



Joint Annual Report on Asylum/Migration Practice and Discrimination Challenges in Serbia in 2019



LOVE
Law, Order, Values

Pravo, Red, Vrednosti, za migrante/azilante/ljude kojima je dodeljen azil
u ostvarivanju svojih prava bez diskriminacije



APC/CZA

ASYLUM PROTECTION CENTER
CENTAR ZA ZAŠTITU I POMOĆ TRAJAČNIMA AZILA



CENTAR
ZA ISTRAŽIVANJE
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FIELD PRACTICE OVERVIEW INTRODUCTION

Serbia is inevitable station on the Balkan routes for almost all those desperate to seek protection and asylum in Europe, coming via Balkan routes from Turkey and heading toward EU. With numbers raising up to 8000 people being present at every moment and more than 38000 entering Serbia, with constant push-backs from neighbouring countries it is obvious that Serbia is becoming the first buffer zone and a purgatory of migration on the mere edge of the EU zone. Politically in more difficult position as EU candidate country, trying to speed up and fulfil conditions on the Serbian EU accession road and not to disrupt fragile relations with Croatia, Hungary, Romania, Austria, and other significant EU member states Serbia and its authorities are more and more trying to resolve problem with refugees and migrants by tolerating illegal deportations from EU countries and Bosnia to Serbia, trying to present itself as reliable EU partner in managing and resolving migration problems but also trying and being ready to make compromises in that regard. Additionally, there are raising signs of ill treatment of migrants, asylum seekers and refugees done by Serbian border police officers along northern and southern Serbian borders with aim to prevent migrants from entering to Serbia but also to cross EU borders and enter Croatia, Hungary and Romania. Worsening of behaviour of Serbian border police is worrying since it is a new trend that is making migrants, asylum seekers and refugees more vulnerable, but also speaks about general policies and plans for managing migration. Adding to this fact, Agreement with Frontex that was initialled in September 2018 was finally signed in November 2019.

Serbian authorities are failing to address migration and asylum problems in a functional and systematic manner, respecting international and national legislative and building sustainable system for reception and protection of migrants, asylum seekers and refugees. They are rather depriving migrants, asylum seekers, refugees of valid information about their rights, accommodation, legal stay and access to asylum and to other procedures in practice, keeping them in irregular position and "on the move", keeping them invisible to the institutions, instead of respecting their guaranteed rights once they are in Serbia, instead of granting protection and providing them assistance. Migration and asylum policies are getting more restrictive with a clear intention to send message to migrants that they are not welcomed, that Serbia is not place for their longer or final stay and that they cannot get any protection.

In this difficult situation more and more people are waiting for more than a year stranded in Serbia in legal limbo without legal status and beyond the system with more present psychosocial, health, existential and legal problems. They are facing more complex and raising difficulties then before, struggling with ignorance of the system, discrimination, neglect, misinforming, denial of information, rights and procedures, restrictive state policies, even abuse or maltreatment of smugglers, criminals and individuals or corrupted representatives of the institutions. They are facing with difficulties to access asylum, other administrative and civil procedures all due to lack of information, contested behaviour of Commissariat for Refugees and Migration (further in text Commissariat) and camp managements, police, and other state institutions, and due to their vulnerable position, absence of any legal representation, facing language and other barriers.

What is especially worrying is that more and more state institutions, especially Commissariat, are managing to pressure international organizations and even more local CSOs working with migrants, asylum seekers and refugees in state accommodation facilities, to stop reporting on abuses and mistreatment, conditioning them with access to accommodation facilities in order to conduct their project activities. Thus, Commissariat and the state is getting almost ideal refugee picture in the public and in media, with no serious or constructive criticism existing, while more and more CSOs are becoming pure service providers with no civic, ethical or moral stands nor initiative, seeing their opportunity in the existing circumstances for their future financial and organizational survival and making compromises on behalf of well-being of their own beneficiaries.

On the other hand, public is becoming more and more negative-oriented towards migrants, influenced by very negative media coverage of migration topics, inefficiency of local and national institutions, as well local and national politician's attitudes for whom migration became political question used for gathering points and voters. All of that by the end of 2019 led to protests against migrants and numerous mostly right-wing groups on social media spreading fake-news and hate speech, intensifying animosity and deepening xenophobia.

