCIAL SERVICES IN WESTERN BALKAN COUNTRIES- FURTHER IMPROVEMENT, CHALLENGES AND DIRECTIONS**

The outbreak of the COVID-19 pandemic is a global strike that has not bypassed the Western Balkans either. The pandemic has caused a strain on the health and social care system that has not been recorded in the countries of the Western Balkans so far.<sup>156</sup> Since the beginning of the pandemic, the EU has provided support to the Western Balkans for more than 3.3 billion euros to overcome the health crisis, to socio-economic recovery and to invest in businesses and the public sector.<sup>157</sup>

Shadow Reports relating to Western Balkan countries have concisely embraced the strengths, risks and recommendations related to impact of pandemic and state of emergency on vulnerable groups. A major challenge during this period is the impact of the pandemic on physical and mental health, job loss, lack of financial resources, great pressure on staff, weakening of social cohesion of families due to changed lifestyles and uncertainty and urgent need to provide maximum protective

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<sup>155</sup> Guide for the Provision of Social Welfare Services in the Republic of Serbia focusing on migrants

<sup>156</sup> European Commission, Report on Bosnia and Herzegovina for 2020, Communication on EU Enlargement Policy for 2020

<sup>157</sup> <https://www.consilium.europa.eu/hr/infographics/economic-support-to-western-balkans/>



equipment and measures related to the prevention of coronavirus, mitigation of consequences and prevention of its entry into social protection institutions for the placement of children.

On the so-called Balkan route, 14,734 illegal attempts to cross the border were reported during 2021, or 104% more than at the same time last year. The Western Balkan countries reported 2,900 such attempts in May 2021, which is twice as many as in May 2020.<sup>158</sup>

According to the data from June 2021, the total cumulative number (13 403) of new arrivals in 2021 is lower to the trends observed in 2020 (20 770) and 2019 (19 498) for the same period. Since January 2021, only 5 % of the 9 579 persons who expressed intentions to seek asylum have lodged asylum claims. Since the beginning of the year, 73 applications were rejected, and 1 659 asylum applications were closed after the applicants absconded the asylum procedure. In June the authorities in the Western Balkans region conducted 30 interviews out of which 46.7% were conducted in Serbia, and 20% in Bosnia and Herzegovina. The number of interviews conducted in June 2021 is higher than in June 2020 (26 interviews). At the end of June 2021, 467 decisions were still pending which is half compared to the situation in 2020. In 2021, 22% (115) of all applications have been submitted by women and 26% (136) by children, including 24 unaccompanied and separated children.<sup>159</sup> According to latest UNHCR data<sup>160</sup>(July 2021) total asylum applications in the Western Balkans since 2014 are 39 709. Number of total refugee status granted since 2014 is 287, total subsidiary protection status granted since 2014 is 329, total interviews in the region since 2014 is 1 857 and number of total cases rejected or closed since 2014 is 23 724. Regarding demographic figures at regional level in 2021, adults represent 92.4% in mixed migration and children represent 7.6%. During June 2021, there were 289 unaccompanied or separated children in the Western Balkans. Regarding gender, from total number of new arrivals in the WB in 2021, 89,3% are men, 3,1% are women, 5,8% are boys and 1,8% are girls.

As stated in the Regional Shadow Report, the EU should allocate *more funds for social projects in WB and continue to support civil society* as genuine partner in democratization, economic and social development, while also *building their capacities as social service providers including services to migrants*. Regional cooperation is essential for all WB countries. Recommendations refer to EU, Western Balkans generally and Western Balkans countries individually. For the level of EU it is recommended to increase financial support to WB for social projects while WB countries should pursue more vigorously institutional and administrative capacity building, create new measures and instruments related to social affairs in IPA III allocations for social projects and provide continued support to civil society in providing services and building capacities. For the level of Western Balkans, it is recommended to consider development of regional strategy for support to migrants and *consider the possibility of establishing an independent border monitoring system that would include civil society organizations*. For the level of Western Balkans countries individually, it is recommended to *strengthen administrative and human capacities* in the migration management chain, improve inter-institutional cooperation, improve coordination of all services at the local level, increase efforts and measures to integrate persons who are granted asylum or international protection, provide systematic and ongoing educational opportunities, improve system of protection of unaccompanied or separated refugee and migrant children, work

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<sup>158</sup> [https://www.euractiv.com/section/politics/short\\_news/twice-as-many-illegal-migrants-along-balkan-route-this-year/](https://www.euractiv.com/section/politics/short_news/twice-as-many-illegal-migrants-along-balkan-route-this-year/)

<sup>159</sup> UNHCR, RBE - Western Balkans - Asylum Statistics - Summary of key trends observed As of 30 June 2021

<sup>160</sup> UNHCR, Western Balkans - Refugees, asylum-seekers and other mixed movements, July 2021

against xenophobia and intolerance and towards increasing understanding of the human suffering of migrants by the local population and improve social inclusion, integration and reintegration.<sup>161</sup>

Identification of migrants specific needs, differentiation between various groups (refugees, unaccompanied minors, returnees, women and girls at risk, etc.), has to be significantly improved in all Western Balkan countries. *Referral mechanisms*, especially on the local level and in the local communities in most cases *do not exist and/or are not fully operational*. Western Balkan countries have its own social structure, different level of economical development and different history, but in process of facing with migrant crisis they share similar needs and challenges, such as *lack of capacities of institutions, importance of CSOs* as key players in the process of services provision and advocating more inclusive migration policies, *uncomplete legal framework* to deal with migrant crisis, *lack of migrant movements data*, need for *special protection of unaccompanied children in move, access to health services, improvement of Laws on Social Protection* and *better access to social services, lack of national funding, missing developing policies and strategies* and *need for training in area of crisis management*.<sup>162</sup>

As stated in Regional Guide on referral system/social service delivery for migrants, *role of Centers for Social Work* in each country facing with migrant crisis is extremely important. Employees of Centers for Social Work need additional education and trainings about *social work in crisis*, since this part of social work is not enough developed in WB countries. Centers for Social Work have lack of financial and material resources, dealing with work overload and during crises they should be focused on prevention, action and alleviating consequences. CSOs as key players in the process of services provision and advocating more inclusive migration policies are important. Some of the countries, such as North Macedonia, made migration profiles predictive for future period which is example of good practices and indicator of the whole system involved in migration crises. Cooperation among professionals in different areas and between countries was marked as one of the priorities in list of recommendation in Western Balkan countries. Different political structure of each country is also a challenge and its complicity will influence on level of rapidity in response on migrant crisis.

