

Committee: Special Conference on Migration (SPECON)

Issue: Assessing the effectiveness of the UNHCR mission in the Mediterranean

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PERSONAL INTRODUCTION

My name is Christina Beykou and I have the honour of serving as the President of the Special conference on Migration. I am an A level student at St. Lawrence College, I will soon be moving on to study international relations and law at university. My MUN journey began three years ago at ACGMUN, I am pleased to say that It will also be the last conference in my MUN career. I had the honour of chairing seven times in the past, and attending a total of 19 conferences. ACGMUN will be the final conference in my MUN career, this of course means that the success of the committee is my priority as I hope to end my journey with many amazing memories.

In this study guide you will find information on the UNHCR mission in the Mediterranean, as well as previous refugee rescue missions and attempts to relocate asylum seekers in Europe. If you have any questions relating to the contents of this study guide or on the topic as a whole please do not hesitate to contact me. My email is christinabeykou@gmail.com.

TOPIC INTRODUCTION

In the years 2015 and 2016 states bordering the Mediterranean Sea have been facing a huge influx of refugees with over 1.2 million migrants crossing the Mediterranean on boats, attempting to reach Europe. This resulted in at least 6,000 deaths in only 2 years as many were lost at sea. Countries in the Mediterranean such as Turkey and Greece struggled to provide adequate search and rescue missions. Those attempting to cross the Mediterranean often become victims of smuggling and trafficking while also having their rights abused in the process. THE UNHCR reports that wars, protests and conflicts are the biggest reasons behind refugee crises, and they are known to make people flee from their home throughout history. For instance, can be witnessed nowadays within Syria are simply caused by nothing but war and conflicts although there are several reasons that fuel the conflicts, such as political repression, drought and economic problems. Thousands of refugees and migrants continue to risk their lives at the hands of traffickers and smugglers on dangerous journeys from Sub-Saharan Africa to North Africa. According to the UNHCR, over 60 percent of the people who travelled through the Mediterranean in the first five

months of 2015 came from Syria, Somalia, and Afghanistan, countries suffering war and violence, or from Eritrea, which is ruled by a repressive government.

The UNHCR mission builds upon the Central Mediterranean Sea Initiative which proposes measures to address the situation in the Mediterranean backed by the European Union and its member states on 23 April 2015, and further highlighted in the European Agenda on Migration delivered on 13 May 2015, are significant strides to evade further death toll adrift, give a sufficient reaction to the requirements of those protected and set up a more thorough reaction which recognizes the particular jobs and obligations of nations of source, first refuge, travel and objective.

Collaboration of UNHCR with Afpipol, Europol, Interpol, African Intelligence Community (AFIC/FRONTEX group) and UNODC. Allow for search and rescue operations to be monitored and supported to ensure that the right to seek asylum enshrined in the Universal Declaration of Human Rights and guaranteed in the EU's Charter of Fundamental Rights is fulfilled. The international community has a major role in addressing global migration challenges, the EU being the key destination region, meaning that EU states have a responsibility to for ensure that their migration and asylum policies, as well as its response to dangerous boat journey in the Mediterranean, are in line with both international law and with the EU regional law. As of early June, one person died on the Central Mediterranean Sea for every six people who reached European shores after departing from Libya in 2019.

High Commissioner for Refugees Filippo Grandi said: "We are running out of time, and strong leadership and vision are urgently needed from European leaders to deal with what is, in my view, a situation that can still be managed if properly addressed. This is as much a crisis of European solidarity as it is a refugee crisis. The collective failure to implement the measures agreed by EU Member States in the past has led to the current escalation in the crisis." "The participation of all EU Member States in a solution is critical to managing it effectively. It should not just be left to the entry countries of Greece and Italy, and those such as Austria, Germany and Sweden, who welcomed so many."¹

DEFINITION OF KEY TERMS

United Nations High Commissioner for Refugees (UNHCR)

A UN agency that takes on the role of coordinating international attempts to solve worldwide refugee crises. Aims to provide aid and protect refugees, displaced communities and stateless people.

