

Bachelor thesis



A cry for help

A study on unaccompanied minors in the Greek and Italian Hotspots

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| 1. Abstract

This study entails a problem analysis concerning the Hotspot approach. This report aims at formulating which changes are feasible to implement to better the position of unaccompanied minors in the Greek and Italian Hotspots. Specifically, this thesis will aim to provide an answer to the following research question: *how can the Hotspot approach, that has been implemented in Italy and Greece, be reformed to improve the position of unaccompanied minors?* For this purpose, a problem orientated case study will be conducted with the help of data, mainly derived from secondary sources, such as policy documents of the European Union but also from independent reports of NGO's, such as Amnesty International. Moreover, a multi-criteria analysis is executed to select the best solution to the discovered problems. The problem analysis shows that unaccompanied minors are unsafe and neglected in the Hotspots. The outcome of the multi-criteria analysis displays, in its turns, that investment and monitoring are the best policy instruments to use as a solution. The objective of this study is not to imply that the discovered issues apply to all unaccompanied minors across the European Union nor does it imply that the current Hotspot approach would fail if it was implemented in other countries. Hence, the threat of external validity is acknowledged and accepted, mainly because the importance lies within solving the problems for this group in this setting.

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2 Introduction

The refugee crisis has been one of the main themes in the European society the past few years. The increasing amount of asylum seekers that have reached the European coast forced the European Union to think of a better distribution of the refugees around the EU and a faster way to process all the claims. The pressure was mostly put on Greece and Italy since they were and still are the ones that are mostly dealing with the overwhelming influx of migrants. In 2016, the Hotspot approach was implemented in both countries. This approach is a pilot model of a more permanent registration and identification mechanism at the points of arrival that selects between those seeking asylum and those to be returned (Papadopoulou et al, 2016, p.7).

After a year, the Hotspot approach has disclosed many flaws. Complaints about the fact that these Hotspots have turned into detention centers, for adults as well as minors, where multiple fundamental rights are being violated have hit the surface. In addition, a study that has been conducted on behalf of the European Council for Refugees and Exiles concluded that unaccompanied minors must stay in these Hotspots the longest because there are no alternative facilities to host them in the mainland (Papadopoulou et al, 2016, p. 13).

The living conditions in these Hotspots are supposedly so inhumane that NGO's, such as Save the Children, have pulled out of Lesbos as a statement towards the EU that they are horribly failing with their policies (Boyle, 2016, p. 1). Moreover, Human Rights Watch has reported that these children face arbitrary detention, abusive treatment by adults and they must deal with unsanitary conditions (Human Rights Watch, 2016). Not only is this a violation of the EU law but also of fundamental human rights.

§2.1 Problem statement and objectives

The implementation of the Hotspot approach has been successful in reaching some of the goals the European Commission has set. For instance, one of the goals that has been fulfilled is that all migrants that arrive are fingerprinted and their data is processed in Eurodac (EUR-Lex, 2010, p.1). In addition, the relocations of migrants have highly increased. As of July 2017, the counter is on 27.476 relocations (European Commission, 2017, p.1). The goals formulated by the European Commission will be further elaborated in another section.

Even though the European Commission has accomplished a few things by implementing this innovative approach, it is undeniable that this has come with a price. Human Rights Watch, Doctors Without Borders, Amnesty International and the European Court of Auditors have all published reports where it is concluded that there is a clear violation of fundamental rights in the Hotspots. Consequently, the question that arises is: how and why is this policy failing, and to what extent can solutions be provided to solve these policy flaws?

If there have been several reports on the Hotspots, one might wonder what the added value of this report is. So far, most reports and studies that have been published concerning this topic have mostly focused on sketching the general problems that occur in the Hotspots and consequently formulating recommendations to improve the situation. However, the generality in both sketching the problems and formulating the recommendations, is the reason behind writing this report. None of the reports specifically focus on unaccompanied minors. For instance, Amnesty International published a report summing up the flaws of this approach in

Italy and concluded the report with recommendations for improvements. In this extensive list of recommendations, there were only two lines spent on how to improve the position of unaccompanied minors in these Hotspots. In fact, the focus in these two lines was not even specifically on the minors but on vulnerable groups in general (Amnesty International, 2016, p.54). Hence, there is a lack of attention for unaccompanied minors in these reports, although they are a very vulnerable group and more importantly, the number of minors arriving is increasing (European Union Committee, 2016, p.9). In 2016, over 30.000 unaccompanied minors arrived in Italy and Greece (UNICEF, 2017, p.1). In short, the problem is that more unaccompanied minors are arriving in Europe while there are not sufficient measures to protect them and fulfill their needs in the Hotspots. Therefore, it is time that someone shines a light on the difficulties that the minors entail due to the implementation of the Hotspot approach.

The objectives of this paper is to not only provide some insight on the situation but also to come up with suggestions that future policy makers can consider when they are trying to adjust this policy. Hence, they will at least have access to scientific papers that solely focus on unaccompanied minors in the Hotspots. In addition, this report can be informative if there are plans for opening other Hotspots. It will provide information on what should be avoided or which tools can be used to establish an adequate Hotspot. However, those policy makers must take the circumstances of that country in account in order to find out how applicable this paper is. The main objective of this paper is to display the seriousness of this case and to encourage to implement measures that will improve the situation as soon as possible. Later on in the paper it will be highlighted which goals I hope to achieve by implementing the recommendation that I have formulated.

§2.2 Relevance

This report has more societal relevance than scientific. This does not mean that it does not have any contribution to the scientific world. As mentioned before, there are not any papers available that have the sole focus on unaccompanied minors in the Hotspots. This will provide access to that. Maybe this will also trigger other scientists to conduct a research within this topic.

The societal relevance of this report is rather simple and clear. As a European society, we are obligated to safeguard the rights of all human beings especially those of children. This report is a good example of how science can contribute to achieving this. The goal is to improve their circumstances with the recommendations that will be formulated in this report.

Consequently, an environment that is in line with their rights will be established. Moreover, it is very likely that these minors will grow up in the European society and if solutions will not be provided fast, Europe risks ending up with many minors that must deal with psychological consequences due to their stay in the Hotspots, or minors dealing with other problems because of their stay in these Hotspots. Therefore, this report will focus on precisely uncovering the problems these minors face and more importantly, it will focus on the resources that are available to improve the situation of the Hotspots for them. By the end of this report, it should be clear what the situation of the unaccompanied minors in the Hotspots are and what can be done to improve this.

§2.3 Research question

In this study the aim is to answer the following descriptive research question: *how can the Hotspot approach, that has been implemented in Italy and Greece, be reformed to improve the position of unaccompanied minors?* To be able to answer the main research question, a few sub-questions will be thoroughly answered first.

The first focus will be on how the Hotspot approach has been functioning one year after its implementation. This will provide a complete picture of where the approach is failing and where it has been successful. To clarify the root of the issues, the focus will be on the failing aspects. Subsequently, the solutions can be provided based on the outcome. Thus, the first sub-question will be as following:

1. *What have been the successes and the failures of the Hotspot approach one year after its implementation?*

After answering the first question the focus will be shifted towards the unaccompanied minors to determine how the successes and failures of the approach has affected them. Hence, the second sub-question is:

2. *What is the current situation of the unaccompanied minors in these Hotspots?*

Lastly, with the information obtained from answering the previous questions, the last step is to weigh all the pros and cons, and formulate feasible changes to the Hotspot approach to improve the situation of the minors. Consequently, the last sub-question will be:

3. *Which feasible changes can be applied to the Hotspot approach to better the situation of the unaccompanied minors?*

3 Background

As aforementioned, this report will focus on unravelling the problems unaccompanied minors face in the Hotspots. Consequently, recommendations will be provided on how their situation can be improved. Before that part is discussed, it is relevant to have some background information on what the Hotspot approach is, how it works and why it was necessary to implement it. Hence, the focus of this section is on the necessity and functioning of the Hotspot approach.

§3.1 The necessity of the Hotspot approach

In May 2015, the European Commission pleaded that a different approach was needed to have better control over the mass influx of migrants that both Greece and Italy are facing (European Commission, 2015, p. 5). This different approach was the Hotspot approach which is, as aforementioned, a pilot model of a more permanent registration and identification mechanism at the points of arrival that selects between those seeking asylum and those to be returned (Papadopoulou et al, 2016, p.7). More clearly, the Hotspot is the first place where newly arrived migrants must go to. These migrants are placed in the first line of reception centers run by the government (Papadopoulou et al, 2016, p. 17).

The question that arises is: why did Greece and Italy have so much trouble with controlling the influx of migrants before the Hotspot approach was implemented? Why did the European Commission find it necessary to plead for this approach in the first place? Hence, this paragraph will focus on what went wrong and why the implementation of the Hotspot approach was necessary.

Greece is geographically located on a migration route and has had a sharp increase in arrivals of asylum seekers and irregular migrants since 2015. In August 2015, 107.843 migrants arrived through sea compared to 6742 migrants arriving in the same month of 2014 (UNHCR, 2017, p.1). The Greek asylum system was barely functioning due to these waves of entering migrants. Greece usually functioned as the country where they arrived first to keep moving further to the North or West of Europe. Consequently, most migrants would avoid the registration process so they could proceed to the next Member State. Those who left the country after being registered were sent back on basis of the Dublin Regulation (Statewatch, 2015, p.1). The Dublin Regulation ensures that every Member State can send back migrants to the Member State of first arrival. That Member State will be the one that is responsible for handling the application of the migrant (Dublin Convention, Regulation No. 604/2013). However, in 2011 several EU Member States stopped sending back these migrants to Greece because they recognized that Greece was unable to process these claims (Triandafyllidou, 2014, p. 4).