Regional GAP Assessment emphasized that Western Balkan countries lack the capacity to carry out policy-relevant analysis based on statistical research, lack of knowledge of the real needs of the migrant target group, lack of knowledge about the situation “on the ground” and the existing capacities of local CSOs are not adequately used. Further efforts are needed to promote stronger links between migration policies, social and welfare services and the work of the CSOs providing services focused on inclusion and integration of migrants. The EU concluded readmission agreements with all WB Countries. In addition, the WB countries have concluded bilateral readmission agreements between each other.

Same Assessment stressed that Western Balkans regional cooperation was enhanced and new strategic documents and action plans were adopted. Corona virus pandemic has highlighted the need for regional approach and strengthening of regional cooperation between relevant authorities and CSOs, especially through cross-sectoral cooperation. New and specific policies on the protection of vulnerable groups of migrants and the treatment of migrants in the context of the COVID-19 pandemic, are needed. It is necessary to have more efficient registration of migrants

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<sup>161</sup> Bobić, M. (2019). Regional Shadow Report, IRIS Network

<sup>162</sup> Anđelić, J., Zgonjanin, B. (2018). Guide on referral system/social service delivery for migrants- Regional overview, Initiative for Development and Cooperation

and a constructive regional solution for assessing the profiles of migrants in the WB region, to further improve border infrastructure and accommodation facilities of border points, increase logistical equipment and human resources, as well as further professional training. Also, it is stated that is necessary *to improve interpretation services*, especially for rare languages, and to provide interpretation services at the borders, in order to ensure access to information about rights and procedures for migrants and refugees in the first phase. It is needed to strategically *engage with a wide range of stakeholders*, to build new partnerships, to communicate for social change, to continue with support activities (especially psychosocial support) provided by CSOs, to ensure adequate shelters for victims and provide proper care to the most vulnerable groups of irregular migrants and to continue to provide and ensure humanitarian support to migrants and asylum seekers during COVID-19 crisis. Main recommendations are summarized into:<sup>163</sup>

- *Legal framework recommendations* (ratification of relevant conventions, harmonization of national legislations, further development and adoption of by-laws, regulations and procedures, continuous monitoring of legislative framework enforcement, defining special measures for protection of the vulnerable groups, developing protocols and mechanisms for identification of unaccompanied minors and continuation of activities regarding readmission agreements);
- *Institutional framework recommendations* (establishing protection sensitive migration management system, continue developing effective cooperation of all relevant actors, strengthening national and local capacities, developing joint unique and clear procedures/canals of communication, strengthening capacities of representatives of governmental institutions to deal with migrant crisis and develop emergency plans with clear responsibilities of all levels of government, strengthening response to migration at municipal level, increase of governments budgets for realization of strategic documents, modernization of border management equipment and infrastructure, establishing reliable data base on migrant population, increase of the efforts in investigation of cases of trafficking, ensuring continuous involvement, partnership with CSOs and structured dialogue in the area of migration);
- *Support system to migrants* (improvement of infrastructure and organization of services at crossing points, organization of coordination meetings with relevant stakeholders, increase the number of human resources, better access to information, provision of interpreting services, improvement of living conditions in all types of accommodation, opening specialized accommodation of vulnerable migrants, fostering activities to accommodate children under custodian protection in alternative accommodation, strengthening the role of CSOs as service providers, enabling more trainings, improving integration of migrant children in education system, strengthening capacities of educational institutions employees, provision of evenly healthcare, fostering efforts to involve kindergarten age migrant, asylum seeker and refugee children into formal education, enhance of the mental health services and specialized support and fostering improvement of support and employment possibilities for asylum seekers and other beneficiaries of international protection);
- *Raising public awareness on the rights of migrants* (conducting researches about public opinions and creation of measures of prevention, support initiatives aimed at promoting

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<sup>163</sup> IRIS Network, Regional GAP Assessment on the current situation in service provision for migrants with Recommendations: Albania, Bosnia and Herzegovina, North Macedonia, Montenegro and Serbia

social cohesion and educational programs in school and community, support and involve local population that offers help, improving the process of integration and reassessment of the guidelines for media in reporting on migrants).

## **FIELD RESEARCH- KEY FINDINGS**

Research<sup>164</sup> conducted among social protection institutions, civil society organizations and social service beneficiaries in Bosnia and Herzegovina, Serbia, Montenegro, Albania and Northern Macedonia identified needs, challenges and opportunities for improving social services for vulnerable categories in Western Balkans. The research is divided into three areas: area of improvement of social services, migration management area and area of development of profession and professionals in the social protection system. (Annex 3)

### **INSTITUTIONS**

#### *AREA OF IMPROVEMENT OF SOCIAL SERVICES*

Given that social protection institutions perform the most complex tasks in this sensitive area, the challenges they face in their daily work with vulnerable categories are *the inability to help everyone even though there is a need* (due to finances or inadequate legal framework), the inability of professionals to react in certain situations if they are not recognized by law, *overburdened with bureaucracy, insufficient material resources*, lack of counseling by groups of problems, *small number of licensed services in the community* that are prevention of institutional care, insufficient daily services (especially for the elderly), lack of shelter for people who in an absolute state of social need, the need for better regulation of the field of guardianship, lack of professional workers and social services in the community, *inadequate working premises*, limited accommodation capacities in institutions and shelters, insufficiency of adequate accredited educations, a lot of competencies, large scope of work and *little usability of electronic databases*. Challenges also listed by the institutions are providing long-term housing, employment and job stability, movement of cases in different municipalities, lack of services provided by local government (services are mainly provided by cooperation with NGOs operating in the area) and lack of a dedicated budget for case management. Representatives of Center for Asylum Seekers as challenges pointed to legal barriers to the speed the reaction of asylum institutions and lack of capacity.

