



Monthly report on human rights of migrants, refugees and asylum seekers in Serbia and Macedonia

The aim of this Report is to present the current situation regarding the protection of human rights and freedoms of migrants, refugees and asylum seekers passing through, or staying in Serbia and Macedonia. The data in this Report were obtained from 24 civil society organisations from Serbia and Macedonia, within the "Help on the Route" network.

Situation in Serbia

The increase in the number of newly arrived migrants continues. They come from Greece and Bulgaria, pass through Serbia and head towards Bosnia and Herzegovina (BiH) and Croatia. The highest increase in the number of unaccompanied minors since the beginning of the year has been registered, so that 249 minors are currently accommodated in the centres.

In the park near the Faculty of Economics, newly arrived migrants who do not want to be accommodated in the reception centres (RC) stay in the open. Most of them are from Iran, mostly men who travel in a group, and there are families with small children. According to them, they feel hopeless and do not see the way out of the problem. They say that they are not informed about services, services and organisations and that they do not know where they can ask for and get certain services, they only know who to contact if they want to be accommodated in the centre. They are disappointed that there is no aid in food, clothes and hygiene for those who are still in transit and do not want accommodation. Even though the majority feel depressed, shaken and hopeless, they believe that better life for than the one they escaped from in their country of origin is awaiting for them, and that is the only thing they are hoping for.

In August, an informal shelter for migrants (the Simpo building) in Belgrade was evicted. Also, the relocation of migrants from the RC Obrenovac started due to capacity fulfilment. The RC Preševo has been evicted and placed in a standstill state, along with the centres in Divljana and Dimitrovgrad. According to the representatives of the Commissariat for Refugees and Migration (CRM), the reception centres will be ready to open within a short term if needed.

The number of refugees and migrants in Serbia increased in August by around 350 compared to July and it made **3,875** by the middle of the month (UNHCR data on August 19th, 2018). Most of them (87%) are accommodated in 18 transit-reception and asylum centres, while others are staying in Belgrade or in the areas close to borders with BiH, Croatia and Hungary.

UNHCR continues to record around 2,000 new arrivals a month. However, due to departures from the country the overall number of refugees and migrants has not changed significantly.

The recently proposed amendments to the Law on Free Legal Aid envisage the abolition of the right of civil society organisations to provide legal assistance. Such changes would cause the greatest damage to the most vulnerable social groups, including migrants, to which the access to legal protection and assistance is prevented due to many social, cultural and material obstacles. The observing and protection of the human rights of migrants in Serbia is largely facilitated by the civil society actions, and thus the initiative has been launched to withdraw the proposed changes.

In the attempts of illegal border crossings, migrants are exposed to serious risks and they often get hurt. Recently, a migrant from Iran drowned in the Drina in an attempt to cross into BiH. The police found the body of the drowned man after several days of search.

Accommodation in the reception and asylum centres

The situation among migrants staying in Serbia is bad, the ruling condition is the one reflected in interchanging of helplessness, anger and despair, all due to the lack of opportunities and solutions for their uncertain situation that has been going on for a long time. The main topic they are discussing is going to BiH on a 'game' (an attempt to cross the border), but the impression is that they are not sufficiently informed about the situation in the field, and rely on unverified information. For example, many migrants count on the solidarity of Muslim families in BiH, their kindness and help, as well as on their own endurance to cope with conditions of staying outdoor. They repeat that Serbia has nothing to offer to them, and that they want to move on at any cost before winter.

A young migrant girl from Africa shared her experience from March this year, when she was forcibly returned from Hungary after she applied for the asylum in Budapest. The Hungarian police told her that she would be accommodated in the camp while waiting for the outcome of the asylum procedure and drove her by a van to the border with Serbia. The vehicle stopped at the fence and they ordered her to leave the vehicle. The police photographed her, unlocked the fence, and told her to continue herself through the meadow, all the way to the campsite that was seen in the distance. She asked them why she should go alone, through a meadow where there was no road of any kind, but she did not get the answer. She was forced to walk through the fence. She described the event as highly traumatic, unpleasant and humiliating:

" That humiliation, the feeling of being treated like a dog, laughing into your face while your entire world is breaking apart - it's something you do not want to experience ever again. I do not know what was worse - the rejection, that violent repulsion by other human beings, or indescribable fear while I had to wander myself through the forest and go to the unknown."

In a conversation with three migrants (from Iran, Somalia and Pakistan) staying in the south of Serbia, we learned that they are not planning to stay there, but to transfer as soon as possible to Belgrade, which is their temporary station to Loznica. They plan to cross from there to BiH, and then to Croatia. They are using the map on the mobile phone to find their way, and they expect to find smugglers at the border with BiH. They say that they have saved 400 Euros each to be transported across the Drina, while 3,000 Euros is the "tariff" for crossing the border with Croatia.

The growing concern among migrants is the expectation of a complete closure of the Hungarian border for legal crossings. This possibility additionally disturbs them and motivates them to think about the route via BiH. The lack of structured activities for all age groups is seriously reflected on the mood and health of the residents of the centres. Some migrants are interested in attending courses, continuing education or any other activity outside the centre, in order to spend time in a meaningful way. Talking about what constitutes the greatest support in their lives, some migrants shared with us that they are not entirely honest with family and friends who have stayed in the country of origin to who they present their situation as being far better than it actually is.