Italy has the same problems as Greece. They are also a gateway to the rest of Europe. Due to their geographically location they are very accessible for Northern Africa and Syria via the Mediterranean Sea. Once the migrant arrives in Italy he or she can travel to the neighboring European countries. Before the Hotspot approach was implemented, the Italian police would either at the port, or in closed centers of first assistance, register basic data, such as name, gender and age. They would request the migrants to undergo a formal identification procedure involving fingerprinting. However, many migrants refused to do this and managed to leave

the center and travel to other Member States, sometimes with the use of smuggling networks (Amnesty International, 2016, p. 11).

The situation sketched above shows that, with their previous policy, both Italy and Greece were not able to prevent secondary movement of migrants within the EU, nor did they have the capacity to take in all the migrants that arrived. Therefore, the implementation of the Hotspots approach was necessary to enhance the prevention of secondary movement, and to improve the registration and identification process (Statewatch, 2015, p.1). The idea was to settle EU Agencies in both countries who could provide adequate help with their expertise and technology. The tasks of the Agencies will be elaborated on in the next section.

Secondly, the Hotspot approach was necessary to improve the overall safety of all Member States. With their previous system, Italy and Greece were not able to perform systematic security checks. Consequently, the Commission stated that systematic security checks are included in the Hotspot flow and relocation process, improving the overall safety of the Member States (Neville et al, 2016).

Thirdly, an essential reason to implement the approach was the relocation mechanism.

Relocation is a term that is used to indicate the transfer of a migrant from one Member State to another. The Hotspot approach is essential to this mechanism because the Hotspots are the starting point of the execution of the relocations.

Lastly, most migrants used the smuggling networks to reach other Member States. Hence, it was necessary to implement the approach to weaken the smuggling network. Mainly due to the presence of Europol in both countries after the implementation of the approach, the smuggling network was more easily targeted (European Commission, 2015, p. 3).

§3.2 The functioning of the Hotspot approach

In February 2016, three Hotspots out of the supposedly five Hotspots were fully operating in Italy, while in Greece only one was operating (European Commission, 2016). Currently, this has been expanded to five functioning Hotspots in Greece and four in Italy. As aforementioned the Hotspot is the first place where newly arrived migrants must go to. These migrants are placed in the first line of reception centers run by the government (Papadopoulos et al, 2016, p. 17). However, what makes these reception centers different than the ones that existed before the approach? The main difference is that the Member State receives support and assistance from EU Agencies to handle the migratory pressure. These Agencies are better trained, have better access to technology and other useful sources to execute this task (Statewatch, 2015, p.1). Moreover, the other significant difference is that the migrants are categorized as refugees or irregular migrants while they stay at the Hotspot facility, rather than being registered and sent to other facilities in the mainland (Papadopoulos et al, 2016, p. 10).

So how does the process work? All the EU Agencies that are present have their own tasks to fulfil. Europol, Frontex and the European Asylum Support Office cooperate with the frontline Member States to identify, register, photograph and fingerprint these migrants to classify them as economic migrants, asylum seekers or those in need of international protection. The fingerprints and data of the person is then processed in the Eurodac system which is a databank that is managed by the central unit of the European Commission. Eurodac can only have fingerprints data of people that are over the age of 14. Hence, minors that are younger than the age of 14 cannot be fingerprinted. This databank exists because it ensures that other Member States can easily filter the migrants that have either already requested asylum in another Member State or have entered the European Union ground irregularly (EUR-Lex, 2010, p.1)). This prevents secondary movements to other Member States because it makes it easier for other Member States to send back the migrant to the country of first arrival.

Furthermore, the work of the EU Agencies is complementary to one another. The EASO supports those who end up in the asylum procedure to process the asylum cases as quickly as possible, while Frontex helps the Member State with enforcing the return decision of irregular migrants. Lastly, Europol assists the country with investigations to dismantle the smuggling and trafficking networks (European Commission, 2015, p. 5).

Italy and Greece have a slightly different approach of handling the migrants. In Italy, a migrant only spends a few days at the Hotspot until he or she is identified and categorized as asylum seeker, and is then transferred to another the reception center, while in Greece, the Hotspots already function as a reception center and thus the migrants wait there until their application is finalized. Not only does this cause a difference in how fast they process everything but it also creates a difference in how overcrowded the Hotspots accommodations are (Papadopoulou et al, 2016, p. 11).

4 Legal and policy framework of the Hotspot approach

Although the EU has thoroughly discussed the establishment of the Hotspots in the European Agenda on Migration, a specific legal and policy framework around the workings of the Hotspots and the involved actors, such as the EU Agencies, is missing (European Parliament, 2016, p. 29). The Agenda only explains how the Hotspot approach should be applied. It focuses on which Agencies should be present but does not elaborate on what the legal competences of these Agencies or the domestic authorities are (Statewatch, 2015, p.1). Rather, the responsibilities and duties of the present EU Agencies are governed by their own Regulations. The legal ground of the establishment of the Hotspots was based on the fact that the migration situation was classified as an emergency, characterized by sudden inflow of third country nationals. In this case, article 78(3) of the Lisbon Treaty allows the Council to adopt provisional measures that is beneficial for the Member States that face this crisis but only if the Commission has requested this (The Lisbon Treaty, Article 78(3)). Needless to say, that due to the lack of a specific legal framework, the Common European Asylum System, that consists of Directives and Regulations, plays a significant role in this situation. Specifically, the Asylum Procedures Directive and the Reception Conditions Directive are of high relevance for this report. The countries have no other choice than to fall back on these two Directives as a legal basis for the Hotspots.

The purpose of the Reception Conditions Directive is to lay down standards for the reception of applicants for international protection in Member states (Directive/2013/33/EU, Ch.1, Art.1). The Directive naturally entails many rules. However, this section will only cover the articles that play a key role in this report.

The material reception conditions are one of the topics discussed within this Directive. It is clearly stated that Member States must ensure that applicants have adequate standards of living. The basic needs, such as food, drinks, sanitation, health care and housing must be provided. With the housing, the Member State must consider the gender and the age of the applicant. Moreover, they must ensure that the applicants are protected against forms of abuse. Health care must be accessible for all applicants whether it concerns their physical or mental health (Directive/2013/33/EU, Ch.2, Art. 17).

Detention of applicants is extensively mentioned in the Directive. The most important thing that is pointed out is that a person cannot be detained solely based on the fact that he or she is an applicant. In addition, the time of detention must be limited, and delay in administrative procedures may never be an excuse to extend the detention. Moreover, the legal reasons to detain someone is formulated in the Directive but what stands out is that the Directive obligates the Member States to lay down the grounds for detention in their National law. The article also treats the detention of vulnerable groups, including unaccompanied minors. It includes that these minors can only be detained as a very last resort and even in those circumstances they may never be detained in prison accommodations. The accommodation of the minors shall always be separated from adults but also a separation of gender must be made. It shall have adequate monitoring and support that takes their situation and age into account, and lastly, it must have the possibility for them to engage in leisure activities that is

appropriate for their age (Directive/2013/33/EU, Ch.1, Art. 10/11).

The applicants must have access to information. The Member state is obliged to provide information about the reception conditions and where the applicant can receive legal assistance within 15 days. The information must be written in a language that they understand and if it is necessary it must be provided orally as well. Information must also be provided in case of detention. The applicant must know why he or she is being detained (Directive/2013/33/EU, Ch.1).

The last subject discussed are the articles that are solely formulated for unaccompanied minors. Their rights concerning detention has already been discussed. However, the Directive ensures other right as well. The Member State must take measures to provide the minor with a representative that assists and represent the minor. This representative must be well trained and able to comply with what the needs of the minor are. Moreover, he or she must be able to speak the language that the minor speaks. The Member State must start with tracing family members of the minor once the minor has filled out its application. If the minor has arrived with a sibling, the Member State must do everything in its power to keep the siblings together (Directive/2013/33/EU, Ch.4. Art. 24).

The purpose of the Asylum Procedure Directive is to establish common procedures for granting and withdrawing international protection. Just like the previous section, the articles will be filtered on relevancy for this report. All applications must be assessed individually, objectively and impartially. This is a rather simple and logical rule but nevertheless a very important one. Furthermore, the applicants shall be informed about the procedure in a language they understand. They have the right to have an interpreter present but they also have the right to receive legal assistance throughout the submission of their application (Directive/2013/32/EU, Ch.2, Art.10/12). This does not differ much from the articles laid down in the Reception Conditions Directive. In case of the need of medical examination, the applicant must give its permission. Naturally, the examination must be executed by professionals (Directive/2013/32/EU, Ch.2, Art.18).

The articles discussed above also apply for unaccompanied minors, but in addition there are also other articles that solely apply for this group. The Member State must ensure a representative is appointed to the minor who acts in the best interest of the child and has the necessary expertise to help the minor. In case of the need to conduct a personal interview, the minor must be questioned by an individual that is trained to deal with the special needs of a minor. An important part of the routine is a medical examination that is conducted if there is doubt that the minor is not actually a minor. The minor must be informed what the medical examination is for and what the consequences of the results may be. If the minor refuses to undergo the medical examination, its refusal may not be the sole reason that its application is rejected. The examination must be performed with respect to the dignity of the minor by a professional. If the results do not clarify whether the minor is underaged, the Member State must assume that the minor is underaged (Directive/2013/32/EU, Ch.2, Art.25) .

