



Serbia is still considered a transit country because most migrants intend to continue their journey to Western Europe. The legal way to do this, i.e. coming to the line for crossing the Hungarian border at the border crossings of Horgos and Kelebija is very slow, because only ten people per day are allowed to pass through. In August, the migrants who have been waiting since September last year were admitted. Waiting lists are formed according to the date of migrants' arrival to Serbia, but there is a problem of occasional deviation from the order in the lists. Because of this, a large number decides to get in touch with smugglers (Belgrade is the main point on the migration route because of contact with them) and try to cross the border with Hungary, Croatia or Romania.



*Refugees on their way to the border with Croatia: surroundings of Šid, June 2017.
(Photo: NSHC)*

The number of refugees and migrants in Serbia decreased in the summer period, from **5,947** at the end of June to **4,230** at the end of August (UNHCR data). Of this number, most are accommodated in 18 transit and reception and asylum centers, while others are located in Belgrade or in the border areas with Croatia and Hungary.

The reduction in number can be explained by the fact that many refugees, often entire families, were leaving the accommodation centers and trying to cross the border with the aid of smugglers. Those who were forcibly returned from Hungary and Croatia, often applied again for registration and accommodation in Serbia. In August there was an increase in the number of new arrivals of refugees and migrants from Iraq, Afghanistan and Pakistan, especially from Macedonia.

Macedonia is still a country of transit for migrants who come mostly from Greece, but also the country of destination for migrants returning most often from Serbia. A significant number of migrants cross the borders from one country to another: they come from Greece and cross the border between Macedonia and Serbia, only to be returned to Macedonia and Greece.

The **main challenges in the field of asylum in Serbia** remain the inefficiency of the system and the non-enforcement of the Law on Asylum in its full sense. Although the efficiency of the work of the Asylum Office has increased, the implementation of the asylum procedure is in practice far slower than the Law prescribes. The Office does not have a sufficient number of employees, and taking into account the amount of work, the process actions and other types of requests, the average waiting period is longer than prescribed. Due to frequent changes in the circumstances during the migrants' crisis, as well as the absence of legally valid regulations regarding certain phenomena in practice, there is a need for changing the Law on Asylum. The draft of the new Law exists, but it has not yet been adopted.

The accommodation conditions in five asylum and thirteen reception centres in Serbia are generally satisfactory, according to the UNHCR report of August 2017. The occupancy rate of the capacities amounted to 68% during that month. The accommodation conditions (with the problem of lack of privacy in most centres), water supply, hygienic conditions (including sufficient number of toilets and showers), safety, nutrition and supply with non-food items, respect for family unity, services for particularly vulnerable groups (children, victims of violence) and the existence of freedom of movement in all the centres were evaluated as satisfactory. The most common problems that were listed included the lack of translators, insufficient number of mechanisms for complaints, lack of services for mothers and babies in all the centres, lack of special and adequate accommodation for unaccompanied minors, lack of video surveillance in the centres, lack of activities for adults and the fact that children do not attend schools. Access to and provision of services in the centres by non-governmental organisations must be previously approved by the competent authorities.

In Macedonia, two transit and reception centres in the south and north have a varying number of migrants, as people do not stay there for long. In the centre of Vinojug in Gevgelija, 19 migrants stayed at the end of August, and there were 75 of them in the centre of Tabanovce. Freedom of movement in the centre in the north is not limited, while in the south, migrants can leave the centre only with the permission and accompanied by the Red Cross collaborators. Both centres are equipped to provide basic living conditions and hygienic conditions are satisfactory.

Several hundreds of migrants in Serbia continue to be "out of the system", out of state accommodation facilities, in various informal shelters in Belgrade, Šid, and in the border area with Hungary. They do not want to register and stay in the centres because they are trying to find the way to cross the border and get to Western Europe. The conditions in which they live are unhygienic and unsafe. They need assistance in food, clothing, and other items, but humanitarian organisations are not providing it because this kind of support is rated as the "attraction factor" by the authorities and the reason they stay in improvised shelters. On the other hand, the visible presence of groups of migrants living in unhygienic conditions in the vicinity of populated places causes fear, discomfort and dissatisfaction among the local population.