Position of migrants, asylum seekers and refugees is definitely worse than ever, taking into account previously mentioned. Their legal status is intentionally remaining unsolved, and thus they are denied their rights, exposed to many risks of misuse, abuse and exploitation, prevented to interact and to integrate into local community, facing discrimination, xenophobia and marginalization. Alongside with that majority is experiencing existential problems and lack of basic living conditions, even if they are accommodated in some of the camps, either reception/transit or asylum. All of this is significantly affecting their psychological state, worsening their mental health and making them even more vulnerable without proper help and hope for solution.

MIGRATION TRENDS

In total, more than 38 000 people entered Serbia in whole 2019. They are mostly coming from Afghanistan (approx.40%), Syria (approx..22%), Pakistan (approx.17%), Iraq (approx.10%), Iran (approx.5%), Bangladesh (approx.2%); and approx. 4% from other countries like Burundi, Sudan, Somalia, Maghreb-North Africa, Western Africa, etc. At any moment, there are more than 8000 migrants, asylum seekers and refugees present in Serbia, out of whom approximately 5000 persons residing in state accommodation facilities, others are on their own.

In 2019 migration trends continued to reflect those in 2018, in terms of route of entering and exiting Serbia. Migrants continued to enter Serbia equally from North Macedonia and Bulgaria, regardless their ethnicity. Beside these well-known routes, it was noticed that route over Kosovo became more popular, especially among refugees coming from Arabic countries such as Syria and Iraq, few from Palestine. Some of them are coming legally by flights to Priština, and then continuing their journey towards Belgrade, while majority is following the route Turkey-Greece-Macedonia/Albania-Kosovo-Serbia crossing the borders illegally. When talking about ethnical groups, from September till end of the year there was high increase of number of people coming from Syria, mostly Arabs, followed by increase of number of Kurdish people from Kurdistan, Iraq. Only in December 2019 every third refugee was from Syria. Mostly they are traveling in families, and are staying in Serbia for a shorter period of time, comparing with families coming from Afghanistan. Another, though smaller, increase was visible in number of refugees coming from Burundi, who are coming legally by airplane to Serbia, using visa-liberation agreement made in the mid of 2018. Additional change was in number of people coming from Iran. Since visa liberation regime was terminated by the end of 2018, number of Iranian migrants and asylum seekers dropped, comparing to last year. Majority of those who are coming to Serbia are reaching Belgrade, which remained hotspot for migration towards European borders. From Belgrade, depending on their needs and possibilities, smuggling arrangements, disinformation and rumours, they are continuing immediately their journey towards Vojvodina and north border with Hungary, west border towards Croatia and Bosnia, or they are trying to get accommodation and eventually apply for asylum. Among those entering Serbia through North Macedonia, there are testimonies about push-backs on the border done by Serbian border police, though physical violence was rarely used, but refugees are told to go back to North Macedonia or are intimidated by the mere presence of police. In the second half of the year, number of migrants entering Serbia from North Macedonia increased, and reception center in Bujanovac non-formally among migrants themselves, but also from Commissariat side, became sort of a one-stop center, with daily fluctuation of up to 200 people. Preševo camp, which was functioning as "registration center" where migrants who are caught at the border were brought, registered and directed to other southern camps, was reopened at the end of November for accommodation of people which number obviously increased, and majority of those residing in open areas around Šid and Sombor were forcibly accommodated here as well those who were already residing in Vranje and Bujanovac but were not registered. Once they were registered they were directed to Preševo camp, with clear intention of unloading these camps and pushing people more south, turning them away from attempts to reach Europe.

When entering from Bulgaria, those who are caught on Serbian territory around the border are usually registered and directed to the southern camps, less often they are given decision to leave Serbia. They are more easily than those entering Serbia through North Macedonia moving forward towards Belgrade.

In general, people are still trying to avoid reception centers, especially those in south, and to find accommodation in urban areas, around border zones in squats and informal settlements, as well camps that are nearer to northern borders, such as Krnjača, Obrenovac, Kikinda

and Sombor camp. It is estimated that at every point during the year approximately 3000 people are staying outside of official camps, both reception and asylum, and out of the system. Number of people being in grey zone is even higher taking into account that a lot of people accommodated in state camps governed by Commissariat for refugees and migration, are not even registered.