Representatives of the institutions pointed out the fact that exercising rights and services as well as strengthening capacities and empowering beneficiaries to solve challenges independently implies developed rights and established sustainable services, primarily in local self-government units, as well as on the territory of the country. When the basic conditions are met, institutions face a shortage of staff, and often services that are provided in limited capacity and timeframes. The services provided by the projects are usually of limited duration and after the termination of the project they are usually no longer provided. A special challenge for professionals are the standards and norms for certain services that are set high and are not achievable with the existing staff and other capacities. A particularly aggravating circumstance is the lack of certain services that are necessary to support citizens.

The process of standardization of social services and licensing of social service providers in the Western Balkans is in various stages. Respondents from *Bosnia and Herzegovina* indicated that

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<sup>164</sup> A total of 30 questionnaires were sent to Western Balkan countries (10 to institutions from area of social protection, 10 to civil society organizations and 10 to beneficiaries of services provided by civil society organizations).

there is still no activity in this field (only the field of foster care in both entities is regulated in a way that resembles an attempt at standardization and licensing), and that it is necessary to develop standards that must be respected and implemented and it is necessary to establish a body that would issue licenses for the provision of social services and determine the competencies and capacities for the provision of certain services

Respondents from institutions from *Serbia* pointed out that the process of standardization of social work services is stalled, that there are bylaws regulating this area but that further development and response of the profession to the needs of citizens has not continued, that local governments have the opportunity to develop and standardize services according to the needs of its citizens, which is very rarely used in practice. They also pointed out that the existing Rulebook on Standards was defined with very high criteria, which resulted in a small number of licensed service providers, ie that the expected market development and pluralism of licensed service providers did not occur. It was pointed out that the capacities for professional supervision of social service providers are insufficient, that there is a lack of systematic monitoring of the quality of service delivery, that standards have not been adopted for certain services and that the financing of services is often unclear.

Respondents from institutions from *Montenegro* stated that the competent Ministry of Finance and Social Welfare actively deals with issues of standardization and licensing in order to raise standards in the areas of social and child protection as well as the expertise of employees in this field, and that all professionals have passed the exam and obtained a license to operate, and institutions engaged in the provision of services in the field of social and child protection are licensed. Based on their knowledge, a large number of organizations have obtained or are in the process of obtaining a license to provide certain services.

Respondents from the institutions from *Albania* stated that the process of standardization of social services is the competence of the State Social Service which through the Directorate of Social Services monitors residential, non-residential, public and private social care institutions to meet the approved standards. They also state that the legal basis is very well defined and that they have no difficulties in terms of legislation regarding case management and emphasized the fact that they are at the stage where the local government is being encouraged to raise the basket of services through the application within the social fund, in addition to the allocation from its own funds. The trend is towards a multifunctional approach to service delivery.

Respondents from institutions from *North Macedonia* stated that the adoption of the new Law on Social Protection provides a framework for standardization of services, their licensing and licensing of appropriate staff. The Institute for Social Affairs is an institution responsible for overseeing the implementation of standards. Many bylaws have been developed so far for defining standards and licensing of services.

From the above it can be concluded that in the Western Balkans instruments that enable the development of licensing and standardization exist or are recognized, there is a will to improve this area, and that from internal relations in each country and its social order depends the development of social protection systems (for example social order in Bosnia and Herzegovina and insufficient resources to start licensing and standardization processes).

The existence of a database/social map is a prerequisite for planning the development of social services and monitoring the needs of citizens in local communities. Respondents from institutions pointed out that in their daily work they use only their official records, that they do not have social

maps (only a few municipalities are starting these activities) and that they cannot adequately monitor the needs of citizens because they do not have the capacity for professional preventive work, and that problems are not prevented but solved (*Bosnia and Herzegovina*), that planning the development of social protection services is based on the review and use of data that the center for social work has in its records, that the employment of professional workers who would deal with analysis and planning has not yet taken root, but due to the reduction of employment in the public sector, most social work centers are in trouble to ensure regular work and functioning in accordance with law and other regulations (*Serbia*), that they still do not have a social card on the basis of which they could monitor the needs of all citizens, but that they have an electronic social card in which there is information about beneficiaries, types of work and provided material benefits and services (*Montenegro*), that they have a social map on the basis of which the development of social services is planned and that map is updated annually, reflecting any new services that may be offered or services that have been offered but for one reason or another are no longer offered and data is also sent to the Regional Directorate of State Social Service at the central level, navedeno je i da that municipality of Tirana has drafted as an internal documentation a map of services at the local level and in 2021 and the needs assessment of vulnerable groups was carried out (*Albania*), that the Ministry in charge regularly develops and implements development strategies and service mapping in coordination with Institute for Social Activities and that they have data basis regarding services they provide and beneficiaries (*North Macedonia*).

Based on working with vulnerable categories, institutions recognize opportunities to innovate/ increase the coverage of social services, but also opportunities to develop new social services.

*Respondents listed the following social services that need to be innovated/ increased coverage:* informing beneficiaries about social protection rights, making social maps, professional social work with vulnerable groups and individuals, social monitoring of families with difficulties and expressed social needs (*Bosnia and Herzegovina*), increase the capacity of day care centers (for all ages of persons with disabilities), increase the capacity of the Help at home service for adults and the elderly, further develop and increase the capacity of supported housing services, increase coverage with Help at home services in rural areas, innovate and increase coverage of service accommodation in the Shelter and personal companion service, create legal frameworks for the provision of certain services at the regional level (*Serbia*), increase the accommodation capacities of shelters for the elderly and shelters for children victims of domestic violence, as well as accommodation capacities for adults and the elderly children with disabilities (*Montenegro*), day care centers where specialized services can be provided, for children in conflict with the law, cases of violence and abuse (*Albania*), services addressing a wide range of needs identified by determining the best interests of children, services for unaccompanied minors and all inclusion topics can be supported with additional facilities (*North Macedonia*).