¹United Nations High Commissioner for Refugees. "6 Steps towards Solving the Refugee Situation in Europe." UNHCR, www.unhcr.org/news/briefing/2016/3/56d96de86/unhcr-6-steps-towards-solving-refugee-situation-europe.html.

Central Mediterranean Route

A route leading from North Africa to Europe through the Mediterranean, often used for illegal trafficking of asylum seekers.

Refugees

People who have crossed an international border to escape war, prosecution and human rights violations.

Asylum- seekers

An asylum seeker is not recognized by the 1951 convention as a refugee, they seek international protection and refugee status.

Human Rights Violations

Acts that result in a person not being treated as a human. Crimes including genocide, torture, slavery, rape and starvation.

Internally Displaced Person (IDP)

A person who has been forced to flee his or her home for the same reason as a refugee, but remains in his or her own country and has not crossed an international border.

Refoulement

To return a person residing outside of her home country to that country; “non-refoulement” is a requirement of certain refugee-related treaties, such as the Convention against Torture.

Resettlement Country

A resettlement country is any country where refugees who cannot be repatriated reside permanently.

Repatriation

To return refugees to their countries of origin at the end of the situation that caused them to leave.

Gender Based Violence (SBGV)

Any harmful acts inflicted on an individual because of their gender, they are rooted in gender inequality.

BACKGROUND INFORMATION

European Border and Coast Guard Agency

A mission was launched on 6 October 2016 at the Bulgarian external border with Turkey by the European border and coast guard agency. It is described as a role-joint commitment, aiming to signify unity between the EU and all states in the Mediterranean facing the effects of the refugee crisis. The mission has enforced a system of monitoring the EU's external borders, allowing for the elimination of illegal trafficking. Frontex also identifies potential security threats and addresses them to ensure the safety of the EU's borders. Throughout 2015, Frontex deployed an increased number of officers and vessels to the Greek islands to assist in patrolling the sea and registering the thousands of migrants arriving daily.

On 28 December 2015, the agency launched Poseidon Rapid Intervention after the Greek authorities requested additional assistance at its borders.

Special Mediterranean initiative

Coordinated actions in Southern Europe, North Africa, the middle east. UNHCR continues to work with the EU to strengthen law enforcement and limit human trafficking rings/ smugglers attempting to give passage to refugees through the Mediterranean to European states. The central Mediterranean route is the most commonly used passage through to Europe from northern Africa, drugs, weapons, intelligence and resources are often traded illegally within this route. Measures taken should not impact the right to seek asylum.

The aims of this initiative include the boosting of post-rescue reception capacities in receiving countries through supporting states, civil societies and local communities. The strengthening of protection systems in order to prevent refoulment of refugees when they are at risk of human rights violations. As well as the increasing of resettlement opportunities and other legal avenues which refugees can explore when evaluating their options in their reception country.

Central Mediterranean Sea Initiative

The central Mediterranean Sea Initiative was used as a guiding tool for the UNHCR mission, its main elements include efforts to support governments so as to ensure effective/safe access to asylum, and by extension solutions to manage migration. The proper access of refugee to basic services and assistance in their received country. Tackling the issue of illegal trafficking by strengthening local and national capacities and protection systems to allow for reinforced pathways to legally reunify families, relocate individuals and allow them to obtain resettlement status so as to support victims of trafficking, separated/unaccompanied children as well as GBV

victims. Including the reinforcement of collective efforts in search and rescue missions, targeting private operators and other actors while simultaneously training coast guard forces or private operators with the international chamber of shipping through the international maritime organization The mission also provides education to systematically inform refugee of their rights and obligations they have when they have claimed asylum or have received refugee status within their receive country taking into account age and gender.

