



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

Within the past week, between 70 and 100 migrants stay at Miksalište on a daily basis, while in the park at the Faculty of Economics the number is significantly higher. Most of them are from Afghanistan and Iran, and also from Pakistan and Iraq. Migrants who have just arrived at Infopark can get one meal, use computers and joint premises to rest.

An increase of the number of refugees coming to Serbia is still registered, in particular unaccompanied minors whose number reached 600. All those who register as minors are sent to talk to social workers and after the registration they are sent to the reception centre. Several changes have been introduced regarding the protection of unaccompanied minors. Based on the Agreement between the Ministry of Internal Affairs, Commissariat for Refugees and Migrations and Centre of Social Work all unaccompanied minors older than 14 are sent to the asylum centre Sjenica instead of Krnjača that they were sent to before. Minors aged 14 or less will be sent to the asylum centre Krnjača. It was planned to move the minors older than 14 who were accommodated at Krnjača to Sjenica.

In this period, the visa-free regime for Iranian citizens was abolished. It was expected that this decision would affect the decrease in the number of asylum seekers originating from Iran, however, judging by the visits to Miksalište and the inquiries of Iranians for the asylum procedure, the number of asylum seekers originating from Iran is not changing as for now.

The number of refugees and migrants in Serbia increased mildly in October and it made **3,919** by the end of the month (UNHCR data on October 28th, 2018). Most of them (89%) are accommodated in transit-reception and asylum centres, while others are staying in Belgrade or in the areas close to borders with BiH, Croatia and Hungary.

UNHCR recorded around 2,000 new arrivals during October. However, due to simultaneous departures from the country the overall number of refugees and migrants has not changed significantly.

More and more migrants from Iran are applying for voluntary return to the country of origin through the IOM because they realized it was very difficult to cross the border without smugglers and large sums of money: *"I was everywhere, they were sending me back, I tried to stay, but I did not succeed. I'm tired, now I just want to go home."*

A large number of migrants still do not understand which rights and benefits they will get if they are granted the asylum in Serbia and if they enter the procedure at all. The largest number of questions they ask refers to these issues, as well as to specific things such as whether they can live in private accommodation, whether they will receive financial

assistance, by whom, in what amount, and so on. Several users are determined to apply for asylum in Serbia, but they have a dilemma which legal representative to choose.

With regard to the implementation of the new Law on Asylum and Temporary Protection, a positive experience was recorded with two asylum seekers. They were registered as asylum seekers in Vranje, where they stayed in the reception centre. After the registration, they were referred to Banja Koviljača, where they did go. Within the legal deadline, the representatives of the Asylum Office came to the Asylum Centre in Banja Koviljača and enabled them to apply for asylum.

Accommodation in the reception and asylum centres

In reception centres, many migrants, due to fine weather, spend their days out of their rooms in the yard. Most young people have nothing to do. There is noticeable passiveness in the camp while the children are in school. They mostly sit in groups, and these groups do not interfere much, even small children do not play with children outside of their group. Generally, there is a depressing atmosphere; only the younger ones who attend school - kids and teenagers are in a good mood.

The level of irritability, aggression and intolerance among users has also increased. Mental brakes that would prevent them from being more aggressive in discussions among themselves have got released, and the slightest trifles are no longer tolerated by neighbours in the camp. These disputes do not, however, lead to major incidents, but there is noticeable change in the behaviour and emotional reactions of the inhabitants of the centres. The topics of illegal crossing across the Bosnian route and the final closure of the

"I have realized that it is a good country for me, that I have already lost two years waiting for my situation to be resolved. I do not want to wait for anything any longer, I want to settle down and start living my life."

- An unaccompanied minor from Afghanistan (17)

"I am still reconsidering which legal representative I should address, I do not know who to choose. I want to choose the one that is the best for me and the one who will truly try and not only provide support on paper." - A migrant from Afghanistan (19)

"Some tell me to stay here and that I will get the papers and job quickly because I speak English, others say that the procedure is slow and that the outcome is highly uncertain...I do not know who to trust." K.S. (24)

"The quantities of food are not sufficient for us. Ask anyone in the camp, but there is simply not enough of anything – neither food, nor clothes or cosmetics, but clothes in particular."