When talking about exiting Serbia, the most popular routes are still towards Croatia and Hungary. Crossing to Bosnia remained active, and smaller number of people are trying their luck through Romania. Same practise like last year continued in 2019. Daily push backs of dozen of migrants are being recorded on all borders. On border with Croatia and Hungary, push backs are often with use of violence, humiliation and intimidation, which is, based on testimonies of migrants, happening slightly more on Serbian-Croatian border. From Bosnia migrants are usually trying to cross to Croatia, where they are often heavily beaten and maltreated, and sometimes even pushed back to Serbia, although they came from Bosnia. So called "games" (attempts to illegally cross the border) became more dangerous and more expensive, so only those with money and ready to pay high prices are managing to move forward and finally reach western European countries. Others are trying numerous times and experiencing violent push-backs to Serbia, spending even one year or more in these attempts. Those who are not going constantly for "games", usually families, but also more and more singles, are waiting for months and years (one of the families residing in camp Krnjača and later in Subotica was in Serbia for almost 3 years before entering Hungarian closed border camp), either waiting for "Hungarian list" or their perfect chance. It was noticed that in the mid of the year, faced with information about very bad experience of families in closed border camps in Hungary (restriction of freedom of movement, lack of daily activities, denying food once their asylum applications are rejected, etc.), and more frequent rejections and returns of families to Serbia after being in Hungary for up to 1 year, people started giving up on this option and were deciding to organize themselves for "games" or, less often, to apply for asylum in Serbia.

It is also important to mention that with stricter border guarding measures and bigger difficulties in continuing migration, level or life-threatening risks to which migrants are exposed also increased. Unfortunately, there were several cases of death while trying to leave Serbia (that were recorded, while the real number is suspected to be higher), due to suffocation in cistern, electrocution while climbing onto train and drowning in the river. The most unfortunate case happened in December 2019 when 4 adults and 2 children coming from Syria and Iraq drowned in Danube River trying to reach Croatia.

PUSH BACKS

APC has collected more than 1700 testimonies from more than 1000 people on the topic of push backs during 2019 year, to whom we provided legal, psychological, social and integration assistance. Based on collected data certain trends were observed. First of all, it was noticed that the frequency of push backs increased, and that there is no migrant in Serbia that didn't experience push back during his attempt to continue migration toward Europe.

Majority of pushbacks were observed on borders with Hungary and Croatia, less attempts to cross the border and less push-backs were happening on border with Romania. Second, people are mostly trying to cross by foot, with smuggler's cars waiting them on the other side, but also in trucks, in which they are trying to sneak in big parking lots all over Serbia and around border area. There are also "guarantee games" which cost up to 6000 euros when the arrangement is such that it offers highest probability of reaching European Union. Third observed trend is systematic and complex violence used on migrants and from the side of Hungarian and Croatian border guards. This trend was also present in 2018, but now, in 2019, the whole scope of this practise is more visible and clear. Without exception of location where they were caught, personal vulnerabilities, and even age, migrants are experiencing direct physical violence in form of kicking with boots and cables, slapping, beating with sticks. Almost always along with physical violence they are experiencing humiliation in form of swearing, spitting, forcing them to take off their clothes or shoes, even to walk back to Serbian territory barefoot, stealing their money and destroying their belongings (clothes, mobile phones). Another psychological violence that is more present than in 2018 was intimidating, few times even with firing shots in the air, gun repetition in the direction of migrants, even shooting at migrants, that happened on the Croatian-Bosnian border. Also, some of the testimonies suggested that migrants are exposed to deprivation when they are taken and locked inside police van for up to 24 hours, without access to water, food, and toilette and without freedom of movement. Some migrants even testified about existence of basement-like facility in which they were taken, held for couple of hours and beaten. When talking about other borders – Romanian and Bosnian, it was observed that there were less attempts to cross these borders, comparing to Hungary and Croatia. Violent push back but with less use of physical force was happening on Romanian border, more often than in last year. Bosnian border remained more or less open, and was easy for migrants to cross, though it was less frequent choice of continuing migration since the brutality and push-backs from Bosnian-Croatian border increased and people were usually ending up stuck in Bosnia, similar like in Serbia but with slightly worse conditions.