The boys accommodated in one of the centers in Serbia complained about the crowd in the premises where they were accommodated and sleeping, as well as the lack of clothing and footwear. They also face the problems of isolation of the camp, poor internet and telephone range, as well as the lack of activity and boredom, which are a source of daily dissatisfaction. Food has been evaluated to be satisfactory, but they would like it to be adapted to their taste and habits. Several beneficiaries complained about the constant tension present among different refugee groups, which sometimes culminate in a physical clash between the above-mentioned groups and the camp security. This problem has become a source of everyday frustrations and concern, especially for families with children, but also for unaccompanied minors.

"I did not know it was possible to ask for the doctor in case of diseases that were not lethal. In the reception centre they only checked if I had scabies and lice, and whether I breathe properly. I have had a constant toothache for two months already. I did not know I was allowed to ask for help." *Samir, Afghanistan*

Groups of migrants in Macedonia stay in villages located near the transit and reception centre Tabanovce. They try to cross the border with Serbia several times, and they come to the centre in search of food and medical help. The permission to enter the centre is provided by the police without clear criteria, although the authorities announced that the access to the transit and reception centre will be enabled for everyone.

Providing of health care to migrants registered and accommodated in centres in Serbia is taking place in a co-ordinated and efficient manner. All centres have ambulances where primary health care is provided. The patients are referred to specialists in health care centres as needed, and

are provided with health services at all levels of health care. In the case of emergency interventions, medical assistance is available to all migrants regardless of whether they are accommodated in reception centres or not, while in cases that are not emergency patients, if not registered, they are first referred to the accommodation in the

reception centre. All costs of treatment are borne by the state. One of the problems encountered by migrants is scheduling of appointments. In order for the appointment at the doctor's to be scheduled, it is essential that the medical doctor who refers to the check up has access to the electronic portal for scheduling (IZIS programme) and fill in the required data. Some of the mandatory data are both the insured person's registration file number and personal number. Since migrants do not have health insurance, or the registration file number in Serbia, scheduling is difficult and leads to disagreements and problems. Migrants in transit and reception centres in Macedonia do have an adequate access to health care.

The system of refugee integration in Serbia is not developed, but the first positive step forward in that respect was made by enabling migrant children to attend schools during the school year 2017/18. The only condition is that they have a confirmation of the expressed intention for the asylum, which is the case with the majority of them, and it is not necessary for the child to be in the asylum procedure, nor that the asylum has been granted to him/her. Currently, according to the UNICEF data, there are 1,023 migrant children of school and preschool age in Serbia. The Ministry of Education, together with UNICEF, has prepared the plan of co-operation with the stakeholders who will be involved in formal education of migrant children; compared to the previous school year, the preparation is better and involvement of the Ministry is higher. However, the reactions of the local population in places with the largest number of migrants and in places where they are most visible do not contribute to integrations. Šid is the municipality that accommodates around 1,000 migrants in two transit centres, and a couple of hundreds of them live outside the system, in improvised shelters around the city. Earlier protests of local residents were directed towards the request to relocate migrants from their city for security reasons, and at the beginning of the school year, protests against the inclusion of migrant children into schools began again. Starting from September, language classes, as well as classes in mathematics, geography and art will be continued in Macedonia and they will be organised by local NGOs in transit and reception centres.

Refugee children start attending schools in Serbia

In May 2017, the Ministry of Education, Science and Technological Development of the Republic of Serbia published the *Instruction Manual for the Inclusion of Refugee/Asylum Seeker Pupils in the Education and Upbringing System*. The Working Group of the Ministry for Monitoring the Implementation of the Instruction Manual has been formed and preparations have started for the following school year. By the end of July, the data on primary and secondary schools that are closest to each of the reception centres and centres for asylum were collected. During this period, the preparations for regional trainings for school staff, the establishing of a mentoring team and holistic support to schools began, and a Handbook for the Inclusion of Children is being prepared so that it should be available in September.