WHO Migration and Health Programme

There has been an influx of refugees into the WHO European Region as populations choose to move due to economic inequalities and in search of better living conditions for themselves and their families.

In 2016, the WHO Regional Committee for Europe adopted the Strategy and Action Plan for Refugee and Migrant Health in the WHO European Region to help to guide progress on the health aspects of population movement. Globally, the WHO Executive Board in 2017 adopted the WHO Framework of Priorities and Guiding Principles to Promote the Health of Refugees and Migrants. Also, in 2017, 258 million people (approximately one in every 30) lived outside their country of origin. In the WHO European Region, almost 10% of the population of almost 920 million are international migrants, accounting for 35% of the global international migrant population.²

The speed and conditions with which these refugees arrive, and the number of people involved, creates multiple challenges for the countries receiving them. One of them being that refugees and migrants with pre-existing conditions or ones that they were unaware of, most commonly. Cardiovascular diseases, diabetes, pregnancy or malignancies, might not have access to medical attention or treatment, when travelling or upon arrival. Besides the complications arising from lack of care, common infections acquired during displacement and migration and lack of nutrition can worsen these conditions. Therefore, it is necessary to identify the problem and act upon arrival. A problem relates to the integration of general medical services, psychosocial services and protection. Vulnerable or traumatized individuals such as victims of trafficking and gender-based violence, victims of torture and trauma, and unaccompanied or orphaned minors, may have both physical and mental disorders. Uncertainty related to the outcome of asylum claims, housing, family separation, employment prospects and future expectations may all impact the health of new arrivals regardless of prior traumatization.

An identified key priority is the enhancement of social protection measures for refugees and migrants, these include the development of sustainable financial

²World Health Organization, World Health Organization, www.euro.who.int/en/publications/html/report-on-the-health-of-refugees-and-migrants-in-the-who-european-region-no-public-health-without-refugee-and-migrant-health-2018/en/index.html.

mechanisms, in order to provide universal health coverage and social protection. Another, is the reducing of xenophobia, discrimination and the stigma surrounding refugees and migrants, through actions such as advocacy and evidence-informed communication with both refugee and migrant communities and host populations.

Greece's Accommodation Scheme

By the end of December 2020, 11,552 places were under the UNHCR and 16,596 places were under the Ministry of Migration and Asylum of Greece. In total, 28,148 places were created as part of the programme. These were in 4,409 apartments and 21 buildings, in 16 cities and 7 islands across Greece. The Accommodation Scheme provides rented housing to vulnerable asylum-seekers and refugees in Greece. Urban accommodation helps restore a sense of normalcy and provides better access to services, including education and health. People are additionally supported by social workers and interpreters who help them access medical services, employment, language courses and recreational activities. In total, since November 2015, around 73,000 individuals have benefitted from the accommodation scheme. The Accommodation Scheme is part of the ESTIA II programme, co-funded by the Asylum, Migration and Integration Fund of the European Union.³

United Nations High Commissioner for Refugees (UNHCR)

The High Commissioner for Refugees is an agency tasked by the United Nations to lead and coordinate international action worldwide in order to protect refugees and address issues surrounding migration.

The UNHCR's primary purpose is to safeguard the rights of refugees, through efforts to ensure that everyone can exercise the right to seek asylum and find safe refuge in another State. They assist refugees in returning to their own country or to help them adapt and settle permanently in another country. Forced displacement is aimed at being eliminated through the encouragement of states and other institutions to create conditions conducive to the protection of human rights. It partners with governments, regional organizations, international and non-governmental organizations to achieve its goals. It is also committed to the principle of participation, believing that refugees may benefit from consultations when making life changing decisions.

³"Greece Accommodation Scheme - December 2020 Update." UNHCR Operational Data Portal (ODP), www.data2.unhcr.org/en/documents/details/84144.