It is worth the mention that these are only Directives. This gives the Member States space to be flexible with how they implement these rules and how strict these measures are if they stay within the scope of the Directives. So, to what extent have Greece and Italy developed domestic laws to complement the Directives or maybe even developed a legal framework concerning the Hotspot approach? In the case of Italy, the answer is none. Italy has not designed domestic laws specifically for the Hotspots (Bocek, 2016, p.5). However, it has

recently designed a law to provide better protection of unaccompanied minors. This law makes sure there is a time limit on how long these children spend in the detention center. The time limit is ten days. It also allows a guaranteed access to health care and the use of guardians or cultural mediators to meet their needs. More importantly, it prohibits authorities to turn away these children at the borders or returning them to countries if either could cause harm (Newsdeeply, 2017, p. 1). In contrary, Greece has designed some laws that are specifically meant for the Hotspots. Although it was already included in the Greek Refugee Law and Policy that any third country national or stateless person that enters the country without complying with the legal formalities of the country, shall be submitted to reception and identification procedures. It remained unclear what the exact rules for this reception procedures were (Greek Refugee Law and Policy, Law 4357/2016, article 9). Thus, article 14 was designed and added to this Regulation. This new law lays down that the restriction of freedom of arrivals cannot exceed 25 days after their arrival. This is only for the identification process. In general, this process should be finished within 3 days but if it needs to be extended for some reason, they can only extend it for a maximum of 25 days. However, the migrants do have the right to appeal against this extension at an administrative court that is located within the region where the Hotspot lies (Greek Refugee Law and Policy, Law 4357/2016, article 9).

5 Methodology

The main objective of this report is to provide alternatives for solving the policy flaws of the Hotspot approach. Specifically, this report is orientated on the policy flaws that concern unaccompanied minors. Consequently, the research design of this report is a problem orientated case study. The core of this report is divided in two parts. The first part is a problem analysis of the situation and the second part is a multi-criteria analysis. Initially, a problem analysis that provides a general description of the policy flaws will be conducted. Afterwards, the focus will shift towards the unaccompanied minors and a problem analysis that solely focuses on the issues that they face in the Hotspots will be conducted. The former will be performed to demonstrate that the scope of the problem goes beyond the unaccompanied minors. In addition, the more general problems that will be displayed are also applicable for unaccompanied minors. The multi-criteria analysis weighs which alternative is the most feasible to meet the goals that have been formulated based on the outcome of the problem analysis. Subsequently, the combination of the outcome of the multi-criteria analysis and the problem analysis will serve as a tool to provide reasonable recommendations. The units of analysis in this study are the unaccompanied minors, whereas the settings are the Hotspots in Greece and Italy. Furthermore, the time frame is the year 2016 and the first quarter of 2017. There is not a sample selection because all data is derived from secondary sources.

The sources can be distinguished in three categories: EU law, EU policy documents and official reports of NGO's. The EU law was derived from the EU database Eur-Lex. This was used to discover what the legal ground of the Hotspot approach is but also to evaluate which laws have been breached within the Hotspots. The NGO reports were mainly used as an independent source that reports the situation of unaccompanied minors in the Hotspot objectively. The policy documents of the EU were used in four ways:

- As a basis of why the Hotspot approach was established and how it is supposed to function.
- To detect what progress has been made due to the Hotspot approach and what still needs to be enhanced.
- To identify breaches of the EU law within the Hotspots.
- To obtain information of what policy tools the EU has used to improve the situation in the Hotspots.
- EU database such as Eurostat were used to obtain information about the amounts of unaccompanied minors arriving but also on how much the EU has invested in the Greek and Italian Hotspots.

Due to several factors, it was not possible to collect primary data. Consequently, the choice was made to derive all information from secondary data. Naturally, the advantages and disadvantages of solely using secondary data were weighed against each other before making this decision. The sole use of secondary data, depending on the topic of the study, can have a lot of advantages. In this case, the content discussed with the interviewees can be experienced

as a rather sensitive topic. In addition, the individuals that gave the interview are a vulnerable group as well. Other members of this group are protected from undergoing the same procedure because secondary data is used rather than primary data by interviewing others (Fielding, 2000, p.8). Moreover, it is rather difficult to reach unaccompanied minors in the Hotspots. It is a small group that is isolated from the rest of the population. Therefore, it is much easier to use secondary data (Fielding, 2000, p.8). During field research, the researcher and the participant always influence each other to some extent, and consequently, the researcher could analyze the data subjectively according to what he hopes to find. It could provide new insight if someone else analyzes the same data. However, there is also a disadvantage attached to this because it could be that the data is contaminated due to influence of the field researcher. The second researcher cannot be aware of this due to not being present during the field research (Fielding, 2000, p.9). Another issue is that as a second researcher you cannot know how consent has been obtained. This may cause an ethical problem (Heaton, 1998, p.1).

It has been considered that internal validity may be threat to this study since I did not have the opportunity to conduct field research on the position of these minors in Hotspots (Dooley, 2009, p.89). Consequently, I have reckoned with the risk that the sampling and observations might not be conducted adequately. Hence, there is a slight chance that the situation of the observed minors was an exception rather than a norm. However, I have tried to minimize this by using different reports of several NGO's, and complemented this with reports from the EU, such as the European Court of Auditors. Furthermore, external validity is a serious threat in this study because the aim of this report is not to develop a policy that should be applied to every other Hotspot that will be opened in the future nor does it imply that all unaccompanied minors across the European Union face these problems (Dooley, 2009, p.90). However, its aim is to solve the current problems for these specific minors in those specific Hotspots. For instance, if the current Hotspot approach would be applied in a different country, there is a chance that it would function perfectly fine. Different variables play a role that may have not played a role in Greece and Italy. Hence, there is no certainty that the recommendations that result from this report can be applied for future Hotspots. Therefore, the results cannot be generalized.

6 The Hotspot approach: 1 year after its implementation

It has been over a year since the Hotspot approach has officially been implemented in as well as Greece as Italy. Therefore, this chapter will focus on how the Hotspots in both countries have been functioning this past year, which adjustments have been made throughout the year, and what the successes and failures have been thus far. The successes are determined by assessing to what extent the goals the European Commission had set have been met. In addition, the failures are defined by assessing to what extent they failed to meet these goals, but more importantly it will be determined by evaluating to what extent EU law and fundamental rights have been breached. This section will not specifically focus on the minors but is a more general problem analysis of the situation in the Hotspots. The aim of this chapter is to answer the following sub-question: what have been the successes and failures of the Hotspot approach one year after its implementation?

§6.1 Relocation & resettlement

As mentioned before, one of the reasons of implementing the Hotspot approach was to enhance the identification and registration process. This in its turn would contribute to making the execution of the relocation schemes more effective. In 2015, the EU had developed an emergency resettlement and relocation scheme (European Commission, 2015, p.1). There is a small difference between the two concepts. Relocation means that the migrants are moved from one Member State to another while resettlement means that the migrants are moved from a third country to a Member State (European Resettlement Network, 2017, p.1). Since the resettlement procedure does not take place through the Hotspots, it is not relevant for this chapter. Therefore, the relocation schemes will be the first topic that will be discussed in this chapter.

In Italy, the pace of relocations has been slowly increasing. The goal is to reach a total of 160.000 relocations in September 2017 for both countries. So far, Italy has managed to establish 5001 relocations. With only 5 months remaining, that amount is still too small if they want to reach the goal (European Commission, 2017, p. 2). The main reason for this slow pace is that the other Member States will not comply with the obligations that have been set for them. So far only Malta and Finland are on track to meet their obligations concerning the relocations. In contrary, all the other Member States are behind and some have not even participated in the relocation scheme (European Commission, 2017, p. 7). Does this mean that the Hotspot approach as such has been successful and the failure of the relocations only lies with the other Member States? Indeed, the Hotspot approach has helped to increase the number of relocations. Since the Hotspot approach, more migrants are immediately registered and categorized as asylum seekers or irregular migrants, and consequently, the Hotspots in Italy have functioned as referrals for relocations after the papers of the migrants are finalized. However, this does not mean that Italy has not failed in some respects as well. There have been bottlenecks in the Italian security checks causing other Member States to refuse to comply to the relocations scheme. Moreover, there are still gaps in the capacity to register and

prepare relocation applications. These flaws have unnecessarily slowed down the pace of the improvements made in the Italian Hotspots (Papadopoulou et al, 2016, p. 6)

Greece has been doing a bit better with the relocations scheme. Currently, they have established 11.339 relocations. This is 17.9% of the total planned relocations compared to 14.3% that Italy has accomplished (European Commission, 2017, p.1). Just like Italy, this is not sufficient to meet the goal of September, and their biggest challenge is also the cooperation of other Member States. However, Greece does in certain ways differ from Italy. Greece has managed to implement most recommendations of the European Commission. Mainly they have managed to swiftly register migrants. However, it seems like relocations are not considered anymore in the Hotspots. Since the EU-Turkey deal, the focus in the Hotspots has been on getting the migrants in either the regular Greek asylum procedure or sending them back to Turkey. The only migrants that are considered for the relocations are those who are in the mainland. Since the EU-Turkey deal has been established, the refugees are not allowed to move to the mainland unless they pass an admissibility procedure (European Court of Auditors, 2017. p. 27). This rule has caused the Hotspots to become overcrowded while people are awaiting their fate. By the end of 2016, Greece had approximately 14.000 migrants in its Hotspots, while the total capacity of the Hotspots is designed for 7450 individuals (Squires, 2017. p.1). However, this will be thoroughly discussed in the next section of this chapter.

§6.2 Violation of rights

In this past year, the Hotspot approach caused significant improvements. For instance, the fingerprinting of newly arrived migrants in both countries is now 100%. The security checks, especially in Italy, have improved (Papadopoulou et al, 2016, p. 6). However, the question that has risen is: at what cost have these improvements been taking place? One of the complaints, mostly coming from the NGO's that are present at the Hotspots, is that the approach is functioning at the cost of the fundamental rights of the migrants.

