



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

During the first half of April there were more than 350 new arrivals in Belgrade. Most of them arrived from Iran, mostly by plane, and their goal is to continue their journey further on. In addition, Pakistanis, Afghans, Algerians and Moroccans have been recorded in large numbers. Warm weather contributed to about 30 migrants staying in the park in the center of Belgrade daily, and a similar number is present in Miksalište.

A new Law on Asylum was adopted at the beginning of the previous month. A new Law on Foreigners and other laws dealing with migration issues have also been adopted. The old Law on Asylum ceased to be valid, while the new one should begin to be applied 60 days from the date of its entry into force. This practically means that in this period, all until June, there is a "vacuum" during which the provisions of the Law on General Administrative Procedure apply. Regardless of the current situation, the new Law is eagerly awaited because of the changes it brings, which should improve the existing asylum system. Certain novelties improve the position of both the asylum seekers, and those who are recognised sanctuary or subsidiary protection, and they more closely determine certain issues concerning procedural law, the defining of different institutes and mechanisms for the protection of asylum seekers and refugees.

The current situation regarding access to the asylum procedure has not been significantly altered. It is still happening that individual persons await for a few months to apply for the asylum, primarily in the reception centers, but also in the asylum centers. It is expected that the situation will change in the forthcoming months, bearing in mind the provisions introduced by the new law. It is also expected that the work of the Asylum Office will be more efficient in the forthcoming period. However, it should be kept in mind that training for new officers is necessary in order to ensure proper work and decision making in the asylum procedure.

The problem that is increasingly present is the position of the asylum seekers whose asylum procedure has been legally terminated with a negative decision. There is a problem in practice regarding the return of these people to third countries, and this should, as a rule, be the countries from which they came shortly before entering Serbia. Not all agreements with the neighbouring countries regarding the return to those countries are fully implemented. On the other hand, some of the rejected persons are trying to leave Serbia illegally or legalize their stay in another way (most often it is an attempt to regulate the stay through work, although it also happens that individuals marry

There were **3,498** refugees, asylum seekers and migrants in Serbia by the end of April (UNHCR data, April 29th, 2018). Most of them (91%) were accommodated in 18 transit-reception and asylum centres, while around 300 were staying in Belgrade or in the areas close to borders with Croatia and Hungary.

UNHCR noted an increase in new arrivals when assisting 208 of them (compared to 132 during the preceding two weeks): 62% coming from the direction of Macedonia, 16% from the direction of Bulgaria, and 22% by airplane and/or from other locations.

Serbian citizens), which is not simple and implies a large number of conditions that should be met. A large number of these people have been in Serbia for a longer period and are making efforts to integrate into Serbian society.

Accommodation in the reception and asylum centers

The situation in the reception and asylum centers has not significantly changed in relation to the previous period. The problems that are being registered include thefts, fights, use and carrying of melee weapons and alcohol abuse. There was heightened tension and impatience among the migrant population when it comes to going to Hungary, due to the reduced number of entries on a daily basis and the alleged non-observing of the border crossing order. The principle of family unity is generally respected when accommodating in the centers, but it still happens that users of different nationalities are accommodated in the same rooms, in centers where there are more people. This often leads to a conflict between migrants.

It is necessary to pay attention to the increasing need of migrants for organised activities. The trend of reducing the presence of organisations that used to organise such activities in the centers led to a monotonous everyday life. Migrants complain that they are bored, that their time passes slowly and monotonously, and they are in vain waiting for the journey to continue. Some consider the option of staying in Serbia and seeking the asylum after numerous unsuccessful attempts to illegally cross the border.

Migrant children at schools

The number of children who attend classes in elementary schools in Serbia ranges from 350 to 400, with significant dropouts in the north. It is much easier for younger children to adapt to school. Children point out that communication can be difficult at first, but that occasional misunderstandings are quickly overcome. The social distance of domicile students is lower for migrant children than for some other ethnic groups and they show great empathy and readiness to help. Older children have difficulty finding motivation

"I am surprised with your police! They were very polite with me, they introduced themselves and accommodated me in the reception centre. I heard I might have problems with the police, but it did not happen anyway."

- Migrant from Iran who came to Serbia via Macedonia

"The policemen were polite with us, they treated us nicely, they were not aggressive, they introduced themselves and explained they had to take us back to Serbia."