From August 28th to September 3rd, 2017, about 400 teachers were trained in 9 school administrations covering 17 reception and asylum centres. The schools were given the instructions for the preparation of inclusion plans and the implementation of teaching with migrant children. Schools also receive financial support from UNICEF, and children are provided with textbooks, accessories and school rucksacks from donor funds. School administrations distributed all children from the centres at the end of August (estimated at around 2,000) in elementary schools, taking into account the non-separation of families and the homogeneity of language groups. Each school administration selected one counsellor/consultant - an external associate to be a mentor to schools that included migrant children in the classroom.

"We do not know if these children have been vaccinated, and what is their health status. They come from war zones. We have heard that the translator will translate to them into Arabic, and 45 minutes lesson is not sufficient even to our children. We have nothing against the fact that our state introduces them into the education system, but let them be in special classes. It will make it easier for them to follow the lessons, and it will not disturb our children."
G.H., parent, Višnjićevo

The Ministry also made the list of children who could enrol secondary schools without passing the final exam. These children are yet to be assigned to certain schools, but for now, the only possibility of enrolment exists where there are vacancies left after the second round of enrolment. A significant number of unaccompanied minors and elderly minors cannot be enrolled in regular primary schools, and they currently do not have the opportunity to enrol in secondary schools. Some of them have high school diplomas, but there are still no cases of successful nostrification.

Children who went to school in the previous school year, around 150 of them, continued their education in the same schools. The children from families attended lectures more regularly, while a larger number of unaccompanied minors was more frequently absent. It turned out that children are progressing exceptionally fast, they learn the language quickly, and some stand out in mathematics. Integration with peers passed without any problems, there was resistance only in one school by parents, but this was overcome. The translators have contributed significantly to easier adjusting and relaxing of children, hence their role as mediators is important.

The interest of children in attending schools is high, but their motivation is mainly related to learning of foreign languages and certain subjects, while it is necessary to further stimulate their interest in staying in the classroom during all the lessons. The biggest barriers are the distance of schools from the reception and asylum centres, and lack of translators and facilitators that would facilitate the initial period. The capacities of the nearest schools are quickly filled, and after that children need to be provided transport to distant schools. In addition, the teaching and professional staff of schools in Serbia are not trained to work with children who do not speak Serbian language, and a significant number of teachers are not fluent in English. Schools mostly have poor co-operation with local NGOs. Reorganization of the schedule of lessons and division of jobs in the school is a big problem, because migrant pupils also have supplementary lessons and specifically designed workshops in addition to regular ones.

The enrolment of migrant children in schools and the announcement of their inclusion in the existing classes have provoked the indignation and protests of the parents of local children in Šid. According to them, they are not against

the education of children, but they worry that their inclusion will reflect on education of their children. The parents have many questions and dilemmas, they state that they are not adequately informed, and the fear of unknown and prejudice prevails.

According to some witnesses, **S., a woman from Afghanistan**, was "slightly beaten" by her husband. There were bruises and traces of cigarette extinguishing on her face. It turned out that her husband was actually her uncle, and she was bought after he had raped her when she was 15 years old. She arrived in Serbia with a two years old child, a younger brother, her husband's son from the first marriage and her husband. People in the reception center noticed that he maltreated her, but did not report anything because they did not want problems. One witness even said that "it was nothing unusual". With joint efforts of the competent institutions and non-governmental organisations, S. was accommodated in a safe house and her husband was arrested.

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Gender based violence

Before coming to Serbia, and especially on the way here, a large number of refugee women and young girls suffered some form of violence. Women from the migrant population are less educated because they did not have the opportunity to study, they were not allowed to communicate with others, especially not with men, they do not speak any foreign language and have to rely on those they travel with. One can often encounter minor girls whose exact age is difficult to assess, who are already married and have children, or are pregnant. Information about violence against women is often obtained from men, not victims themselves. These women are afraid, in fear for themselves and their daughters. They are not well informed about the services offered to them, as this information is only provided again by men.