*Proposals for new social services:* Family mediation, early intervention, integration into the education system (children of vulnerable families), organized social housing (old and sick people who have their own homes but need a certain service), help at home, day centers (*Bosnia and Herzegovina*), counseling centers (for marriage and family, for young people with disabilities, for children in the social protection system, for young people with delinquent and antisocial behavior, etc.), services of personal assistants for people with disabilities, work centers or work organizations for engagement of persons with disabilities, day care for the elderly with and without accommodation, adolescent clubs, family counselor, treatment of perpetrators of domestic violence (*Serbia*), shelter for victims of violence, development of social educational and

counseling services, development of unrelated foster care and family accommodation (*Montenegro*), development of foster care, daily services for children/ youth using narcotics, family services, alternative care (*Albania*). It was emphasized that special monitoring and evaluation of services should be envisaged. All respondents stated that it is necessary to increase the coverage of daily services in rural areas.

When it comes to quality control of social services, representatives of institutions pointed out that there are no prescribed procedures for measuring the quality of services they provide and that they measure it only through checking compliance with legal procedures and partial beneficiary satisfaction (*Bosnia and Herzegovina*), that the Centers for Social Work do not have the authority to control the quality of services, but the social inspection (occasionally), but that the Centers point to the need to control the quality of services and monitor the implementation of service in which the beneficiary participates, that there should be external control and evaluation by professionals and accredited organizations (*Serbia*), that there is control within the institution by the management as well as control by the competent inspections and the competent ministry, and that the Center monitors the quality of service provision through direct insight, based on communication, through mandatory training and support (*Montenegro*), that the quality control of services is the competence of the State Agency for the Rights and Protection of the Child and only services that are provided are those in cash, so it is not possible to talk about quality control of social services, in the absence of their provision (*Albania*), quality control and supervision of the realization of the provided services is in responsibility of the Institute for Social Affairs (*North Macedonia*).

In the process of developing and providing social services, institutions have various forms of cooperation with other sectors and civil society organizations.

Cooperation with education and health systems is assessed as insufficient, and it is pointed out that when it comes to social services, other systems consider that it is only an obligation of the social sector and sporadically establish cooperation, more with individuals than with sectors and that constant cooperation is present only in situations when it is mandatory, and when it comes to civil society organizations, cooperation is assessed as insufficient, but better than with governmental organizations (*Bosnia and Herzegovina*), multisectoral cooperation exists in practice, but the separation of the systems is still felt, there is cooperation with CSOs through joint projects (*Serbia*), have excellent cooperation with all sectors as well as with civil society organizations, in some communities there are still no licensed organizations providing social services (*Montenegro*), have close cooperation with institutions such as education, health, police, etc and services are provided within the multifunctional approach through the division of responsibilities and the provision of services by institutions at the local level, and close cooperation with civil society organizations which are the main service providers in the context of social care services (*Albania*), da sarađuju sa različitim sektorima and are included in appropriate working groups and also with licenced service providers, as well as international organizations that support the development of the social protection sector (*North Macedonia*).

Respondents also pointed out that through various activities they try to contribute to better provision and development of new services with integrated model and pointed out the importance of constant two-way communication with the city administration in order to develop new services.

Regarding the possibility of exchanging experiences with other centers for social work within country and abroad, which are an example of good practice in the process of providing and

monitoring the quality of social services, respondents stated that they exchange experiences and consider cooperation with other centers most within the country, sometimes abroad, that they do not have official channels of cooperation, but that they try to exchange information with colleagues from other centers, and that this is the right way for self-assessment and development and improvement of new ideas and existing practices, especially within the framework of achieving or maintaining EU standards.

The coronavirus pandemic affected the work of institutions from the social protection system, as well as the beneficiaries of social services in the countries of the Western Balkans, which required additional personal engagement of employees and institutions during the pandemic. Communication with beneficiaries was reduced and the need for social workers to stay in the field and in direct assistance to beneficiaries increased, social work centers were rarely involved in crisis headquarters, the introduction of a state of emergency and accompanying measures led to many problems in accessing social protection services, pandemics has further complicated the already complex situation in the whole country and in the institution and some had a large number of infected people and the organization of work from home with online communication.

#### *MIGRATION MANAGEMENT AREA*

The involvement of institutions in supporting migrants/ refugees/ unaccompanied children depended primarily on whether they were in the territory under their jurisdiction.

Respondents from institutions in Bosnia and Herzegovina stated that their institutions were not involved in providing support because migrants did not stay in their territory. Respondents from institutions from Serbia were also not involved in providing support to migrants, as there were no migrant centers on their territory. Respondents from institutions from Montenegro were involved in providing support, and stated that in their municipality (Danilovgrad) there is an institution for asylum seekers and a shelter for victims of trafficking, so their Center for Social Work is actively involved in providing support to these people. Respondents from institutions from Albania also stated that they provide support to migrants and they specified the form of support in a way that child protection units carry out socio-economic assessment of cases of unaccompanied children migrating from Albania to Western European countries following the request of the host countries to Albania. Respondents of institutions from Northern Macedonia emphasized that the centers for social work are direct service providers and that the competent Ministry with the support of IOM, cooperates with external collaborators to provide services within the reception transit centers. One respondent was the institution which provides accommodation and support for asylum seekers.

Based on the findings of the representatives of the institutions on whether the centers for social work in their countries provided support to migrants/ refugees/ unaccompanied children, they have information about providing help but believe that the Centers are either not included or insufficiently included, that there are not enough records and observations of family and individuals, that the centers provided support especially when it comes to guardianship of unaccompanied children and that the centers were the main carrier of the implementation of all rights and services intended for the protection of refugees, migrants and unaccompanied children.

Regarding the existence of protocols on treatment and assistance to vulnerable migrants and refugees at the level of local communities in the Western Balkans, respondents from institutions in Bosnia and Herzegovina and Albania stated that there is no such protocol in their local communities, representatives of institutions from Montenegro stated that protocols exist at the national level and that in places where there are institutions dealing with migrant issues and that



there are clearly defined protocols on treatment, representatives of institutions from Serbia said for one local community that there are no existing protocols, and for the other that there is a multisectoral protocol that was signed for preventive reasons, one respondent from *North Macedonia* stated that such protocols exist, other respondent stated that they do not exist.