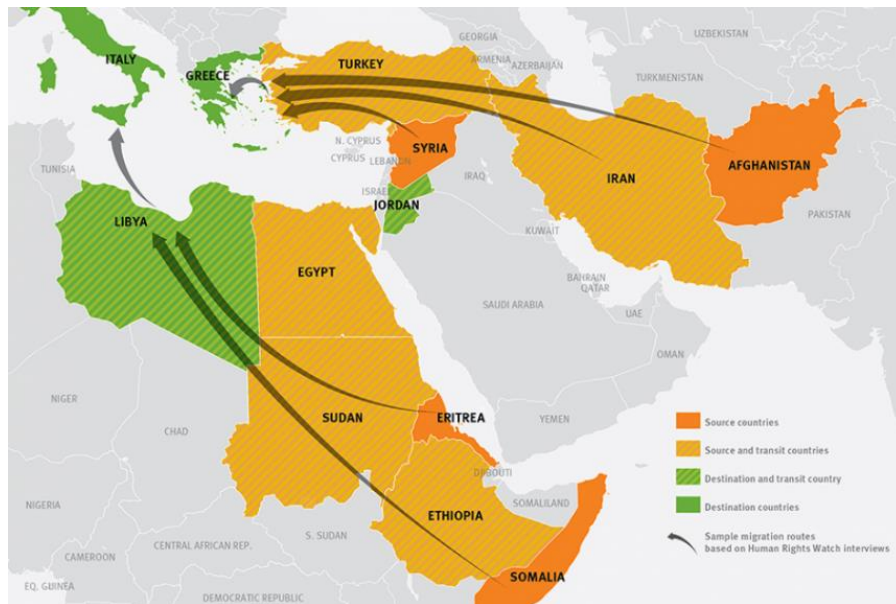


Figure 1: Migration routes, source Human Rights Watch

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

Turkey

Acts as a first country of reception in the Mediterranean refugee crisis, it hosts millions of refugees (approx. 3.2 mil). The Turkish government received funding from the EU in 2017 so as to provide assistance to refugees and their families, through programs such as the Conditional Cash Transfer for Education (CCTE).

Greece

The influx of refugees in the reception country began in 2011 and peaked again in 2015. Greece hosts over 50,000 refugees most of which are on the island of Lesbos which acts as a holding station for refugees seeking asylum in the European Union. In 2015 900,000 refugees arrived in Greece. UNHCR supported the Greek Asylum Service to conclude a large-scale pre-registration exercise resulting in 27,592 people of concern pre-registered; UNHCR also implemented a legal aid project, in cooperation with the Asylum Service to provide legal assistance to asylum seekers, deploying a total of 68 lawyers through its partners. UNHCR experts (quality assurance) supported the newly established asylum offices in the Reception and identification centres on 5 islands.⁴

⁴ "Greece." Greece | Global Focus, www.reporting.unhcr.org/node/14851?y=2016#year.

Libya

Over 90 per cent of arrivals to Italy crossed the Mediterranean Sea from Libya. Libya continues to struggle from conflict and political instability, this stimulates internal displacement. 90% of refugees that arrived in Italy in 2016 came from Libya.

Italy

Italy's legal system provides a complex framework of assistance for both asylum seekers and refugees. Italy has adhered to the most important international treaties providing for the protection of refugees and their families. The Italian police have broad powers to control and reject asylum seekers at the border. Italian legislation has created several government agencies at the national and regional levels to provide assistance to asylum seekers, including the review of their applications, financial and material help, and the monitoring of their activities within the country.

European Union/EUNAVFOR

Europe has experienced the greatest mass movement of people since the Second World War. More than 1 million refugees and migrants have arrived in the European Union, the large majority of them fleeing from war and terror in Syria and other Middle Eastern countries. The European Union has agreed on a range of measures to deal with the crisis. These include trying to resolve the causes of the crisis as well as greatly increasing support for people in need of humanitarian rights both inside and outside of Europe. Steps are being taken to relocate asylum seekers and resettle people in need from neighbouring countries and return people who don't qualify for asylum. The European Union is improving security at borders with a new border and coast guard, tackling people smuggling and offering safe ways for people to legally enter.