- The family that tried to enter Croatia and Bosnia and Herzegovina

"Our children interact less and less with your children. During breaks they usually stay in their small groups, just as you can see them in the camps. I do not think that your children have problem with our children, but I think that language barrier is currently too big."

- A father assigned to accompany children to school and be with them at school

for learning, and schools are not flexible enough to always find a way to offer them to learn the topics interesting to them. Foreign language classes are always well accepted, but they are rare during the week due to the work plan.

The *Manual for Implementation of Professional Guide* has been published and will be distributed to all schools, as well as the *Handbook for Accelerated Learning of Serbian Language* that is waiting for printing. Six schools received additional funds for professional development due to the increased number of children and the need for capacity building in specific areas. The schools continue to stress the need to finance additional language classes, as many teachers do not speak English or other foreign languages in

which they could communicate. They point out that children fit in nicely, but sometimes it's hard to get them out of homogeneous groups.

The situation in Macedonia

The situation in both transit camps remained quite the same during April, 2018. The number of refugees who stay within the camps did not exceed 40 in each camp, although there is regular frequency of movement. Refugees are coming and going on a daily basis, either from Serbia to go to Greece or are caught by the police coming from Greece with the intention to go to Serbia. The predominant countries of origin are Pakistan, Afghanistan, Iran, Iraq, Syria, Morocco, India and Algeria.

The numbers in both transit camps vary on a day-to-day basis. On the 12th of April, the total of 17 refugees - three families originating from Afghanistan arrived in the transit camp in Tabanovce, Kumanovo. The group was composed of 3 men, 3 women and 11 children (boys and girls from 4 months to 19 years old). According to them, they stayed for 5 months in the camp in Preševo, after which they voluntarily decided to go back to Greece. During the first 3 weeks of the month there were about 38 new refugees who arrived in the transit camp in Tabanovce. Their countries of origin are different, and they are mostly coming from Pakistan, Afghanistan, Libya, Iran, Iraq and Morocco. Most of them have returned to Macedonia voluntarily, after several months of stay in Serbia. The reasons, as some have stated, are the bad conditions in the reception camps and the lack of possibility to continue their journey onwards. Although mostly men, there were at least 5 unaccompanied minors among the refugees in the groups.

In the transit camp in Vinojug, Gevgelija, there were about 40 new refugees who arrived during the second week of April. The countries of origin are Afghanistan, Iraq, Iran and India. On the 17th of April, about 35 refugees coming from Pakistan, were caught by the police near Negotino and were immediately transferred to Greece.

During April, two refugees coming from Afghanistan who were accommodated in the transit camp in Vinojug, Gevgelija submitted the asylum claim. They are expected to be transferred to the Reception Center for asylum seekers in Skopje. On two occasions, bigger groups (22 and 18) were transported from Tabanovce to Gevgelija in an organized manner, with the goal to return to Greece on their own request.

Medical assistance is provided for all refugees who have the need for it. In specific cases, refugees are taken to the local hospitals if further medical care or special examination is needed.

During April, the Ministry of Interior has reported on 4 cases of smuggling. In the first case, in the beginning of the month, four German nationals tried to smuggle a migrant through the Greek-Macedonian border, by hiding him in their car. Criminal charges have been filed against them and the migrant was taken to a reception center. In the second case, the police patrol discovered 5 refugees coming from Pakistan (in the age between 18 and 28) while they were checking the vehicle. All of them had Greek documents. The driver, a Macedonian national, was arrested and the refugees were taken to the police station for questioning. The two more cases, the mixed patrol teams and the border police discovered groups of people on two different occasions in a rail freight train. In the first case, 4 refugees were discovered, originating from Afghanistan and Iran. They arrived in Gevgelija from Greece. In the second case, 5 refugees originating from Afghanistan and Iran were discovered in the train travelling from Greece to Hungary. All of them were transferred to the transit camp in Tabanovce, Kumanovo.

On April 27th, a man originating from Algeria arrived in the camp, coming from Serbia. According to him, he was heavily beaten by the local people in the surroundings of Skopje. He had visible wounds and bruises. He was assisted in reporting the case to the Ministry of Interior.

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 towards 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 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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