The first and main issue is that the Hotspots seem to be functioning as a detention center in both Italy and Greece (Boček, 2017, p.15). As aforementioned, Greece has laws that, to a certain extent, forbids this type of restriction of movement (Papadopoulou et al, 2016, p. 14). It is allowed to hold migrants for 25 days for identification purposes (Greek Refugee Law and Policy, Law 4357/2016, article 14). Unfortunately for many migrants it has been more than 25 days that they have been held. In the Joint Action Plan of the EU, that has been set up in November 2016, it has become clear that more migrants are arriving than returning, meaning that Greece still does not have the capacity to process these migrants properly. They are registered but their application has not started yet. This goes against article 11 of the Reception Conditions Directive where it is clearly stated that applicants cannot be detained longer due to delay in administrative procedures (Directive/2013/33/EU, Ch.1, Art. 11). Thus, the EU will increase the staff of the EASO to have better support there and speed up the process of applications to relieve the overcrowded camps in the Hotspots (Verwey, 2017, p.1). The second issue is the lack of medical care in the Hotspots. The Greek media has reported several incidents in the past year in these Hotspots. Due to a shortage of doctors in the camps, there have been several deaths because of illnesses that are treated or detected too late. Moreover, the Hotspots do not provide special services such as mental health service

(Papadopoulou et al, 2016, p. 15). The circumstances and the lack of mental help for these people has led to several suicides within the camps. There is not any exact data provided on what the amount of suicide in the Hotspots is. However, it is reported that in January 2017, 12 suicide attempts have occurred in the Hotspot of Samos (Squires, 2017. p.1). The inaccessibility of health care is another clear breach of EU law. According to article 17 of the Reception Conditions Directive, health care should always be accessible (Directive/2013/33/EU, Ch.2, Art. 17)

The third issue is the violence that erupts in the Hotspots. Clashes with the police have occurred, leading to the eruption of riots among the migrants. Several reports on (sexual) abuse have also been made. The lack of exact data on these topics as such is problematic since it prevents to have a clear insight on what the scope of the problem is in these Hotspots.

The fourth and final issue is the discrimination that the migrants face by the Greek authorities in the Hotspots and by the citizens outside of the Hotspots. Usually, Syrian migrants are prioritized over all other nationalities during the identification and registration process. Other nationalities, especially those who are African are not taken seriously as a refugee but they are rather seen as an economic migrant (Caritas, 2016, p.1). This clearly intervenes with the objectivity that the authorities should have when they assess applications according to the Asylum Procedure Directive. Not only are the authorities discriminating but the migrants are also discriminating each other, mostly based on nationality or religion. Moreover, the citizens of the country and the migrants seem to be clashing as well. Citizens have thrown petrol bombs and stones at the tents of the migrants (Nielsen, 2016).

The seriousness and the scope of the problems have been emphasized due to the departure of NGO's such as Doctors Without Borders who have left the Greek Hotspots as a protest against the EU- Turkey deal but also due to security risks that have risen after this deal. Doctors Without Borders reported that the reception centers developed into deportations centers which has caused the migrants to protest and refuse to take any food from the NGO. Moreover, they stated that the EU-Turkey deal is an inhuman and unjust deal that they cannot support (Michapolous, 2016, p. 1). The NGO's that are still present in the Hotspots stated that the conditions in the Hotspots are overcrowded, the food is poor and the hygiene and sanitation is inadequate but also as mentioned before, there is insufficient medical care. Moreover, the NGO's that have left, also left behind a gap in the Hotspots because they used to be the ones that would also provide food and medical care. (European Parliament, 2016, p. 37)

In Italy, there is also the issue that the Hotspots function as a detention center. Unlike Greece, it has no legal ground whatsoever to justify this, due to the missing domestic legal framework concerning the Hotspots. Italy has not developed a domestic legal framework establishing what a Hotspot is and how the procedures carried out there are governed. Hence, the standards in each Hotspot vary. They only use an interpretation of the developed legal framework on EU level (Boček, 2017, p.15). This lack of a domestic legal framework has had consequences for Italy. A group of Tunisian migrants went to the European Court of Human Rights claiming that they were deprived of their liberty because the police held them detained for ten days. This resulted in a lawsuit named *Khlaifia and others v Italy*. In December 2016, the European Court of Human Rights rejected the claims of the Italian government that migrants can be confined in emergency accommodations without a clear legal basis, during this case of *Khlaifia v Italy*. The ECHR ruled that it was a violation of article 5 of European Convention

on Human Rights. This shows that even though there has not been a specific domestic legislation designed for the Hotspots, there are still a lot of international and European laws that need to be considered. Moreover, the ruling shows that the way the Hotspot facilities currently functions is fundamentally illegal and needs to be reformed (Cox, 2017, p. 1). Hence, Italy needs to develop specific laws concerning the Hotspots or they will not have any legal ground to detain the migrants in the Hotspots.

Secondly, the Hotspots in Lampedusa, Taranto and Pozzallo have been facing systematic problems since its opening. Men, women and minors are not separated. Moreover, the toilets are not clean, do not have a door and in some cases, it did not even have light. Furthermore, the space between dormitories were too small. In contrary, the Hotspot in Trapani has managed to meet the standards and the Hotspot has been kept clean and they have even managed to separate minors, women and men (Papadopoulou et al, 2016, p.14). In short, Italian Hotspots face many hygienical and privacy problems.

The third issue the Italian Hotspots are facing is violence. Italy had been pressured by the EU to enhance its fingerprinting for quite a while. The Hotspot approach was supposed to help them with this and it did. One year after the implementation of the approach, the fingerprinting percentage is almost 100. Although the Hotspot approach has contributed to this, it has come with a price. The Italian police has applied more aggressive strategies, such as physical force and extended detention to force the migrants to give their fingerprints. Migrants have reported that they were beaten and even shocked with an electrical baton until they would allow fingerprinting. Others reported that they did not even allow it but their hands were forcefully put on the fingerprinting machine when they were too weak to fight back (Amnesty International, 2017, p. 15).

§6.3 EU Agencies in the Hotspots

One of the goals while establishing the Hotspots was to have sufficient EU Agencies present in the Hotspots so that a better cooperation between the national authorities and the EU would take place. How successful has this been in both countries after a year?

The three primary Agencies that should be present in the Hotspots are EASO, Europol and Frontex. Throughout the year, there has been an imbalance in Greece. There were considerably more Frontex officers present than officers from the other two Agencies. Moreover, EASO was only represented in Lesbos, while the other Hotspots remained without officers (European Parliament, 2016, p. 34). However, with the latest Joint Action Plan that has been published by the European Commission, it has become clear that more EASO officers have been sent to Greece and more officers will be sent as well (Verwey, 2016, p.1). Nevertheless, the presence of the Agencies has improved the registration and identification process in the Hotspots. That conclusion cannot only be deduced from the official numbers that have been published such as that the fingerprinting is almost 100%, but the present NGO's have also stated several things. According to the most NGO's present, there is greater order in the Greek Hotspots and there is more consistent registration (European Parliament, 2016, p. 35).

In Italy, the present EU officers that are present are significantly lower than in Greece which makes sense because Italy has less migrants that arrive in their country. Just like Greece, the numbers of Frontex officers present is more compared to the other two Agencies. This has also led to an almost 100% rate for fingerprinting, better order in the Hotspots and better border control. However, the complaints of the NGO's that are present in Italy are mostly

focused on the problems that have been sketched in the previous section concerning the violence that is applied to get the fingerprints. Consequently, they plea that there needs to be an agency that makes sure that this does not happen. Which makes you question why, even though there are so many Agencies there, the presence of the Fundamental Rights Agency is missing to ensure that the fundamental rights are safeguarded (European Parliament, 2016, p. 31).

§6.4 Key findings

A year after the implementation of the Hotspots there have been some successes and failures of the approach which have been described in this chapter. Hence in short, the successes of this approach have been:

- The fingerprinting rate is in both countries almost 100%.
- There is more order in the Hotspots.
- There is better border control.
- The presence of Frontex is sufficient and has been successful.
- The pace of the relocations has been slowly increasing since the implementation.

The failures of the approach have been:

- The Hotspots serve as a detention center in both countries, and in Greece sometimes as a deportation center.
- In both countries, the hygiene and sanitation is insufficient.
- Italy uses police brutality to get fingerprints from migrants.
- Greece has faced a lot of clashes between the migrants but also between the citizens and migrants.
- In both countries, the medical access poor and the food quality is poor.

7 The situation of unaccompanied minors in the Hotspots

Unaccompanied minors are one of the most vulnerable groups that arrive at the European coast. The arrival of this group in Europe is on the rise (European Union Committee, 2016, p.9). In 2016, Italy received 25.840 unaccompanied minors, while Greece received 51.920 (UNICEF, 2017, p. 1). Both countries have had some problems handling this.

§7.1 The residence of unaccompanied minors in the Hotspots

As mentioned before, the number of unaccompanied minors arriving in Italy is increasing. This has made it more difficult for Italy to find specialized accommodations for them. This, in its return, has caused that the minors have no choice, but to stay in the Hotspots. In fact, instead of them getting priority of leaving, they are the ones that must stay there longer than adults. Consequently, the Hotspots have turned into a detention center for these minors where they in some cases, must stay for months before they are transferred (Papadopoulou et al, 2016, p. 27). For instance, in one of the Hotspots, children over 15 are only allowed to leave between 8 a.m. and 8 p.m. but children under that age cannot leave at all (Human Rights Watch, 2016, p.1). The Hotspot center is only meant for first assistance but with the large influx of migrants, the waiting time has become longer and as a result, the Hotspots have become overcrowded. In short, the first issue the unaccompanied face is detention, usually for a longer period.

During their stay in the Hotspot, they usually must share their accommodations with adults. For instance, in the Hotspot of Lampedusa, the shower and toilet was broken in the separate accommodation for the minors, so they had to move to the accommodation meant for adults. Other Hotspots within the country do not even have a separate place for these minors (Papadopoulou et al, 2016, p. 27). In another Hotspot, minors often sleep on the ground on mattresses next to adults and there is not a separate toilet or washroom for them. In these conditions, the unaccompanied minors are put in an even more vulnerable position (Human Rights Watch, 2016, p.1). For instance, Two Eritrean girls that have the age of 16 and 17, reported during a visit of the Humans Rights Watch, that they were being harassed by men. They asked them for sexual intercourse when they went to bed and they also got followed by these men to the shower (Human Rights Watch, 2016, p.1). Moreover, the children witness violence between adults and sometimes they must face violence themselves (European Union Committee, 2016, p. 42). Thus, in short, their second issue is the lack of separation from adults which exposes them to (sexual) abuse.