Adequate protection of migrants and other vulnerable categories is a challenge that requires numerous resources and daily activities in order to develop the overall social protection system in the countries of the Western Balkans. It is necessary to accept migrants with minor children in the areas where they are found, to record them by taking basic input data and to take care of them in an adequate way (*Bosnia and Herzegovina*). It was pointed out that it is important to maintain a decent level of standards in dealing throughout the country, better organize reception, accommodation and transit through the country, strengthen staff, provide continuous education, provide funding and cross-sectoral cooperation (*Serbia*). It is necessary to provide more accommodation capacities, adopt clear protocols on the actions of all involved actors and educate members of certain systems on their application (*Montenegro*). It is necessary to provide direct and long-term services, establish services based on the provision by the local government directly and not by cooperation with organizations and also inversely, if the local government can not offer the provision of services, then NGOs can provide it as a service (*Albania*). It is necessary to provide facilities for short-term and temporary reception of unaccompanied children - so-called Swedish model with the possibility of unaccompanied children to be cared for regardless of status or recurrence of residence, various protocols, laws and raising public awareness are needed (*North Macedonia*).

To successfully respond to the migration process, it is necessary to know the area, identify and adequately respond to the needs of refugees and vulnerable groups. Representatives of institutions from the Western Balkans recognized the complexity of this area and the need for additional knowledge in order to adequately respond to the needs of these vulnerable categories and move closer to EU standards. They also pointed to the need for more field work.

#### *AREA OF DEVELOPMENT OF PROFESSION AND PROFESSIONALS IN THE SOCIAL PROTECTION SYSTEM*

Regarding the *possibility of continuous professional development of employees in institutions*, respondents stated that there is no continuous professional development and that they have the possibility of professional development by attending seminars mainly organized by civil society organizations on topics of their choice or self-initiative training (*Bosnia and Herzegovina*), that they strive to have as much education as possible, but that they are limited by financial resources and insufficient number of people, that professional training is conducted in accordance with the financial plan and recognized needs of the institution, that the Professional Development Plan envisages attending primarily those trainings accredited by the Republic Institute for Social protection, that they support the individual advancement of each employee (*Serbia*), that all employees have the opportunity for professional development, but that the issue is burdening all professionals with existing obligations, scope and type of work, that the Institute for Social and Child Protection organizes a number of trainings in the field of social and child protection, as well as trainings organized by the civil sector (*Montenegro*), that they had the opportunity to participate in a series of seminars or capacity building trainings in the field of case management of children in need of protection, provided by organizations, institutions at the central level and international partners (*Albania*) and that they have the opportunity for continuous professional development

within the Institute for Social Affairs and that trainings require financial resources (North Macedonia).

Given the complexity of the work and the daily workload of institutions in the Western Balkans, it is questionable whether they have enough time to engage in preventive and innovative activities in the field of social protection. Due to the high workload of administrative work, the small number of employed professionals, the large number of cases and the lack of financial resources, there is very little time for preventive and innovative activities. Representatives of social work centers actively participate in working groups, seminars, trainings and in the development of strategic and other documents for the field of social policy.

Improving the work of institutions and the quality of social services in local communities in the Western Balkans implies the existence of certain factors that are a prerequisite for the existence and sustainability of social services. It is necessary to increase the number of skilled workers, to establish Institutes for Social Protection where they do not exist yet, to provide monitoring and evaluation of all existing services individually, to provide adequate working space for employees and their continuous education, to develop new social services, standardize the number of cases per case manager, follow modern trends, improve the use of innovative digital solutions, involve the academic community, improve international cooperation and join various European networks of institutions.

## **CIVIL SOCIETY ORGANIZATIONS**

### *AREA OF IMPROVEMENT OF SOCIAL SERVICES*

Analyzing the social services provided by civil society organizations from the Western Balkans, it can be stated that they provide various social services to vulnerable categories: counseling services of various professionals- psychologists, social workers and special educators, personal hygiene, free legal aid, one-time humanitarian aid, mediation, economic empowerment programs, radicalization and violent extremism prevention programs, programs to improve the mental health care system of refugees, migrants and asylum seekers, day care centers for children at risk, counseling, emergency accommodation for women and children victims of violence, psychosocial support, reintegration services for victims of trafficking, exploitation and abuse, confidential persons service, legal representation of asylum seekers (in Serbia), empowerment and improvement of the quality of life of individuals from vulnerable groups, psychological interventions, educational programs and support, advocacy, humanitarian and legal aid, trainings life and career in order to facilitate later employment.

The target groups of social service beneficiaries provided by civil society organizations from the aspect of their vulnerability are also diverse: socially vulnerable persons, victims of violence, victims of trafficking, exploitation and abuse, persons at various forms of risk, children with behavioral problems, homeless people, refugees, migrants and asylum seekers, children and youth without parental care/unaccompanied, children and families who have a low economic status and beneficiaries of psychiatric services.

Respondents from civil society organizations in the Western Balkans also pointed out that the process of standardization of social services and licensing of social service providers is at different stages.

In *Bosnia and Herzegovina*, the process of standardization of social services and licensing of social service providers has not yet begun. The fragmentation of social protection in Bosnia and

Herzegovina results in an uneven system of social services, which leads to the unequal position of persons in a state of social need in the country. Standardized social services in the existing positive regulations are not harmonized, are not sufficiently elaborated and explained, and the participation of NGOs as providers of social services is limited to certain services. In *Montenegro*, more and more civil society organizations are licensed and go through the process of standardization of social services, but there are also a number of organizations that do not want to be licensed, or do not meet the requirements of the rulebook and require very high standards and a lot of money. For a large number of social protection services (eg daily community services, support services for independent living and accommodation services) in *Serbia*, the process of standardization and licensing of social service providers runs smoothly and this is enabled by bylaws. In Serbia, research on mapping of social protection services under the jurisdiction of local governments in country is regularly conducted, which contributes to further development of non-institutional forms of protection, development of pluralism of service providers and integrated social protection services. A major challenge is the fact that the licensing process for some services still is not completed at the country level. In *North Macedonia*, all social workers must be licenced by the Ministry for labor and social work and therefore, can be employed in the non-governmental sector with proper licencing. Standards and procedures for social service providers are issued by the Ministry for labor and social welfare. Representatives of civil society organizations from *Albania* believe that all service providers follows strictly rules of service provision. In regards to licensing of social service providers, the procedure is still unclear. Ministry of Health and Social Protection, Social Services and ADISA, all three are in charge of licensing, however, in regards to social services none of them seems to provide assistance on licensing or the documents needed to obtain a license on social services provision. Domestic legislation regulates standards for different categories of beneficiaries.