International Organization for Migration (IOM)

The International Organization for Migration (IOM) is an intergovernmental organization, connected with the United Nations. IOM provides services and advice to governments regarding migration. It also assists states in adapting their border management at times of crisis, through the Humanitarian Border Management (HBM), an approach which aims to ensure the protection of human rights of those who cross international borders, as well as providing protection and basic assistance such as support, shelter and relief to those affected by displacement.

TIMELINE OF EVENTS

Date	Description of event
28 July 1951	Geneva Convention relating to the status of refugees.
4 October 1967	Protocol Relating to the Status of Refugees.
26 October 2004	Frontex was established.
2011	Syrian Civil War began.
18 October 2013	Italian rescue operations and the European Border Surveillance System were put into effect.
7 August 2014	Report of the United Nations Secretary General on Protection of Migrants (A/69/277).
April 2015	EU mobilizes all efforts to prevent more asylum seekers from dying at sea, root cause of migration also investigated.
13 May 2015	European Commission adopted agenda on migration, highlighting the need for shared responsibility.
February 2016	EU pledges over 3 billion euros to support Syria and the surrounding region.
May 2016	G7 Summit for the global response to the migration and refugee crisis.
July 2016	Proposals to reform European asylum system.
19 September 2016	The New York Declaration for Refugees and Migrants was adopted by the UN General Assembly.
6 October 2016	European border and Coast guard agency launched.
7 December 2016	Amendment to the Schengen Borders code to reinforce checks against relevant databases at external borders.

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

New York Declaration for Refugees and Migrants

The New York Declaration for Refugees and Migrants addresses the situations faced by refugees and by migrants. Commitments that apply equally to refugees and migrants (on topics including racism, xenophobia and human trafficking), as well as separate commitments for refugees and for migrants.

1951 Convention relating to the status of refugees

A United Nations multilateral treaty which sets out the rights of individuals who are granted asylum and the responsibilities of these states towards the refugees they host. Provides the groundwork for defining the legal status “refugee” and the rights attached to that status, they are by no means the only international legal instruments that may be of help in understanding and protecting the rights of

refugees. There are several human rights treaties applicable to all human beings that may be invoked in the discussion of the rights of refugees

Global Compact for safe, Orderly and Regular Migration

The Global Compact for Migration, as it is most commonly shortened to, is an intergovernmental negotiated agreement, under the auspices of the United Nations and aims to cover all aspects of international migration. The General Assembly of the United Nations formally endorsed the agreement on December 19th, 2018, on the day it was also signed. The New York Declaration for Refugees and Migrants was what paved the way to the negotiation for the GCM

International Covenant on Civil and Political Rights (ICCPR)

Member States that have ratified this treaty take on certain responsibilities with respect to individuals within their territory, these responsibilities relate to the following civil rights, among others:

- Equal treatment of all persons “without distinction of any kind” based on race, sex, language, nationality, religion, political opinion, or membership in some other class or group;
- Protection against the arbitrary deprivation of life, including by death penalties imposed for less serious offenses;
- Protection against arbitrary arrest and detention;
- Equality before the courts;
- The right to hold political opinions and to freely associate with others;
- The right of children to be registered after birth and to acquire nationality; and
- The right to form community with others of similar language, culture, and ethnicity.