The transfer of migrants from Preševo to Vranje and Bujanovac caused dissatisfaction in both groups. Those who were transferred point out that they had much more space in Preševo. Those who live in the centres have difficulty adjusting to the newly emerging "chaotic" situation and claim that the conditions of life are no longer the same: *"Currently, there are quite a lot of single people in*

the camp. They are very strange and smell unpleasantly. I find it difficult to get used to so many people. "

It is interesting that a larger number of migrants work and earn funds, although they have no legal capacity to do so. For example, many were picking raspberries and doing other seasonal jobs, and there are those who work as welders or paint cars.

At the beginning of a new school year, meetings were organised in the reception centres so that parents could get information on children's school attending. From this year on, children should attend pre-school classes as well. There is still a problem of unadapted school syllabus and lack of individual approach in teaching. Among the unaccompanied minors accommodated in the Centre for the accommodation of minor foreigners, the main topic is the beginning of a new school year. The boys are already preparing to start going to school and adapting to the school environment and new friends. They regularly attend workshops, Serbian and English language classes, and guitar lessons.

"All my friends left the camp. Only my brother and I should start going to school. If my friends do not return, I will not go either. I feel lonely at school. There are many children, but I do not speak Serbian language enough, and I cannot play with them. I also do not like the fact that I usually sit alone in the last bench." - F.M. (9)

Situation in Macedonia

The situation in Macedonia remained relatively the same during August. Groups of refugees from smuggling routes were encountered by the police. Refugees are mostly coming from Afghanistan, Pakistan, and Iran with smaller numbers coming from Iraq, Syria, Bangladesh, Morocco, Algeria and Sri Lanka. The direction of movement remains the same, they either come from Serbia after a certain period of stay there and want to go back to Greece or they come from Greece and wish to continue to Serbia.

The number of refugees in the transit centre of Tabanovce, Kumanovo was not higher than 30. In Vino Jug, Gevgelija a higher frequency of movement was reported, namely 57 refugees arrived in just one day. However, a significant number of refugees were pushed back to Greece by the Macedonian police. According to the observation by the field monitors, 183 migrants (mostly men, 7 women and 3 children) were caught and pushed back to Greece in a 3-day period of time.

Conditions in the camps are adequate and sufficient to meet the needs of the refugees that are transiting. There is presence of the local and international organizations and authorities that are working on enabling humane conditions for safe transit of refugees and migrants. Medical treatment is available to everyone. Residents needing additional care are taken to the city hospitals of Kumanovo and Gevgelija, respectively, whereas more complicated cases are taken to Skopje. Access to the asylum is available to everyone. According to the reports from the field monitors, there were three asylum seekers -2 from Sri Lanka, and 1 from Bangladesh. They were transported to the Centre for Asylum Seekers of Vizbegovo, Skopje.

Police reports

According to reports published by the MOI, four incidents concerning smuggling and trafficking of migrants took place during August. The first incident happened on August 2nd on the road from Demir Kapija to Negotino, where 5 migrants from Pakistan and 3 migrants from Bangladesh were found in a vehicle. The migrants and the driver were taken over by the police in Negotino. The second and third incident happened on August 12th, one near Demir Kapija, where 9 migrants without identification papers were found, and the other on the Skopje-Kumanovo highway where 30 migrants were found – 28 from Pakistan and 2 from Afghanistan, with 2 minors among them. The last case of smuggling of migrants happened on August 19th on the road to Vaksince, where a driver was found with 8 migrants from Iran who were transferred to the Reception Centre for Foreigners in Skopje.

During August, the Internal Affairs Department within the MOI filed a criminal complaint against an employee at the Regional Centre for Border Affairs North for abuse of official position and power referred to in Article 353 of the Criminal Code. The employee acting as a police officer in charge had issued an order to file a fictitious receipt for returning of confiscated items taken from a detained migrant.

Violent crimes against migrants are still present in the police reports in August. One case has been published regarding a robbery near Veles where 4 persons had allegedly attacked a migrant from Pakistan and stole 6,000 denars and 150 Euros that were in the victims' backpack.

RECOMMENDATIONS

For Serbia:

- It is necessary to continue efforts aimed at ensuring the observing of the right to asylum and access to the procedure, as well as efficient asylum procedure and protection of persons who need international protection.
- Adequate protection should be provided to those refugees and migrants who are outside the system, who are not registered or accommodated in the way that will enable them to exercise their basic rights.
- Preventing of smuggling and human trafficking remains high on the list of priorities, with advocating prevention of harassment of refugees and migrants by the authorities or civilians along the refugees' route.
- An efficient providing of comprehensive assistance requires co-ordination of activities between the civil society organisations and service providers from the public sector. The feasibility and impact of activities reach the maximum if they are co-ordinated between all the key stakeholders.
- The activities of information dissemination, linking, learning about and intercultural exchange are of great significance in order to bridge the distance between local and refugee communities. In the context of the beginning of the school year it is important to inform and co-operate with parents of local children and refugee children for the purpose of better preparation and preventing of misunderstanding, prejudice and fear.
- Basic human rights and freedoms of refugees and migrants should be promoted, observed and protected at all times by all the institutions and citizens.
- It is necessary to invest efforts to prevent discrimination towards migrants and to respond adequately to cases of proven discrimination so that they do not repeat.

There is a large need in the reception and asylum centres to organise free time and provide for occupational, recreational and other activities for migrants

For Macedonia:

- The practice of illegal deportation to Greece must be immediately terminated and replaced with a lawful procedure of readmission of the refugees who wish to return to Greece.
- Any allegations of police violence or hate crimes against the refugees must be reported and thoroughly investigated by the Ministry of Interior. Refugees who are the victims of smugglers must not be held in detention in the Reception Center for Foreigners in Skopje as witnesses in criminal proceedings.

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