In the licensing and standardization processes, civil society organizations from the Western Balkans face numerous challenges: the processes are long, unclear, slow, require numerous corrections and are financially extremely demanding, there are a large number of procedures, licensing regulations are complicated (if any), the cost of the service per beneficiary is extremely low, licensing and standardization processes for some services are not yet complete and it is challenging to obtain a license in the time of the pandemic.

Quality control of services provided by civil society organizations is measured through constant communication with beneficiaries, counseling, field visits, focus groups, evaluations, internal quality control of social services they provide, through various forms of internal and external forms of monitoring and evaluation, internal and external supervision, through research work and trend analysis. As an internal mechanism, some organizations established technical group called Standards Monitoring Group for monitoring the standards and the policies (Albania). Through these mechanisms, civil society organizations are able to provide continuous review and monitoring of various aspects of the system of protection and support of vulnerable categories.

Representatives of civil society organizations listed the *following social services that need to be innovated/ increased coverage*: day care centers for children at risk and for the elderly, counseling centers, shelters for women victims of violence, services dedicated to the children of victims, services for economic empowerment and reintegration of victims, improve the approach to service delivery by focusing on the interests of victims, license counseling services in all cities, social housing, access to social assistance, the amount of money received under different social benefits rights, expand activities related to the integration into the local community not only of refugees

but also of other vulnerable groups, such as children without parental care and beneficiaries of psychiatric services, educational services, health services, child protection in emergencies, youth education on violent extremism.

*Proposals for new social services:* support for distance learning, improvement of existing referral mechanisms for protection of child safety, Shelter for children without adequate parental care and/or at risk of becoming victims of crime, Maternity home for pregnant women and mothers with children up to one year of age, safe house for children victims of violence (specialized), shelter for adult homeless people (*Bosnia and Herzegovina*), opening of shelters and crisis centers in the south and north of Montenegro, establish a Center for women and girls with rape experience with trained staff to work with this vulnerable group, find new solutions for children victims of human trafficking (*Montenegro*), program for Mentorship in employment for refugees and asylum seekers residing in the Center for reception of asylum seekers in Skopje, social benefit rights for single parents families (*North Macedonia*), services that would rely more on models social entrepreneurship, work engagement and empowerment of users from vulnerable groups, which would encourage but their integration, self-confidence and increased sustainability of services (*Serbia*), family empowerment, digitalization of social services, social services for male victims of trafficking- adults and children, centers for victims of trafficking who have mental health problems (*Albania*).

Cooperation of civil society organizations from the countries of the Western Balkans with other sectors, and especially with the centers for social work, is of great importance for the improvement of social services and the best interest of all beneficiaries.

Organizations develop cooperation with various levels of government, institutions and civil society organizations, with international organizations, cooperate with educational and health institutions, work together in working groups and implement various programs, cooperate with centers for social work in terms of service development and beneficiaries interest, have signed various memoranda and work to improve refugee support systems, adequate psychological support and monitoring.

The intensity of the improvement of the social protection system in the countries of the Western Balkans largely depends on *the communication that civil society organizations have with policy makers and the support they receive in the development of social services.*

Civil society organizations assess the communication they have with policy makers in different ways, some assess it as very good, but also insufficient, especially in terms of financial support, they believe that policies are more focused on repairing the consequences without adequate action on the causes, people in positions of power often change and number of educations is insufficient. Some of the organizations have communication strategies and point out that their comments have been included in the drafting of various strategic acts and that they are very active in advocating.

The Analysis showed diversity in responses when it comes to the possibility of exchanging experiences with other organizations that are an example of good practice in the process of providing social services and monitoring their quality. Some organizations are active in a significant number of networks at national, regional and European level (emphasizing the importance of membership in the IRIS network, which provides rich opportunities to share experiences and improve capacity to provide social services) and they participate in trainings, study visits and various conferences. A greater degree of cooperation with local organizations was expressed in relation to international ones.

The corona virus pandemic has affected the work of civil society organizations in the Western Balkans, but also the beneficiaries of the social services they provide. Some organizations have had extensive experience in emergency interventions, distributed humanitarian aid packages and implemented innovative programs, recorded an increased number of cases of domestic violence and made great efforts to provide support in food and hygiene products. The pandemic deepened social problems and organizations have faced a financial crisis and a shortage of projects. During the pandemic, organizations aligned their work with the emergency situation and revised the way they work in new circumstances in a way that makes them accessible to beneficiaries (some worked 24/7).

#### *MIGRATION MANAGEMENT AREA*

Most CSO respondents from the Western Balkans were involved in providing support to migrants/ refugees/ unaccompanied children. Involvement took place primarily through humanitarian and information-referral activities of mobile teams, organization of local language courses, distribution of vouchers and hygiene packages, educational-integrative workshops, provision of accommodation for victims of violence, counseling, legal advices and legal aid to refugees, migrants, asylum seekers, stateless persons, psychological support services for refugees, migrants, unaccompanied children and asylum seekers, conducting workshops, psychological assessment services for asylum procedures, raising awareness of the general public about the problems facing the refugee population, through providing humanitarian aid and legal counseling, mentorship program for employment of refugees and asylum seekers and psycho-social support for women from refugee and local population. Some organizations were present in the transit centers and Center for asylum seekers.