Consequences of push backs are observed first of all in physical injuries, most of which were bruises, superficial wounds, but also broken bones, dislocated joints, spine and head injuries. Psychological consequences include emotional problems - shock, fear, anxiety, frustration, depression and low mood, passiveness, hyperarousal, state of helplessness and hopelessness, as well sleeping problems, self-harm, conflict behaviour, even in some cases suicidal ideation.

Violence from Serbian police also became more frequent along northern borders, around Subotica and Horgoš, where people are reporting that police is coming to informal settlements and squats where people are staying, beating them, threatening that they will push them back to Bulgaria or Macedonia, tearing down their tents, destroying their belongings, etc. Situation escalated in November,

when police together with local authorities and Commissariat completely torn down informal settlement in Šid, destroying migrant's belongings and taking them to nearby camps in Adaševci and Principovac, camps where they were previously being denied access. Violence is also increased in situation when migrants are discovered in trucks by Serbian police, who are then slapping them and directing them towards camps. There is also increase of push-backs to North Macedonia, though without systematic use of force.

ACCOMMODATION

By the end of the year, 15 centers (5 asylum and 10 reception) were active in accommodating migrants and asylum seekers, as well 3 state social institutions with shelters for unaccompanied minors and 2 shelters governed by international organizations. Similar to 2018, rules for accommodating were not transparent and constant, but dependant on the situation, current accommodation capacities, internal decisions and rules of Commissariat, police registration, etc. Although procedure for being accommodated in one of the camps is very clear and includes registration in police station (by which person is actually expressing intention to apply for asylum) in practise person is often fulfilling this need by being in contact with Commissariat in so called "one stop" center Miksalište in Belgrade, or by simply appearing in-front of the camp where they are directly accepted or denied accommodation, depending on current decision of camp's management and rule of Commissariat in that concrete period of the year. Arbitrary reception, removal and throw-out from accommodation facilities by the Commissariat for Refugees and Migration continues, and there are cases where the Commissariat for Refugees and Migration acts contrary to the police order from the registration certificate and does not receive the asylum seekers, even when it comes to unaccompanied minors, or they throw-out them from accommodation, which leads to the suspension of their asylum procedures and the prevention of access to asylum. Also, a case of collective forced eviction of the asylum seekers with the assistance of the police, from an asylum center to the reception center, was recorded in 2018, as a punitive measure for alleged violation of the house rules.

When talking about registering in the police station, as a procedure of being accommodated, problems that arise are that people are often being turned down under excuses that inspectors are not available, that some kind of quota for that day is already being fulfilled, etc. They are even referring migrants to Commissariat "one-stop center" Miksalište to regulate their accommodation instead of doing through registration. When they get a chance and are registered, people are being issued a paper with information in Serbian, Cyrillic letters, without available translation in the police station. They are also not given any instruction how to reach the camp, not even an information on address of the facility. Also, there is still no free transportation provided regularly from police stations to the transit or asylum centers, except that sometimes different organizations manage, as part of their project activities, to fund bus tickets for some of the vulnerable categories of migrants (such as families, women, people with health problems, etc.)

Another mentioned method of regulating accommodation, depending on decisions of Commissariat, is highly controversial, since in those cases, people are not being registered, they remain in illegal position, and are at higher risk of being mistreated and misused. Tolerating irregular stay of migrants and offering them accommodation is seen from the state side as act of mercy and sign of „humanitarian approach“ in managing migration, while in reality, people are being kept in grey zone, misinformed and thus prevented from regulating their stay and accessing asylum system. Transferring people from one camp to another, by arbitrary *ad hoc* decisions of Commissariat was happening more often than in 2018, which appeared by the end of the year to be a strategy of differentiating "family camps" from "single man camps". Removal and throw out of the camps continued to be measure of punishment but also measure of intimidation and threatening, which sometimes even led to termination of someone's asylum procedure.