- A migrant from Afghanistan (30)

"The only thing we need at this point is a small help in the form of money we used to get on the cards. I did not worry then whether we would get something or not since I could simply buy that stupid razor to shave myself and some other cosmetic items. You know, simply those small things."

- An unaccompanied minor from Afghanistan (16)

Hungarian border are still ongoing among the refugee population. It seems that refugees have never been more confused about what to do than at this point. They receive different information about the situation in Bosnia, almost none is either fully verified or optimistic, and many are left without funding sources, and are familiar with the process of obtaining asylum in Serbia and the procedure that is long and extremely uncertain. Whatever option they take into account and consideration, they do not expect success. Additionally, every family or individual has some personal problems that they want to resolve, which indicates that life nevertheless takes place inside the camp and that despite of all the things they did not give up everything, but try to maintain (or establish) the balance at least at personal or micro family level.

The refugees and migrants declare that they feel the shortage of everything – food, clothes, and cosmetics. As far as food is concerned they declare there isn't enough of it and they lack clothes the most.

Migrant children at schools

Most schools working with migrant children or having the opportunity to enrol migrant pupils are additionally financially supported. Starting from this school year a compulsory preparatory pre-school programme was launched for the first time for children aged five and a half to six and a half living in reception centres for migrants in Serbia. The programme includes 38 out of 333 children who have already been assigned to elementary schools.

Unequal access to classes significantly affects the quality of education. The reason for the shorter period spent in school is somewhere of logistic nature, and somewhere the mentors should work with schools to optimize the schedule. The Commissariat has provided snacks for children, and in most schools the children are also accompanied by their tutors. There is still very limited access to secondary schools and much more work needs to be done on the motivation for education, because apsentism is high.

There is a good co-operation between the competent institutions. The Commissariat for Refugees and Migrations and the Ministry are in regular communication and try to ensure, besides access, the quality of education for migrant children. At school level, there are obvious differences in sensitivity of schools for inclusive approach and access to education for migrant children. It would be necessary to network these schools, because of the transfer of good practices, as well as facilitating the equalization of teaching for migrant children.

Situation in Macedonia

Two transit centers in Macedonia continue to function and to serve the refugees and migrants who are passing through the country. Refugees, and national authorities as well, still consider Macedonia as a transit country and not the final destination. The new arrivals are coming in small groups of men or families. Most of the groups of families that are arriving in the camp are vulnerable and exposed to various risks as violence, trauma, smuggling, trafficking, torture and abuse.

The trend of refugees and migrants transiting via irregular routes in the country continues in relatively high numbers. According to the data of the Macedonian Red Cross, 3,364 irregular migrants were registered during October. Out of the total number, 1,235 irregular migrants were detected near Lojane, Vaksince and Lipkovo area, while 2.129 illegal migrants were noticed near Gevgelija – 2,724 were men, and 394 women and 200 minors. The majority of them originate from Iran, Afghanistan and Pakistan, and the others from India, Sri Lanka, Algeria and Iraq.

Mobile teams of the Red Cross and teams from other CSO's are present near the illegal routes, trying to provide help and assistance to the migrants they find on the way. The CSO's working in the field on both hot spots are convincing illegal migrants to go to the nearby transit center in order to get proper shelter, food, water, medical treatment and rest.

The movement from Serbia to Macedonia is increased, where some of the migrants have voluntarily left the camps and some are being pushed back by Serbian police forces. According to the reports of the field monitors, the majority of them are heading towards Greece and do not plan to stay in Macedonia.

Reports by the police on cases involving smuggling and trafficking of migrants are present in October as well. During this month, MOI published 10 reports on smuggling and trafficking of migrants involving 98 migrant victims of this crime. Out of 10 reports, MOI has filled 2 criminal charges against two smugglers in front of the public prosecution.

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:

- Refugees who are the victims of smugglers must not be held in detention in the Reception Centre for Foreigners in Skopje as witnesses in criminal proceedings.
- Relevant institutions must be included in the detection and protection of the migrants transiting through irregular routes in the country.
- The conditions in the accommodation facilities need to be addressed with regards to the increasing number of migrants passing through the reception centres.

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