Also, civil society organizations are in most cases aware of the existence of local and international organizations that provided support to this population, and pointed out that support is provided within reception centers where is the largest number of migrants, while in transit areas organized support is not sufficient. Some organizations pointed out that country bodies generally have an ignorant attitude towards this population, while organizations work in informal and insufficiently defined coordination (Bosnia and Herzegovina). Numerous organizations from the Western Balkans that provide various forms of support are listed: NGO Open Center "Bona Fide", Pljevlja, Red Cross of Montenegro, NGO Legal Center, Civic Alliance (Montenegro), Belgrade Center for Human Rights, APC, PIN (Serbia), Red Cross, Macedonian Association of Young Lawyers, Legis (North Macedonia), Terres des Hommes and Nisma per nderyshim shoqeror Arsis (Albania).

Civil society organizations from the Western Balkans believe that *in order to improve and adequately protect migrants and other vulnerable categories*, it is necessary to adequately assess needs, improve accommodation and living conditions in reception centers, distribute the burden of the migrant crisis throughout the country, provide humanitarian minimum and full access to health care in transit areas (*Bosnia and Herzegovina*), develop and implement training programs for civil servants and employees, establish gender-based statistics and reporting, strengthen the capacity of CSOs and include them in all aspects of providing services and support to all groups of beneficiaries in the field of migration, implement activities in the field of fight against discrimination and xenophobia, improve social inclusion, integration and reintegration, establish an IT system for monitoring migration flows and identifying vulnerable categories in line with EU standards and best practices (*Montenegro*), improve cooperation and communication between the governmental and non-governmental sector, amend the Law on Asylum, improve the system of integration of refugees and other vulnerable categories into the community (*Serbia*), provide

available funds for enforcing the existing system to respond to migrants and vulnerable categories, trainings, equipment, access to services, revision and implementation of the Strategy for integration of refugees and foreigners, faster judicial procedures, better representation and translators in court proceedings, asylum procedures have to be individualised and readmission legislation fully respected, asylum requests need to be registered without any delay, asylum procedure need to take in consideration all the circumstances of the asylum seeker, Law on international and temporary protection needs to be synchronized with the EU directives, administrative courts need to hold public hearings, respect the deadlines enshrined in the legislation, migration detention must be revised by a court while children must not be subject to immigrant detention, early integration of asylum seekers is needed while children refugees/migrants located in the reception centers must be included in the formal education process (*North Macedonia*), reduction of inequality with the society in which they are due to the migratory situation, improving daily living conditions and setting up reception centers for legal migrants in country, improve the conditions for the implementation of well-structured government policies and increase reintegration services and accommodation capacities (*Albania*).

All employees in civil society organizations who participated in the research are *sufficiently familiar with the area of support for vulnerable categories and migration* and that *they can recognize and adequately respond to the needs* of refugees and vulnerable groups of migrants. Team members of the organizations underwent various trainings (mostly with the support of donors), and it was indicated that for new hires it is always necessary to provide adequate knowledge transfer within the organization or appropriate external training. It was also pointed out that any additional knowledge would certainly contribute to the better work of organizations. In some organizations, clinical supervision is provided with the aim of recognizing and adequately responding to the needs of refugees and vulnerable groups of migrants, and the appearance of secondary traumatization is pointed out, which often occurs in helpers who are in daily contact with traumatized people. Also, some organizations conduct trainings for legal professionals and young lawyers on legal protection of migrants, asylum procedures, international legal standards and migrant rights.

#### *AREA OF DEVELOPMENT OF PROFESSION AND PROFESSIONALS IN THE SOCIAL PROTECTION SYSTEM*

All respondents from civil society organizations in the Western Balkans stated that employees in their organizations have the opportunity for continuous professional development, that they use all opportunities for capacity building, that training plans are part of the organization's annual work plans and are conducted from organizational resources and from other subjects and that they attend a large number of trainings in the country and the region. Some of the organizations have regular clinical supervision and organize professional trainings for other organizations. Also, some of the organizations developed and implemented several projects that are focused on capacity building and improvement of social services provided by the staff of the organization.

Given the complexity of the social protection system and the diversity of needs and the number of beneficiaries, employees of civil society organizations in the Western Balkans manage to find time to engage in preventive and innovative activities in the field of social protection, inform the public and beneficiaries about their rights, conduct various trainings, use their expertise and many years of experience to explore new possibilities, write new projects aimed at creative solutions in the community and in accordance with the possibilities employ external professionals and adapt to new situations. Respondents pointed out that they recognize the importance of preventive activities

and social innovations, and cite as a difficulty the lack of funds for the implementation of innovative services and information and educational campaigns.

The Analysis showed that in order to improve the work of civil society organizations in the Western Balkans and the quality of social services they provide, it is needed support in advocating for sustainability, capacity building and improvement of social services, a quality legislative framework that will recognize and clearly define social services and sustainable financing system (*Bosnia and Herzegovina*), financial resources for working with employees and prevention of burnout syndrome, organizing study visits to organizations in the region and internationally in order to gain and apply new experiences in existing services and develop ideas for innovative services, adequate work space with beneficiaries (*Montenegro*), permanent sources of financing the work of organizations and projects for direct support to vulnerable individuals, impact on donor regulations related to covering the costs of human resources (*Serbia*), sufficient staff, cooperation with companies and possible employment of local population in aim to decrease number of people living bellow the poverty line (*North Macedonia*), newer methods regarding migration and refugees processes, use of best methods of field work, increase financial support from sustainable financial sources to cover and expand the social services provided according to the needs of the beneficiaries, improve the legal position in terms of safety and status of employees who provide social services and protect vulnerable categories (*Albania*).

The Analysis also pointed out the challenges in improving the access of beneficiaries to rights and services that are not provided by civil society organizations, but are within the competence of institutions, the importance and need to develop funding plans for specialized services and the need to increase activities integration of people from vulnerable groups. Also, it is stated that the controls of social inspection are frequent, as well as extremely high requirements for standards in work, in contrast to the attitude towards public institutions of a similar type. It was pointed out that during the pandemic, there was a visible unwillingness of country authorities to provide adequate support and protection to victims of violence in the form of ignorance of laws and existing procedures, especially when it comes to police services that go to the field (Montenegro).