During 2019, freedom of movement was limited in some camps in couple of occasions. The limitation was sometimes response to accident in local community (when due to complaints from local community freedom of going out of the camp in Vranje was available until 6pm instead of 9pm; in another case exit from camp Adaševci was unabled for period of 10 days) or have had more permanent character (migrants needed written permission to exit Camp Šid, for short period of time). Beside this, in late 2019 two bigger evictions took place. One was from surroundings of the City of Sombor and other from abandoned brick factory "Grafosrem" in Šid. Migrants were transferred to the reopened camp in Preševo and others in south of the country, suddenly, with a presence of police, without being able to take their belongings, that were during the eviction or later destroyed by staff of Commissariat and police.

Material conditions of camps significantly vary from camp to camp, but are insufficient in all of them. In some camps there is problem of overcrowding, so people are being placed in rap-holes (over 500 people are accommodated in tents in camps Kikinda, Adaševci, Principovac), which are not suitable for winter, don't have heating, separate beds, blankets, sheets, etc. Insufficient clothing and hygiene products, constant shortage of hot water, occasional shortages of drinking water, insufficient toilets, insufficient diapers, hygiene pads, food and milk for children, inability to fulfil special diet and other needs of people with health problems, or pregnant women are most often subjects of complaints on material conditions in camps.

Beside this, people are often pointing out serious problem with safety and security in camps – thefts and fights are happening regularly and there are no possibilities to report abuses. Insecurity culminated with a murder of an unaccompanied minor in front of asylum center Krnjaca in June 2019.

Unfortunately, unsafety and insecurity are also deepened by harsh, humiliating, but also violent and abusive behaviour of staff of Commissariat in the camps. Management is often being rude, yelling, swearing, threatening and intimidating migrants with throwing

them out of the camps, denying food cards, cash cards, humanitarian help, turning off Wi-Fi router, forbidding to go out or participate in some local activities organized by certain organizations, forcing them to work (clean, carry heavy materials, participate in renovation of the camp), etc. More concerning than mentioned is physical violence and exploitation that is happening in Obrenovac camp. Migrants that were accommodated in this camp complained about being slapped and kicked by security or management staff. Situation escalated when, by the statement of migrants, Commissariat worker shot one migrant in the leg and then covered it up. Same worker was also mentioned as one who is exploiting them by driving them and forcing them to work in his property in north of Serbia, threatening with denying food and accommodation in Obrenovac camp if they don't accept to work. Another controversy about this camp is "procedure of getting in". Migrants are often being denied of accommodation during the day while during the night they are admitted to one hallway, up to 150 of them, where they barely have room to sit. They are staying locked inside, and then are let out in the morning with arbitrary choice of small group of those who get camp card and by this assure their place in the camp.

Especially vulnerable groups, such as minors, people with disabilities, mental health problems, etc., are still highly neglected. There is no special accommodation for unaccompanied minors, or special conditions in regular facilities to fulfil specific needs of people with vulnerabilities.

ACCESS TO ASYLUM PROCEDURE

Statistics for 2019 year considering asylum procedure are very discouraging and sign of poor, inadequate, inefficient and restrictive system for granting protection to those who have grounds for it. Huge disproportion between numbers of people who expressed intention to apply for asylum, those who got chance to start it, and those who got the protection, reflect the trend from previous years. Officially, for the whole 2019 year, 12937 persons expressed their intention (which shows increase in 50% comparing to 2018 when there was 8433 persons), while 252 of them started their asylum procedure, which is 1.95% of all number of people, and less then in 2018 when 305 persons started their asylum procedure. Only 34 positive decisions were made (17 refugee status and 17 subsidiary protection).

The parallel system of asylum and migration protection was made, due to previously mentioned practice of state authorities to direct asylum seekers and migrants to Commissariat's office in Belgrade, instead of police stations (what is in accordance with law) assuming that people are not interested to stay in country but only interested to get accommodation and transit. In Belgrade, Commissariat directs asylum seekers and migrants further to transit centers, usually in the south of the country, where they get accommodation and other basic services (food, urgent health care etc.). Then Commissariat conducts identification of those who are "genuine" asylum seekers and for them, organizes transfer to police stations for registration. Often, people are also prevented in registering in this way, by local police station denying registration without presence or announcement of Commissariat's staff, which is postponing organization of registration due to insufficient interest and number of migrants willing to claim asylum. After registration, if they wish to start asylum procedure, asylum seekers are transferred to asylum centers (for asylum seekers). Furthermore, those accommodated in transit centers are generally perceived by all stake holders as they are in transit, so they are not provided with information on asylum procedure, what all makes access to asylum inefficient and complicated, and months could pass before a person submits asylum application.