International Migration and development resolution 2016

Report summarizes the latest global migration patterns, highlights the role of migration in population change, and presents the current state of ratification of relevant legal instruments. Analyses how migration has been incorporated within the 2030 Agenda for Sustainable Development. Contains recommendations on the organization of the Third High-level Dialogue on International Migration and Development and indicates how future high-level dialogues could contribute to the thematic review of the Sustainable Development Goals and targets.⁵

UN general Assembly resolution 72/179 Protection of migrants

Promotes the protection of human rights and fundamental freedoms of all migrants, regardless of their migration status. Addresses migration through international, regional or bilateral cooperation with a comprehensive and balanced

⁵ “The International Organization for Migration on the Post-2015 UN Development Agenda.” Population and Development Review, vol. 40, no. 2, 2014, pp. 381–384., doi:10.1111/j.1728-4457.2014.00687.x

approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Inter-Agency Standing Committee

The IASC is a forum for UN agencies under the leadership of the Office for the Coordination of Humanitarian Affairs (OCHA)'s Emergency Relief Coordinator to coordinate of humanitarian efforts. The objectives of IASC are aimed at ensuring consistency across the involved agencies, which include UNHCR, World Health Organization (WHO), United Nations Children's Fund (UNICEF), and several others as full members, and the UNFPA, International Organization for Migration (IOM), and other agencies, as well as representatives from NGOs, as "standing invitees" in a capacity comparable to the role of members. Within the IASC, UNHCR works with other partners to protect refugees during reintegration or resettlement and assists with providing protection to refugees living in camps and in urban areas.

Refugee Law Project

A nationally-based organization working to protect the legal rights of refugees worldwide, a smaller-scale NGO whose work is focused on promoting access to justice, equitable applications of laws to refugees, and other, related services. In addition to legal work, the Refugee Law Project recognizes the importance of mental health to the full enjoyment of rights and as such, includes a sizeable counseling component in its repertoire of services. The Refugee Law Project is only one of many legal services providers, refugees can now have access to legal redress for violations of rights.

Mission Aquarius

A former fishing boat, cruised the Libyan coast searching for thousands of migrants who attempt to cross the Mediterranean, many suffer from severe dehydration and many do not survive the journey. This boat rescues refugees travelling through traffickers, many drown during the journey.

POSSIBLE SOLUTIONS

Reinforced Legal Framework

Reinforced protection system and a legal framework to prevent refolement of migrants, the application of this can be done through, sea and land border management practices in Bulgaria, Greece, Turkey and the western Balkans, to manage the illegal transport of refugees across border by smugglers. Also, authorities protecting individuals seeking international protection/asylum procedures should be

supported internationally and be officially recognized. The EU relocation programme which is used as a distribution mechanism should also be legally binding on all states to ensure its enforcement. In addition, governments of reception countries. E.g., Greece, Turkey should increase the access to legal assistance for refugees seeking asylum seeker status.

Search and Rescue missions

Effectiveness significantly higher when navy and police officials involved in search and rescue missions in the Mediterranean are properly trained to support the UNHCR's Division of international protection, and carry out all missions assigned to them as well cooperating with organizations such as the IOM, UNODC, OHCHR, to bring about security to refugees and ensure that they are not exploited by smugglers. Also ensuring that upon arrival refugees are treated with respect to their rights.

Raising Awareness

Awareness surrounding refugees and their journeys across borders should be raised so as to allow for the International Protection of the risks of irregular movement which arise from smuggling and trafficking. There must also be awareness on the fact that governments and states in general must have a system so as to effectively share information between relevant law enforcement agencies to devise the most effective plan for relocation of refugees in reception countries. The UNHCR's media engagement capacity must be strengthened so as to promote transparency when it comes to the Mediterranean crisis and allow all states to contribute to the management of the crisis effectively and efficiently.

Resettlement Opportunities

There must be an expansion of resettlement opportunities so as to provide a legal avenue for the protection of the rights of migrants. This can be done through EU institutes and agencies as they cooperate to enhance refugee resettlement. Another option is providing sponsorships/humanitarian permits to support refugees in any reception country they arrive in or they end up in. Most. Importantly the systems which allow for family reunification programs must be reformed to enhance its effects and limit the number of unaccompanied children crossing borders and leaving their families behind.

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