There are unaccompanied minors that arrive that have developed a trauma. The Hotspots do not have the resources to appropriately treat these children. There are minors present that have, for example, faced rape and violence during their journey but they do not receive any treatment. If there is some sort of treatment available it is usually still not sufficient because they do not get the privacy that is needed with the psychologist due to the lack of space (Human Rights Watch, 2016, p.1).

As mentioned in another section, the procedure in Greece changed after the EU-Turkey deal. Migrants who arrived at the Hotspots at the mainland were transferred to the mainland after registration, but since the deal has been closed, migrants must stay and fill in their asylum application at the Hotspots. This has resulted in a much longer stay for migrants in the Hotspots. Instead of days, they must stay there for weeks and sometimes even for months (European Court of Auditors, 2017. p. 27). Even when migrants have been identified as vulnerable, they still have to obey the restrictive conditions until their asylum application is filled in (Papadopoulou et al, 2016, p. 41). This has especially affected unaccompanied minors in the Hotspots. The Hotspots have become overcrowded with more people coming in then leaving, and the conditions of the Greek Hotspots are like the conditions of Italian Hotspots. The minors must share their space with adults and especially after the EU-Turkey deal, they must witness and experience violence. As mentioned before, heavy protests have erupted after the deal and the NGO's face difficulties to distribute food (Amnesty International, 2016, p.1). Furthermore, the lines for food are very long and fights erupt very regularly, although there is police present, they do not interfere and break up the fights. Thus, the minors are often too scared to stand in the line to get food and must go without food for days. Several minors that have dared to stand in those lines have gotten caught up in the fights ending up with injuries (Human Rights Watch, 2016. p.1). Moreover, due to security risks and as a protest against EU, these NGO's have left the Hotspots (Michapolous, 2016, p. 1). Consequently, the minors are even worse off than before. When the NGO's were still there it was already difficult to seek medical attention even though several NGO's provided medical care, but now that several NGO's have departed the Hotspots, it has even become more impossible due to the increasing shortage of doctors. Moreover, they also have bad sanitary conditions and must sleep with dirty blankets (Amnesty International, 2016, p.1). As of December 2016, 1443 unaccompanied minors were still on the list to be referred to getting proper accommodations and 191 minors were relocated (FRA, 2017, p.2). In short, these minors are not only deprived of liberty in both countries but the places where they must stay are highly unqualified for them.

§7.2 The registration & identification process for unaccompanied minors

During their stay in the Hotspots the minors must be registered and identified. Minors that arrive in Italy must give their fingerprints if they have passed the age of 14. As mentioned before, it has been reported that violence is used to get the fingerprints. Amnesty International mentioned in their report that unaccompanied minors were among those who were tortured by the police until they gave up their fingerprints (Amnesty International, 2016, p. 17). A lot of minors come to Italy without any papers, and even if some do have papers that state their age, it is still a paper without a picture of them. Hence, their age cannot be proven. Some Hotspots do an X-ray in case of doubt of the age of the minor, while other Hotspots have the X-ray as a standard procedure due to the false age declarations that have been given to them (Papadopoulou et al, 2016, p. 25). However, the age assessment is not always accurate which has led to multiple cases where unaccompanied minors were labeled as adults and thus lost their rights as children (European Union Committee, 2016, p.40). Even worse, Italy has faced criticism in 2015 when they labeled unaccompanied minors without documents that came from Gambia and Senegal as adults. They did not do an age assessment and just assigned

them a fictitious birth date (Papadopoulou et al, 2016, p. 25). The question remains whether that still happens or not.

The unaccompanied minors in Italy are also deprived of information. They have the right to a guardian that represents them and the right to obtain legal counseling. However, it often occurs that this does not happen or it takes a very long time before they get it (Asylum Data Information, 2017, p. 1). The children should also be approached accordingly to their age and informed in a manner that they understand what is going on. The manner of approach is not the only problem. The children also must deal with a language barrier because the people they talk to either do not speak the same language or they barely speak it. The same problem occurs when they must fill in forms. They often feel obliged to do so and they fill in what they think is right without knowing for sure what is written on the forms (European Union Committee, 2016, p. 45). Moreover, the interpreters that do approach them are usually not trained to talk to children. Consequently, they influence the child with their own opinions or just have an approach that is not appropriate for children (European Union Committee, 2016, p. 46).

The registration and identification process in Greece for unaccompanied minors has a slight difference from Italy since the EU-Turkey deal. As aforementioned, the minors must stay in the Hotspot until they fill in their asylum application due to the return policy that has been established after the deal. However, does this policy also apply for these minors? When the EU-Turkey deal was closed there was a verbal agreement that children would not be among those that would be returned to Turkey. However, this has not been included in the actual agreement. Consequently, since the deal, unaccompanied minors had to face the fact they were being returned to Turkey (European Union Committee, 2016, p. 10). At the end of 2016, 44 unaccompanied minors were sent back (FRA, 2017, p.2)

The Human Rights Watch report that has been published in 2016 does state that unaccompanied minors have been forced, by applying violence to give their fingerprints in police stations and other camps. However, it does not explicitly say that this also happens in the Hotspots. Hence, unlike Italy, there are not any reports where it becomes clear that the fingerprints are violently obtained in the Hotspots (Human Rights Watch, 2016, p. 14).

In Greece, age assessment is almost a standard procedure for minors that arrive. The assessment is signed by medics and social workers that are involved in the process. If they do not manage to figure out what the age is of the minor, the minor is sent to the hospital for a dental examination. Nevertheless, there is a tendency to classify minors as adults when they are in doubt (Papadopoulou et al, 2016, p. 41). This is the complete opposite of what is stated in article 25 of the Asylum Procedures Directive: In case of doubt the individual must be classified as a minor (Directive/2013/32/EU, Ch.2, Art.25). Moreover, just like in Italy, the minors are not informed about what is going on. An Afghani minor said in an interview with Human Rights Watch that he had no idea that he was sent to a Greek hospital for an age assessment. If he had known, he could have asked relatives to send him his documents online (Human Rights Watch, 2016, p. 21).

8 Goals and policy instruments

The previous chapters were focused on the problem analysis of this topic. From this chapter forward, the focus will be on formulating goals and alternatives to choose the best solution to approach this problem. Consequently, this will be followed by formulating recommendations for which implementations are the most feasible.

On basis of the outcome of the problem analysis, it is now possible to formulate the objectives that should be reached once the recommendations of this report are implemented. The point of conducting the multi-criteria analysis is to figure out which solutions have the best chances of fulfilling all goals. Subsequently, that will serve as a basis for formulating the recommendations. In short, I have formulated 7 goals. The goals are as following:

1. Minimize the stay of unaccompanied minors in the Hotspots.
2. Establish separate accommodations from adults for unaccompanied minors always. Moreover, the minors must be separated based on gender as well.
3. The accessibility of medical care will not be an issue for the minors.
4. A ban on returning unaccompanied minors to Turkey.
5. Access to qualitative food and drinks is never compromised.
6. The unaccompanied minor does not have to deal with an unhygienically environment.
7. There will always be guidance and protection present throughout the registration and identification process.

§8.1 Stakeholder analysis

In the situation of the Hotspots, there are a lot of stakeholders that are directly or indirectly involved and affected by the Hotspot approach. However, this section will only focus on the most important stakeholders in this situation. The following stakeholders and their positions are significant for this report: Greece, Italy, unaccompanied minors, NGO's and the European Union. Based on the information obtained from the secondary sources for the previous paragraphs, the goals and needs of these stakeholders will be formulated. Which in turn, will be considered when the alternatives are formulated.

§8.1.1 Greece, Italy and unaccompanied minors

Greece and Italy are important stakeholders in this situation because they are the two countries that have the Hotspots and are also the countries with the largest migrant influx. Since their issues are similar, they have been put in one section. The aim of each country in the world is to have stability and peace within their country. To accomplish this, it is important that all parties are satisfied with the situation. Consequently, it is relevant to realize that we cannot evaluate the position of Greece and Italy without considering the divisions within the country. In the light of this paragraph, both countries will be divided into two groups: the government and the migrants arriving at the Hotspots, where the focus is on

unaccompanied minors.

The Greek and Italian government must keep several things in consideration, such as the agreements with the EU but also the wellbeing of their citizens. Thus, it is important to evaluate what would logically be the goals and demands of the Greek and Italian government so that their positions as significant stakeholders in this situation are determined.

Since 2015, around 803 million euros have been spent on Greece to financially help them with the refugee crisis. For Italy, the counter is on 1183 million euros (European Commission, 2017, p.1). This includes all the funds that have been allocated or spent, all significant bilateral funding and major private donations. Moreover, in the case of Greece, approximately 541 million euros came from the EU (Howden, 2017, p.1). Hence, the Greek and Italian authorities highly depend on the EU and therefore need to work hard to keep the EU satisfied so they will keep receiving financial aid. The establishment of the Hotspots was executed under high pressure from the EU so that the fingerprint would be enhanced, which in its turn, would provide a good overview for the EU to determine how many migrants have entered Greece and Italy and what their identity is (Howden, 2017, p.1). Hence, the first goal is to uphold the current fingerprinting rate to keep the EU satisfied. Furthermore, as mentioned in paragraph 5.1, the relocation scheme is being executed too slowly by the EU, although Greece and Italy have carried out all the tasks that were needed to start the relocation process. Thus, the second goal is to stimulate the EU to stick to the relocation scheme and meet the deadline that has been set to execute this scheme. As aforementioned, the EU-Turkey deal has been very beneficial for Greece and has taken off some pressure when it comes to dealing with the refugee crisis. Needless to say, that it is highly in their advantage if this deal is kept intact. However, tension between the EU and Turkey has been on the rise especially after the diplomatic fight that erupted in March with Germany and The Netherlands, after they stopped a Turkish minister to campaign for the Turkish referendum in their countries. In addition, Turkey has accused the EU of not upholding their end of the deal and consequently, has threatened to withdraw from the deal (Barigazzi, 2017, p.1). It looks like the deal is on shaky grounds and therefore, the third and last goal of Greece is to stimulate the EU to strengthen their diplomatic ties with Turkey and hold up their end of the deal so that the deal stays intact.