The respondents emphasized the fact that an improved integration system would provide greater independence of beneficiaries, which would improve their mental health and well-being and further influence the creation of sustainable social and economic solutions in the local community. It was pointed out that the provision of social services must be accompanied by quality legal assistance and representation, and for this purpose organizations are often unable to provide funds. Working directly with beneficiaries and involving them in decision-making is considered the only way to ensure changes based on data and needs that will lead to the creation of a system that is sensitive to the real needs of individuals.

## **BENEFICIARIES**

Of the total number of respondents using social services provided by civil society organizations from the Western Balkans, 71% are female and 29% are male. One respondent belongs to the population of children under 18 years of age and others in equal percentages belong to the middle-aged population (36-64 years) and the population of adolescents and young people (18-35 years).

Social services provided by civil society organizations, beneficiaries use a minimum of 1 month and a maximum of 13 years, and most often they use counseling, assistance in accessing the rights to social protection, legal aid, support regarding submitting requests for exercising different social

rights, health insurance, support for school attendance and mastering materials, food services, workshops, hygiene maintenance services, empowerment, humanitarian aid, legal counseling and psychosocial support.

All service beneficiaries stated that they are very satisfied with the support they receive from the professional teams of civil society organizations whose services they use, that it means a lot to them and their families and that they feel great gratitude. It is also highlighted that organizations connected beneficiaries with humanitarian organizations and offered help regarding their financial vulnerability. Also, all beneficiaries stated that they would not change anything when it comes to activities and social services provided by CSOs, that they feel positive changes after using the services, that they love working with the same staff and that it means a lot to them that organizations ask them for opinion and their needs.

The level of beneficiaries satisfaction with social services provided by civil society organizations is a good indicator of the quality of social services, the commitment of staff, the work of the organization and its further development.

The analysis of theory and practice pointed to the need for further improvement in the field of social services, migration management and the development of profession and professionals in the social protection system in the Western Balkans. Professionals need support to have sufficient capacity to empower vulnerable categories and it is necessary to facilitate for civil society organizations all procedures related to the licensing, provision and sustainability of social services, institutions need management that recognizes and adequately responds to social needs in their local community and that advocates for improving the work of the institution in every aspect. Policy makers in social protection systems need to lobby at higher instances for larger social protection budgets and to promote the multiple benefits that a strong social protection system brings.

## **CONCLUSION**

At the same time, various social, economic and political processes are taking place in the countries of the Western Balkans and affect their mutual relations and relations with the rest of Europe. The results of these processes affect the continuity and direction of development of social policies of these countries, but also the adequacy of protection of vulnerable categories. From a theoretical and empirical point of view, Balkan briefings pointed to the fact that the countries of the Western Balkans need further support from the international community in order to successfully achieve many set goals and be able to provide social security to their citizens and all who reside in the territory of these countries.

On the way to further social development of the countries of the Western Balkans, many activities have been started, but most are still in the definition phase. Bearing in mind the numerous challenges these countries have faced in the past, for better protection of vulnerable categories, it is needed to involve more policy makers, to provide financial resources and to ensure human and material resources.

The process of standardizing social services and licensing social service providers is long and in some countries has not even begun. Strong legal framework, sustainable databases, regular quality control, empowered and motivated professionals, continuous professional development, standardization, licensing and accreditation, enough financial resources and the existence of public



awareness about importance of strong social policy are just some of the preconditions for further development of social services in Western Balkans countries.

In the forms in which they exist, social services should be further innovated and expanded, and civil society organizations and institutions in the field of social protection in Western Balkans have given numerous proposals for new social services, in relation to the needs of their beneficiaries, but also in accordance with knowledge and development in the area of social protection.

In all activities concerning the protection of vulnerable categories and migrants, refugees and unaccompanied children, cooperation of all relevant systems and exchange of experiences is imperative. The crisis caused by the COVID-19 virus pandemic has shown that civil society organizations in the Western Balkans are well organized, have responded adequately and have a great deal of knowledge in the field of crisis management. Also, from the aspect of the activities of institutions during the pandemic and having in mind the numerous competencies and the number of beneficiaries, the burning problems were pointed out, which primarily refer to the risk of professional burnout of already overburdened professional workers. The great involvement in providing support to migrants/refugees/unaccompanied children in the Western Balkans and an adequate response to their needs, once again showed the exceptional commitment of civil society organizations to improve the position of all current or potential beneficiaries, but also society as a whole.

Given the complexity of daily work and the areas in which they operate, it is necessary to enable civil society organizations and institutions to act preventively, and not only respond to the consequences, which is unfortunately the reality in many societies (which requires more staff, more resources and more available time). In the process of reforming the social protection system and social services, it is necessary to provide adequate and greater support to civil society organizations, facilitate licensing processes, standardize social services, connect organizations and institutions more intensively, respect the needs of social service providers, identify needs of beneficiaries and reduce the gap that exists between the governmental and non-governmental sectors. It is also important to influence media reporting, strengthen public awareness and at the same time make relevant information available to all vulnerable categories.

When it comes to social services and their quality, it is necessary to regulate not only social protection systems, but also all other complementary systems. The field of migration management is certainly unknown to a large extent and a challenge for the countries of the Western Balkans. Additional efforts are needed to enable all vulnerable categories to meet social needs and successfully overcome social risks.

Numerous actors operating in social protection systems in Bosnia and Herzegovina, Serbia, Albania, Montenegro and Northern Macedonia are faced with the growing complexity of social problems of all vulnerable categories. The period ahead brings uncertainty, but it is evident that all countries are making efforts to cross the path of European integration as successfully as possible. It is also necessary to raise public awareness of the role of each individual in building and strengthening the social security system, in a spirit of solidarity and empathy.

The IRIS NETWORKing project- CSOs for managing sensitive migration management, all implemented activities and numerous produced reports are an excellent example of the importance of regional cooperation in joint efforts to achieve social justice and ensure social security. In that direction, further and continuous support will be needed.

Attachment:

- Annex 1- References
- Annex 2- Questionnaires for institutions from social protection system, civil society organizations and beneficiaries from Western Balkans
- Annex 3- Questionnaire analysis
- Annex 4- List of relevant institutions/organizations