Forced push backs

Migrants who try to cross into Hungary, Croatia or Romania from Serbia are most often caught and returned. The practice of preventing entry and forced informal push backs is becoming common in all countries through which the refugees pass. Many migrants who entered Serbia through Bulgaria reported that they were subjected to violence by

the Bulgarian police. Violence by the Croatian and Hungarian police is reported by migrants who enter the territories of neighbouring countries from Serbia, where they are not given the opportunity to seek asylum, but the police return them back to Serbia. The organisation Praxis¹ reported that in June and July it recorded 1,041 cases of forced push backs of a total of 900 migrants, of which one third were underage. Praxis recorded the largest number of push backs from Croatia to Serbia, and there were also cases of push backs from Hungary and Romania to Serbia, from Serbia to Bulgaria and Macedonia, etc. A significant number said they experienced excessive use of force by the police forces on the occasion of capturing and returning.

Since June 2016 the joint forces of the army and police of Serbia on the border with Bulgaria and Macedonia have been preventing the entry of migrants. According to representatives of the Ministry of Defence², by March this year, more than 20,000 migrants were prevented from entering and 132 smugglers were arrested

At the border between Macedonia and Greece, foreign police forces (from Austria, Poland, Hungary and the Czech Republic) are engaged in patrolling in the area around Gevgelija. They, together with the border police of Macedonia, control the illegal migrant routes via which the migrants come from Greece.

Hate speech against migrants

The number of cases of xenophobia and hate speech against migrants has increased. A large-scale public debate was launched in Macedonia in which the right-wing parties stressed that Macedonia should not accept migrants in its territory. On social networks there were calls for the expelling of migrants from the country, referring to migrants as terrorists that would endanger the country and the security of the population. The negative campaign was so aggressive that there were initiatives to hold a referendum that would say NO to the acceptance and integration of migrants. Seventeen municipalities announced that they will hold a referendum on the same day as the local elections, which were subsequently cancelled on the order of the State Election Committee.

¹ Praxis Protection Monitoring Reports for June and July 2017: <http://www.praxis.org.rs/index.php/en/praxis-in-action/migration/item/1218-praxis-protection-monitoring-report-may-2017>

²<http://www.blic.rs/vesti/drustvo/krivokapic-sprecili-smo-ilegalan-ulazak-20000-migranta-u-srbiju/4pq42eg>

RECOMMENDATIONS

- Efforts must be continued to ensure respect of the right to asylum and access to the procedure, as well as an effective asylum and protection procedure for persons in need of international protection.
- Adequate protection should also be provided to those refugees and migrants outside the system who do not wish to register and be accommodated in the way that will enable them to exercise their basic rights.
- Prevention of smuggling and trafficking remains high on the list of priorities, with an effort to prevent maltreatment of refugees and migrants by the authorities or civilians along the refugee route.
- Efficient provision of comprehensive assistance requires the co-ordination of activities between civil society organisations and public service providers. The feasibility and impact of activities reach the maximum if they are co-ordinated between all key stakeholders.
- The information, linking, learning about each other and intercultural exchange activities are of great importance in order to bridge the distance between the local and refugee community. In the context of the beginning of the school year, it is important to inform and co-operate with the parents of local children and refugee children in order to better prepare and prevent misunderstandings, prejudices and fears.
- Police actions must comply with national laws and standards, in accordance with the principle of respect for human rights and freedoms of migrants. All police actions using physical force or coercive means must be strictly supervised. All allegations of the use of excessive force by the police officers must be thoroughly investigated and police officers held accountable.
- The practice of illegal deportations without the co-operation with and informing the officials of the neighbouring countries must be immediately terminated, as well as the practice of push backs. These practices constitute the violation of international and national human rights standards.
- There is an urgent need to influence public opinion on migrants since a high level of xenophobia has been demonstrated in the previous period. It is necessary to increase public awareness and access to information on migrant crisis that would reduce intolerance and hate speech.
- Basic human rights and freedoms of refugees and migrants should be promoted, respected and protected at all times by all institutions and citizens.

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