Minority that are registered immediately in police station (not only in Belgrade but in other cities also) also face lack of information about asylum procedure, since they are just given confirmation on registration (in Serbian language, Cyrillic letters) that includes information about accommodation (name of the camp where they have to go), and they are not provided with any other information about their rights and obligations in asylum procedure. It is important to be noticed, that translators are not present neither provided at police stations.

Although the Law on Asylum and Temporary Protection gave an opportunity to asylum seekers to submit asylum application on their own (not only in presence of asylum officer, in a form of an interview, as it was before), in practice it does not function, since it includes many obstacles for asylum seekers to use this opportunity. First of all, it is expected from a person to fulfil in written on their own form of asylum application, which doesn't have appropriate translation to the language that person understands but is in Serbian. Then, they should send the form to Asylum office, and all in the period of 21 day since the registration. Without access to information about the procedure, deadlines, explanation of purpose of the form and questions, translation of the form, information what to do with it (to whom and on which address to send it), people are simply unable to use this opportunity. Furthermore, it is happening that asylum seekers are not sure if they had applied for asylum since they had been provided with asylum application forms, by the representatives of Commissariat, and instructed to fill them before being transferred to asylum camps, without any explanation or information what the paper is, how it will be processed, what does that mean for their asylum procedure, which all is causing huge legal insecurity.

Considering procedure itself, in 2019 there was a slight speed up of the procedure, but only in individual cases, so majority still waited for approximately 12 months after submission of asylum application for the first decision, which was usually negative. The quality of asylum procedure itself is questionable, often people are not questioned in details, or on relevant aspects of their claim, inspectors sometimes tend to be rude, harsh, and judgmental, not prepared for the interview, without relevant knowledge of countries of origin, etc. Decisions that are brought are poor, claims are not examined properly, and detailed reasoning is lacking. Particularly worrying is the lack of immediacy, as it is often the case that 2 inspectors of the Asylum Office take part in the proceedings (one at the application, the other at the interview), and the decision is made by the third, chief of the Asylum Office.

Another important aspect of the asylum procedure is interpretation. Interpreters that are used for this purpose are provided by UNHCR. Their qualification, knowledge, skills, training are questionable and are not transparent. Some of the interpreters are very professional, skilled and prepared, while majority is lacking additional knowledge, sometimes considering language but more often considering skills for translating in specific setting such as asylum interview. There is a lack of interpreters for some languages like Pashto and Kurdish, without visible intention to overcome them, so usually people that don't understand any other language wait for months to have interview with Asylum office.

When talking about documents provided to the asylum seekers and refugees, particularly problematic is issuing ID card. Since Asylum office claims that it doesn't have technical capacity to produce photos for ID cards, and that asylum seekers and refugees should do it by themselves, it is happening that due to lack of financial means people are denied their right to have document. There was also specific discrimination case when asylum seeker from Somalia gave pictures with hijab for her ID card, and Asylum office inspector noted (unofficially in a telephone call) that they got order from the chief of the Office not to issue ID card with photo of person wearing hijab. Since there is no ground in law for such a decision, APC lawyers managed by legal means to make Asylum office to issue ID card with photos that asylum seeker provided (with hijab). Traveling document, right of those with granted protection, is recognized by law, but was never issued and it is unclear when it will become possible for refugees to exercise this right. Naturalisation is not possible, since there are legal gaps in Law on foreigners and Law on citizenship that make it impossible for refugee to apply for citizenship.

Lastly, although the Law on Asylum and Temporary Protection prescribes procedure at the border and in the transit area those provisions are not implemented, since Belgrade's airport does not have appropriate facility for accommodation of applicants and other technical capacities. However, it is noticed through statements of people who contacted APC over phone from airport, that there is a room where those denied entrance are kept until returned to the country of entrance, with the return flight, or registered and let to enter the country. They are kept in that room for more days, in inappropriate conditions – room has only chairs, hygiene is poor, as well meals that they are provided, access to toilette exists on request but there is no shower, etc.