The migrants, especially the unaccompanied minors, naturally have other needs and demands than the Greek and Italian government. Their problems already start the moment that they arrive. There is a language barrier and the migrants usually have no idea how the process works and what their rights are. Hence, their first need is to have more interpreters and individuals that guide them through the process. Once they arrive at their sleeping accommodation, the situation only worsens. The second need is that men, women and children should have separate sleeping places, toilets and bathrooms, with the exception of families. In that case the separation based on gender or age is not necessary. The third need is that qualitative food and drinks should be provided on a regular and consistent basis. Qualitative food and drinks implies that the food that has been prepared is hygienical and not expired. In addition, the water should not be contaminated. The fourth need is that the sleeping accommodations are safe. This means that the police should always step in once violence erupts and they should be accessible for the migrants if something happens. Moreover, the accommodation as such must be safe as well, meaning that the gas pipes and electricity are adequately checked to limit the risks of fire breaking out. The fifth need is that adequate medical help is easily accessible for the migrants whether the problem is physical or mental. The sixth need is that the sleeping accommodations must stop being overcrowded.

The seventh and final need is that the entire process must be faster. Preferably, the duration of the process should be in line with the duration that is formulated in the Asylum Procedures Directive. Migrants cannot stay at a reception center for months to await their fate. Clarity about their future in the country must be provided much faster, whether it means relocation, resettlement or returning to their own country. The aforementioned needs are the needs of the migrants in general, but in addition, there are some needs that apply exclusively on the unaccompanied minors. Firstly, the accommodations need to be specially designed for these minors so that it is child friendly. Their place in that accommodation needs to be accordingly to their age, for example, teenagers live separately from pre-teens. Moreover, the accommodation either needs to be adjusted to being long-term accommodation if the registration remains to be so slow, or the registration process needs to be much faster so that they can be moved to another accommodation that is designed for them. Secondly, in the time that they are there, they need adequate equipment appropriate for their age to spend their leisure. Furthermore, a form of education is needed if they must stay there for a longer period. Lastly, the unaccompanied minors need a legal guardian preferably as soon as they arrive so that they will have someone to represent them and guide them through the process. The stakeholder analysis provides insight on what the position of the most important actors in this situation are. The goals and needs have been formulated on basis of the information that has been derived from preliminary research of policy documents, and reports of the EU and NGO's. In short, the goals and needs of Greece and Italy as such are:

- Uphold the fingerprinting rate
- Retain financial funding from the EU
- Keep the EU-Turkey deal intact
- Meet the deadline of the relocation scheme
- Have more interpreters at the Hotspots
- Have better guidance through the registration process
- Fasten the registration process
- Have accessible medical care
- Prevent the sleeping accommodations to become overcrowded
- Have safe and separated sleeping accommodations
- Receive qualitative food on a regular and consistent basis
- Have designated accommodations for unaccompanied minors
- Appoint a legal guardian to the unaccompanied minors
- Have appropriate equipment for leisure and education of minors

§8.1.2 The European Union

The EU has a huge role in the refugee crisis and as aforementioned, is responsible for the establishment of the Hotspots. In this paragraph, the focus will be on the EU as an entity rather than considering the needs of all the Member States separately. The reason behind choosing to analyze the stakeholder position of the EU as an entity is because the refugee crisis is a collective problem, and the decision of implementing the Hotspots was made by EU as an entity. Hence, it is logical to look at their position as an institution because most decisions regarding the Hotspots will come from them and thus they will have a significant role in creating or supporting the solutions formulated for the problems in the Hotspots. The EU must always keep the costs and benefits in consideration before deciding whether they will finance something or not. In this case an investment in Greece and Italy was highly

necessary because not only was the seriousness of the problem increasing but it was also spilling over to other Member States such as Germany. The EU was slowly losing control as an entity since they could not monitor how many migrants were entering the EU and where they were going. Moreover, the Dublin Regulation could barely be applied because these migrants would avoid any form of registration. Hence, one of their first priorities is to keep the current fingerprint rate intact since that provides an overview of how many migrants arrive, and who they are (Papadopoulou et al, 2016, p. 11). Moreover, it is important that the money the countries receive from the EU is used adequately. There must be a balance in costs and benefits especially since the investment to manage the refugee crisis has been high. The EU has limited budget so the goal is always to do as much as possible with the money that the Member States receive. However, the EU has no insight on how the money that they gave to Greece and Italy has been spent (Nielsen, 2017, p.1). Naturally, the EU is expecting this financial aid to pay off and that it should lead to having a proper system and policy for receiving, placing and dealing with migrants correctly. They have taken steps, such as developing the relocation schemes and investing in the Hotspots, however, more needs to be done since tensions are rising in several Member States, and Greece and Italy still have a tough time with managing all the migrants.

It is in the best interest of the EU to have stability within all the Member States so that they can keep functioning as an entity. Therefore, one of their main priorities is to burden all the Member States equally. Developing the relocations schemes was one way to do it. However, not all the Member States are cooperating such as Hungary, which has led to a clash between the prime minister of Hungary and the prime minister of Italy. Hungary refused to comply with a refugee quota if Italy did not put a considerable effort in securing its borders. On the other side of the coin, Germany maintained an open-door policy for refugees which has resulted in them being the country within the EU, after Italy and Greece, that takes in the most refugees (Benedikter, 2017, p.1). The difference in policy to manage influx of migrants does not only cause agitations among the citizens of the EU but also the national governments, which in its turn, puts the EU as an entity in a risky position. Extreme right-wing politicians such as the Dutch Geert Wilders use this to promote the countries' exit from the EU.

In short, the EU hopes to fulfill the following:

- Have proper control over the migrant influx by upholding the fingerprint rate
- The money they invest in solving this problem must be adequately used
- A stable EU where the burden is fairly distributed
- A joint policy to manage this problem

§8.1.3 Non-governmental organizations

Throughout this report it has become clear that NGO's play a key role in the Hotspots. Not only do they provide help in several ways but they also have strong opinions about the situation there. It is quite difficult to put the NGO's in one category since they each have separate focus. For instance, Doctors Without Borders focuses on providing medical care, while Save The Children focuses on children. However, it is too complex to explain what the goals are for each NGO that is present in the Hotspots. Therefore, this section of this report will solely focus on the common goals that these NGO's share.

Of all the stakeholders within this analysis, the NGO's are the ones that prioritize the humanitarian situation in these Hotspots the most. Several NGO's such as Amnesty International, have published reports about the situation there. What those reports all have in

common is that they pointed out that the situation there is horrific and needs to be changed. They are advocating for better sleeping accommodations, quality of food and drinks and medical care. They are especially emphasizing that the EU needs to take measures to improve the situation in those Hotspots because they are eventually the ones who are responsible (Cupilo, 2016, p.1). This is also their most significant goal. It is so important to some NGO's that they have decided to pull out the Hotspots altogether until the EU provides adequate measures to improve the situation. Save The Children and Doctors Without Borders said they will not cooperate to keep a prison-like situation intact where international treaties are being violated (Trouw, 2016, p.1)

The NGO's are under intense pressure while working in the Hotspots. The amount of people in need of help, and the number of staff available, is not balanced. Moreover, the policies within the Hotspots complicates their work. For instance, some migrants are not allowed to leave the accommodation which makes it almost impossible for the NGO's to help them. Furthermore, there are no closed rooms where psychologists can have private conversations with the victims and provide adequate therapy (Papadopoulou et al, 2016, p. 15). Not only are the staff pressured, but their safety is compromised as well. Due to the lack of food and clarity, a large number of migrants have turned aggressive. The staff members have to deal with migrants using violence and throwing objects to them (Michapolous, 2016, p.1). Hence, the NGO's need a better environment to work in, where their safety is guaranteed, and they need to be relieved from the pressure that comes with working in such a harsh environment. In short, the main goals of the NGO's are:

- Pressure the EU to improve the situation for the migrants in the Hotspots.
- Improve the work environment for the NGO staff members.
- Guarantee the safety of the staff members.
- Relieve the pressure for staff members by providing adequate equipment and decrease the presence of the amount of migrants.

§8.2 Alternatives and criteria

Normally there are several solutions to a problem, and naturally the best one is favored. The multi-criteria analysis compares different solution according to a variety of criteria. It is a valuable tool that can be applied to make complex decisions. Usually, the method is used by a group of experts in cooperation with decision makers. The experts formulate the criteria and its weight. Afterwards, the decision makers weigh the alternatives or policies according to the criteria that has been set up by the experts. Once the comparison has been made, they decide which alternative or policy is the most suitable to implement to reach their goals. In some cases, the experts have already weighed the alternatives against each other and the decision makers only have to decide if they agree with the outcome (European Commission, 2005, p.1). Unfortunately, for this report it was not possible to gather a group of experts. However, due to experience in the use of this analysis for previous projects and the background information that I have collected through research on this subject, I have decided to conduct the analysis. It must be noted that this increases the risk that relevant alternatives and criteria are not included due to the lack of input of other experts. Although this risk is always present due to human fallibility. Decision makers always keep the stakeholders in mind when they formulate alternatives and policies. Thus, the stakeholder analysis that has been demonstrated in the previous section is an important basis. Moreover, the second aspect is to formulate alternatives and criteria so that the alternative that meets most criteria can be advised to be

implemented. Hence, this section focuses on which criteria and alternatives I have chosen to conduct the multi-criteria analysis. A total of 5 criteria must be met and a total of 3 alternatives have been formulated.