INTEGRATION

Issues of integration and interaction within local communities and Serbian society is becoming more and more important, bearing in mind prolonged stay of migrants, asylum seekers and refugees in Serbia, as well (still slow and little) increase of people who are deciding to try to build their life in Serbia. Unfortunately, with rise of anti-migrant narrative and attitude, more harsh and restrictive policies and behaviour of institutions and authorities (both national and local) process of integration became more difficult and challenging than before, nourishing animosity, discrimination and eventually xenophobia.

Concerning integration of persons that got refugee or subsidiary protection, integration measures stayed insufficient. "Decree on the Method of Inclusion into the Social, Cultural and Economic Life of Persons Recognized as Legal Refugees", adopted in December 2016 and complemented in June 2018 in practise implies financial help of 200 euros for costs of accommodation (renting apartment and bills) in period of 1 year since the status is granted, as well 300 hours of Serbian language lessons. Other measures included in the decree considering for example assistance in integration in labour market, or Serbian culture lessons, were left out, same like in 2018 year.

The free accommodation in a period of one year turned insufficient for asylum seeker to learn language and find job, and start earning enough so that they can stand on their feet and become independent and integrated in this aspect. Numerous obstacles arise, especially when refugee who was living in Commissariat's camp needs to move out and start living on their own. They need to find an apartment on their own, pay deposit, pay rent for the current month, and only after a while start getting financial help of Commissariat. Bearing in mind that it is not easy to find an apartment, that all asylum seekers and refugees face discrimination and are turned down by landlords because of prejudice to host a foreigner, lack of knowledge of validity of asylum seeker's or refugee's ID card, resistance of landlords in obeying procedure of giving personal data to Asylum office, many of asylum seekers and refugees have encountered a lot of pressure without being adequately prepared. In cases when they don't have any job or financial support beside Commissariat's it is almost impossible to move out of the camp, although the law orders so for those who are granted protection. It should be also pointed out that they are suddenly in a situation where they have to plan their expenses, allocate the money they have without having any experience in it before, which is additionally complicating already difficult situation in which they are. Process was much easier for families, people who have partners, those who have jobs, and those who already have social contacts and connections with the community in which they live. In 2019 the financial assistance was often late, which destabilized many who were already unstable since lack of job opportunities and experiences. Without significant assistance, legal and integrational, by APC lawyers, pedagogue, social workers and volunteers, these tasks are impossible to achieve.

Serbian language classes during 2019 were organized in manner of individual teacher for one person or family who was granted with protection, in teacher's or refugee's house. It is important to mention that cooperation between refugees and teachers still needs to be supported by APC integration team, since many specific situations arise during lessons. In several situations there was need to exchange information about changes in behaviour, behavioural problems and channelling emotions, dissatisfaction with teaching, sharing information on cultural and traditional characteristics, habits, etc. The impression is that the teaching staff in most cases didn't have

previous experience in working with foreigners learning Serbian or with sensitive and vulnerable groups, and especially not with a combination of these two categories. Lack of specific training on developing needed skills is also evident. In this regard, despite the very good will of some teachers, the lessons for some were not about learning about the local culture, learning languages so that they could become more involved in the community and be able to express their needs, communicate with colleagues at work, and the like, but rather obligatory activity in order not run out of Commissariat's financial support for accommodation.

In 2019, representatives of Commissariat and UNHCR began conducting interviews with persons who got protection in order to better understand their situation and to gain insight into integration needs. In most cases, these interviews were organized in places where refugees reside, explained by need to assess their living conditions, which is quite questionable, disrupts privacy of refugees, and implies that both of the actors are stepping out of their jurisdiction. APC informed clients about the procedure, risks, freedom to reject proposed interviews, and possibility to organize interviews in APC's premises. Further steps that are to be taken upon results of the mentioned assessment are not transparent, and still it is unknown will there be improvement of integration measures done by Commissariat.

Inclusion in the labour market as one of the key factors for the integration, is still neglected and with a lot of obstacles. The state hasn't done much, since there is no strategy for employing refugees. They are not recognized as special categories for employment or included in some of the active employment measures. Obtaining personal work permits stayed impossible without legal representatives, with special problems since fees for personal work permit are high for those who are living in private addresses and don't have right to get them for free. Employment opportunities are low and it is shown that intensive assistance and mediation from APC side is much needed.