The first criterion is **effectiveness**. This is the most important criterion that needs to be met. This criterion measures to what extent the goals are reached by implementing the alternatives (Hill, 2014, p. 46). Thus, the criterion speaks for itself.

The second criterion is **efficiency**. This criterion focuses on two parts. The first part focuses on the ratio between the costs and benefits. For an alternative to work, it must have more benefits than costs. For this criterion, three important stakeholders must be considered: The European Union, Greece and Italy. The European Union has used its emergency fund to invest in these Hotspots and naturally, they expect progress in both countries due to this investment. It is in the best interest of the EU that they have low costs and high benefits. Moreover, Greece and Italy are very dependent of these investments and need to be able to justify what they have spent it on. Therefore, the costs for the EU are a benefit for both countries. The second part focuses on time efficiency. How much time and effort does it take before the alternative can be implemented? It distinguishes whether the alternative is time consuming, maybe even to a point where it is not effective anymore by the time it is implemented.

The third criterion is **legitimacy**. The alternatives that are provided need to be legitimate. In this case a distinction between three types of legitimacy must be made: input, output and moral legitimacy. Input legitimacy means that the body that is formulating and executing the alternatives must have a legal ground to do so. This means that the legislator must have been chosen by the citizens or the citizens must have had a separate way to influence this process. Output legitimacy means that the policy becomes legitimate when it solves the problem it intends to solve. Consequently, the alternative that has the highest probability of solving the problem must be chosen. This is a certainty you cannot have before you implement the alternative, therefore it is just an estimation that you make. Moral legitimacy speaks mostly for itself. Is the alternative you want to implement morally correct and does it not harm other groups while you are trying to help one group?

The fourth criterion is **independency**. With this criterion, you try to identify on how many factors the alternative depends. For instance, are you depending on several stakeholders to make this alternative work or are you depending on investments? These are all factors that you must take in account. The risk of the alternative increases when the dependency is high, because if one of the factors does not comply, it is possible that the alternative will not work anymore.

The fifth and last criterion is **feasibility**. This criterion focuses on what the chances are that the alternative can be easily implemented.

Alternative A is the first alternative which consists of a combination of two policy instruments: **Regulations and sanctions**. In the chapter of legal framework, it was mentioned that there is not a specific legislation on the Hotspot approach, and therefore the only guidelines available are the Asylum Procedures Directive and the Reception Conditions Directive. Consequently, one of the alternatives is that the EU takes initiative to design Regulations or Directives that concerns the Hotspots approach. Those Directives should be more clearly formulated so that there is less room for interpretation. The Directives must also have a focus on unaccompanied minors. I have decided to make a combination of this policy instrument with the policy instrument of sanctions. It is more effective if there is a

consequence, if they do not comply with the Directives. Luckily, the EU does have a legal ground to sanction the Member States. Based on article 258 of TFEU, the Commission can start an infringement procedure against the Member State if the country fails to implement EU law. The case will then be brought to the European Court of Justice. The ECJ can then impose financial penalties on the Member State.

In theory, this alternative should be very effective. Naturally, Member States would avoid lawsuits and especially a financial sanction can be very damaging to their domestic economics. In addition, a specific legislation around the Hotspots and unaccompanied minors provides clarification for both the applicants as the Member States. Moreover, the second part of the alternative only involves three actors: the hosting Member States, the European Commission and the ECJ. This does minimize the dependency of the alternative. However, the alternative flaws in terms of efficiency. Designing a Regulation or Directive is very time consuming. The same goes for starting a lawsuit. It takes up to 6 months to only file the complaint, let alone to process it (European Commission, 2016, p.1). Hence, in long term it may be effective but if measures are needed in short term, it will lose its purpose. Also, in terms of legitimacy it is questionable how moral this is. The hosting Member States are already the ones that have to take in the largest number of migrants and are economically struggling. Therefore, a sanction to pressure them even more might be considered a bit immoral.

Alternative B is the second alternative that is also a combination of two policy instruments: **funding** and **monitoring**. The EU has been funding both countries to finance the Hotspot approach. To finance, they have relied on the Asylum Migration and Integration Fund and the Internal Security Fund (European Commission, 2017, p.1). However, this only covers a fraction of the costs that both countries must face to manage the migration crisis (The Editors, 2017, p.1). In 2016, the Court of Auditors published a report where it was revealed that the EU could not indicate what the effectiveness of their spending had been (European Court of Auditors, 2016, p.1). This information provides the knowledge that there is still a shortage of financial aid for both countries, and the monitoring is most likely insufficient. Most reports of the EU that I have found were only concerned with how many unaccompanied minors have been relocated and have arrived, rather than focusing on what the circumstances of the minors are. Consequently, this alternative seems to be in place. In this case, the funding needs to be increased and the countries must be informed that it is solely meant to improve the situation of the minors. After giving the funding, it must be closely monitored to see if it is used for its purpose. The EU must either send personnel to the country to check the situation of the minors or they must create a system where the minors have easy access to complain. If the alternative implemented, it should have high effectiveness because the countries get the additional financial aid that is necessary, and they are strictly monitored so that the money is well spent. However, in terms of efficiency, it puts a strain on the EU because it is additional costs that they must spend for a relatively small group. Hence, the ratio between costs and benefits seems to be a bit unbalanced. The advantage of this alternative is that the responsibilities lie only with the EU. They are the ones that must fund the countries and they are the ones that are monitoring them as well. This is beneficial in terms of dependency. Moreover, not only do Italy and Greece enjoy the benefits, but the NGO's should be rather pleased as well if the alternative is successful. When it comes to how feasibility, it is a bit hard to predict if this is indeed an alternative the EU would like to implement, because on one hand it is a relatively small group and in relation to their size it is questionable if this is not too much effort. On the

other hand, the size could potentially be an advantage because it is much easier to monitor a relatively small group.

Alternative C is the last alternative and the only alternative that does not consist of two policy instruments. This approach has, compared to the other two alternatives, a more positive approach. The idea is to set up a type of **reward system** to stimulate the hosting Member States to improve the circumstances of the minors but also to stimulate the other Member States to take in more unaccompanied minors. Currently, Greece receives 500 euros for every person they relocate (European Commission, 2017, p.1). An example of a reward system would be that they receive 1000 euros for relocating unaccompanied minors. This would stimulate them to prioritize these minors over other applicants. However, this may be questionable for the moral legitimacy, because why should they be prioritized over other vulnerable groups? Another reward system could be that the Member States that take in unaccompanied minors get rewarded. However, these are examples of systems that reward the escape of unaccompanied minors from the Hotspot and it does not necessarily focus on improving their situation there. Hence, it is wiser to design a reward system for improving their situation. Anyhow, no matter how the reward system is designed it must include financial reward. The effectiveness of this alternative is more complicated to estimate. Unless it is a big amount of money that they receive, it probably will not be that effective. There is no pressure on them to change anything and it is likely that the reward is not high enough to prioritize such a small group. Moreover, when it comes to efficiency, it should be efficient timewise. It is not an alternative that takes a lot of time and the costs/benefits ratio depends on what the amount of the reward is. In terms of dependency, it is relatively high because the odds are that you depend on most of the Member States.

9 Multi-criteria analysis

The table below represents a multi criteria analysis. The criteria and alternatives needed for this table have been discussed in the previous section. The weights have been formulated based on the knowledge that I have derived from previous readings, lectures and research. The weight demonstrates the importance of the criterion compared to the other criteria. For instance, effectiveness has the highest weight. This means that effectiveness is the most important criterion that the alternative needs to meet. This representation uses an ordinal 5-point scale where the number shows to what extent the criteria has been met. The rating goes as following: 0= not (met), 1= very weak, 2=weak, 3= moderate, 4= strong and 5= very strong. The alternative that scores the highest is the best alternative.

MCA	Criteria	Effectiveness	Efficiency	Legitimacy	Independency	Feasibility	Total
Alternatives							
Weight		4x	3.5x	1.5x	1.5x	2.5x	
A		3	1	2	3	2	28
B		4	3	4	3	3	46
C		2	4	3	2	2	34.5

A: Regulation and sanctions

$$(4 \times 3) + (3.5 \times 1) + (1.5 \times 2) + (1.5 \times 3) + (2.5 \times 2) = 28$$

The outcome of the analysis shows that out of the three alternatives, this one is the worst option. The effectiveness of this policy instrument should be moderate. Due to new Regulations, there is more clarity provided for the Member States, and the sanctions adds pressure to comply with the Regulations. However, throughout the report it has become clear that both countries are overwhelmed with pressure and lack the financial means to carry out everything. Therefore, this alternative would stimulate them to do the best they can but it would most likely still not be sufficient to maximize the effectiveness. The downfall of this alternative is its efficiency. Although the alternative barely has costs, it is very time consuming. It is a very long process for a problem that needs immediate attention and solutions. Moreover, in terms of legitimacy, the score has been brought down due to the moral legitimacy. It is immoral to sanction a country that is already carrying all the burden and is economically not the strongest. Moreover, the output legitimacy is on the low side as well because the problem of unaccompanied minors can probably be solved years from now instead of at this moment. The independency is moderate due to the relatively small number of actors involved. In principle, only the EU must make the Regulations and impose the sanctions. In addition, the hosting Member States must comply. In term of feasibility, the size of the group was considered. The odds that the EU will invest so much time and effort in a small group such as the unaccompanied minors is not very likely.

B: Investment and monitoring

$$(4 \times 4) + (3.5 \times 3) + (1.5 \times 4) + (1.5 \times 3) + (2.5 \times 3) = 46$$

The outcome of the analysis shows that this is the best alternative. It has scored relatively high in terms of effectiveness because it has been shown in the past that good investment and monitoring can be effective. For instance, there was an increase in the relocations of migrants after the EU started to invest and monitor it better. Therefore, it is likely the same will happen for unaccompanied minors once the investments and monitoring is specified for them. With the funds available, it should not be very time consuming to allocate investments to unaccompanied minors. However, the costs do exceed the benefits because they are investing money to enhance the situation of just one group. Hence, the efficiency is average. In terms of legitimacy, it scores relatively high, especially on output legitimacy. With a policy that is really targeted on unaccompanied minors, it should in theory have a successful outcome. This success is weakened by the moral legitimacy. Although it is morally good to help such a vulnerable group, it is slightly immoral to prioritize them over other vulnerable groups. The situation concerning the independency is the same as in alternative A. In terms of feasibility, the score was average. The effort that the EU must put in to execute this alternative is not tremendously high. Even though it concerns a relatively small group, it is still an important group that cannot be protected otherwise. Hence, weighing the effort and the importance against each other resulted in an average score.

C: Reward system

$$(4 \times 2) + (3.5 \times 4) + (1.5 \times 3) + (1.5 \times 2) + (2.5 \times 2) = 34.5$$

The outcome of the analysis shows that this is the second-best alternative. This alternative scored low in terms of effectiveness. With the current situation, it is not very likely that the hosting Member States will prioritize focusing on minors while there are so many other things to focus on. Moreover, they are not pressured to do this. Although, it is a reward system and the execution would be nice, but it is not necessary. Therefore, the estimation has been made that they will probably only execute when they can do so. In contrary, it did score high on efficiency. This is because it does not consume much time to execute. Moreover, the system is in the advantage of the EU. They only have to spend money after the goal has been reached. That way they will have certainty of its benefits before they have to make any costs. Hence, an ideal situation for the EU. In terms of legitimacy, the output legitimacy is questionable. It will improve the situation of the unaccompanied minors but it depends on how much effort the hosting Member State is willing to put in it. This alternative scored the lowest on the independency criterion. This is because, depending on which reward system, a lot of actors are involved. The hosting Member States have to, most likely not only rely on the help of NGO's but also on the willingness of other Member States to comply. In terms of feasibility, it also scored relatively low because it is very hard to estimate what kind of reward is enough to stimulate the Member States; once that is figured out, the question remains if the EU is capable and willing to give that.

10 Conclusion and recommendations

From 2015 onwards, the Member States Greece and Italy had no choice but to face extreme waves of migration. The huge increase in asylum applications caused humanitarian challenges that seemed to worsen as time progressed. In response, the EU initiated a policy response to battle the excessive migratory pressure. The Hotspot approach was introduced to gain back the control over the influx of migrants. Despite the implementation of the approach, the increasing pressure on both countries induced inhumane living conditions in the Hotspot facilities. The shocking circumstances surrounding the Hotspot facilities has had a severe impact on all migrants, but presumably one of the most vulnerable group has been affected the deepest: the already unprotected unaccompanied minors.

This report tried to answer the following research question: how can the Hotspot approach, that has been implemented in Italy and Greece, be reformed to improve the position of unaccompanied minors? Before that was answered, a problem analysis was conducted to answer one of the main sub question: what have been the successes and the failures of the Hotspot approach one year after its implementation? The answer to that question delivered some interesting information. The roots of the failure of the Hotspot approach dates back to the development phase. The EU never established a specific legal or policy framework in regard of the approach, leaving the Member States no choice but to fall back on two fundamental Directives: The Asylum Procedures Directive and the Reception Conditions Directive. Moreover, there were no Regulations or Directives on the duties and responsibilities of the EU Agencies that settled there, which led to the EU Agencies governing the duties by their own Regulations.

Despite the absence of a specific legal framework, the applicants, especially unaccompanied minors, enjoy a wide range of rights under the EU law to protect them. Regardless, breaches of the EU law within the Hotspots have become a custom rather than an exception. There are flaws in both the reception as well as the procedure of processing the unaccompanied minors. At arrival, the minors are not or insufficiently informed about the procedure. Age assessments are performed and fingerprints are taken without their actual consent; if they do consent, they are not informed what it is used for. During these procedures, there are no representatives or legal guardians present. Discrimination based on their nationality takes place during the procedure and in addition, some unaccompanied minors have faced torture by authorities who pressure them into giving their fingerprints. Once they arrive at their accommodation, the odds are that they must share their bedrooms and sanitation with adults; sharing it with individuals of the opposite sex is not an exception. Consequently, the minors are exposed to (sexual) abuse and violence. In addition, they are provided with poor quality food and must live in unhygienic circumstances. Once the minors get ill it is rather difficult to seek medical treatment due to inaccessibility.

The structural violation of fundamental rights of an already vulnerable group in a well-developed nation is unacceptable and inexcusable. The findings in this study show that immediate action from the EU as well as both Member States is urged. With the help of a multi-criteria analysis, the best alternative to enhance the situation of the unaccompanied minors is formulated. The EU is advised to specifically invest in the unaccompanied minors and to strictly monitor both countries on how they have spent that investment. Moreover, the host Member States must be able to display the improvements that they have made. The evaluation carried out in this study confirms that there is a need in application of additional recommendation to reform the situation in the Hotspots. Since the issues in Greece and Italy were rather similar, the recommendations should be applied to both countries. The recommendation concerns the following aspects of the Hotspot approach:

- Legal and policy framework
The EU needs to design a stand-alone legal and policy framework concerning the Hotspots. The duties and responsibilities of the EU Agencies must be clarified. More importantly, it must clarify who bears the responsibility for unaccompanied minors and how this will be monitored.
- Access to basic needs and medical care
Greece and Italy must immediately enhance the access to basic needs, such as food, clothing and medical care. The safety of the unaccompanied minors must be guaranteed when they are pursuing these goods.
- Involvement of NGO's
The involvement of NGO's must be encouraged. With their work they have relieved some pressure of the host Member States. However, the NGO's who decided to leave have left an immense gap. Hence, better cooperation with the NGO's is advised. The EU must also use their complaints as a signal and use it as a monitoring tool.
- Relocation scheme
The minors must be prioritized to be relocated. Greece and Italy must work swiftly and finish their application to qualify them for relocation. The other Member States are requested to comply to make this successful.
- Return policy
Unaccompanied minors should not be eligible for a return to Turkey due to the EU-Turkey deal. Greece cannot qualify them for this procedure. The EU is urged to ensure this by including this in the legal framework that will be designed.
- Detention
Both Greece and Italy need to stop detaining unaccompanied minors. The EU needs to provide stricter supervision to prevent this. If there is a good reason to detain them, then the minor must be well informed about the reason and the detention must be adequate to its age.
- Separate accommodation & sanitation
Both host Member States must immediately separate the adults from unaccompanied minors. The minors must have their own accommodations and sanitations where they are separated by gender. The accommodation and the sanitation must be hygienic.
- Procedural assistance
The hosting Member States must provide the unaccompanied minor with a legal representative that guides him or her through the procedural process. The representative must be an adult that can anticipate on the needs of the minor.

Moreover, the minors need to have easy access to their representative in case they want to report sexual abuse, violence etc. In that case the representative must be able to guide him through the declare.

The immediate implementation of the recommendation is of utmost importance. Needless to say, that it is necessary to stop breaching the fundamental rights of this highly vulnerable group. However, it is undeniable that the Hotspot approach has fulfilled some of the expectations and goals that were intended by the European Commission. Mostly, this has been at a slower rate than expected but it seems that the pace is increasing. So far, it considerably improved the registration and fingerprinting rate. In addition, the border management has significantly improved, which in return, decreased the secondary movement of migrants. Lastly, the relocation scheme has become more successful as time progressed. Regardless, with the current situation, the successes are being overshadowed by the weight of the failures. The EU should maintain the intended goals but must be cautious to not turn a blind eye to the suffering of the migrants while they are trying to achieve these goals. It is time that all the Member States take responsibility for this migratory crisis and start protecting those who need it the most.

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Appendix I - data set of utilized policy documents

<p>Date: March, 2017 Source: http://www.statewatch.org/news/2017/mar/ep-study-greecde-italy-int-prot.pdf</p> <p>Implementation of the 2015 Council Decisions establishing provisional measures in the area of international protection for the benefit of Italy and of Greece</p>
<p>Date: October, 2016 Source: https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806f9d70#_Toc469574357</p> <p>Report of the fact-finding mission to Italy</p>
<p>Date: May, 2015 Source: http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1485255362454&uri=CELEX:52015DC0240</p> <p>COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS A EUROPEAN AGENDA ON MIGRATION</p>
<p>Date: January, 2015 Source: http://primeminister.gr/english/2010/03/07/berlin-prime-minister-holds-talks-with-angela-merkel/.</p> <p>REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL on the operationalisation of the European Border and Coast Guard</p>
<p>Date: 2016 Source: https://ec.europa.eu/commission/sites/beta-political/files/december2016-action-plan-migration-crisis-management_en.pdf</p> <p>Joint action plan on the implementation of the EU-Turkey Statement</p>
<p>Date: March, 2016 Source: http://www.eca.europa.eu/Lists/News/NEWS1603_17/INSR_MIGRATION_EN.pdf</p> <p>EU migration spending in neighbourhood countries “struggling to demonstrate effectiveness”, say EU Auditors</p>
<p>Date: February, 2016 Source: http://europa.eu/rapid/press-release_IP-16-269_en.htm</p> <p>Implementing the European Agenda on Migration: Commission reports on progress in Greece, Italy and the Western Balkans</p>