It is important to mention cases of discrimination that were observed in context of integration. Provision of services in banks, telecommunications, even health institutions were sometimes denied usually due to unfamiliarity of actors with specific ID cards for refugees, and idea that there are some special procedures or boundaries for providing these services to non-Serbian citizens (when in reality they have same rights like everyone else). Just some of the cases were opening bank accounts and companies, and even buying mobile phones from telecommunication companies. In all of these cases refugees were couple of times denied before managing to fulfil their rights together with APC integration team, and in cases of telecommunication companies where APC filed a complaint to Commissioner for Protection of Equality, which issued opinion that telecommunication company violated the Law on the Prohibition of Discrimination.

UNACCOMPANIED MINORS

Unaccompanied minors are still largest and most neglected vulnerable category in Serbia, although government is claiming that it is improving system of protection of kids that are traveling alone and that they are well protected.

Issue of identification remains in 2019. In order to prevent misuse of already poor protection system of minors, outreach social workers as well staff of Commissariat is conducting informal ad hoc age assessment, ignoring information on age that is provided by migrants (which is the only mean of identification presented in Law on Asylum and Temporary protection). Legal grounds for such practise don't exist, as well procedure that is structured, complex, and multidisciplinary and can provide approximate answer to the person's age range. Purpose of this practise is closely connected to accommodation problems of unaccompanied minors and poor efforts of government to provide children that are traveling alone with proper, specialized accommodation solutions which will satisfy their special needs, especially for protection, safety and security.

2018 year was turbulent when talking about problem with accommodation of unaccompanied minors. There were a lot of changes in deciding where they should be placed. In 2019 trend of dedicating one of the camps in Serbia for exclusively accommodating these kids continued, and camp in Sjenica, on far south was chosen for that purpose. Beside this camp, 5 alternative places for accommodation, including 3 shelters in governmental institutions for social protection of children (2 in Belgrade and 1 in Niš), as well 2 shelters governed by organizations, remained active, providing place for approximately 55 children. The rest of newcomers, which is majority (at every point there is more than 400 unaccompanied minors in Serbia), and some of the minors that were already accommodated in Krnjača camp, are usually sent to Sjenica camp. There is a lot of problems with this decision, since upon arrival to camp in Sjenica children did not encounter functional support. Guardianship support for over 200 children is provided by 1 guardian and 1 case worker from local center for social welfare, without any necessary knowledge or skills needed for working with these kids, including basic ones such as basic knowledge of English language, laws that are governing social protection of children, their role and responsibilities, etc. Guardian and case worker are present daily in the camp, but don't know names of all beneficiaries, not to mention their personal vulnerabilities and special needs. Kids are not provided with enough wardrobe and means for maintaining personal hygiene. Enrolment in primary school was left out, despite multiple initiatives from both APC and local primary school "12. December". Smaller group of teenagers was enrolled in secondary Technical School, but did not go to school regularly. They were demotivated since they didn't understand the language, rules, had no special attention from the teachers or additional support in process of adapting, which all affected their motivation to continue their education. Also, Sjenica camp is far south (260km away from Belgrade, high in the mountains), away from the migration route, from their countrymen, organizations that provide support, they state that they feel isolated, etc. Refusing to go to this camp resulted in children staying in parks and squats in Belgrade, but also in woods and in urban areas around borders with Hungary and Croatia.

Staying in these informal settlements is also influenced by big pressure of their families to continue journey, false promises or intimidation of smugglers, fear and insecurity because of lack of information, inactivity of local centers for social welfare, etc. During regular field visits APC staff encountered on unaccompanied minors sleeping in makeshift camps, out in the street, without safe shelter, enough food, water, hygiene, and every time notified local centers for social welfare. Reaction was usually left out, and only in few cases outreach social workers actually visited the location but did nothing to protect kids that were residing there. In one of such cases, APC contacted center for social welfare in Šid, and informed them about 11 year old boy that was sleeping in abandoned factory "Grafosrem", and was at that time in front of camp Šid. Since the social worker was near she made contact with the boy, and informed him to come tomorrow to the office of the organization who will maybe provide him transport to Belgrade where social workers together with Commissariat will decide where he will be placed. During the conversation older man came and called the boy, who quickly left with him, and was never seen again on the location, indicating that he is under control of smugglers and possibly human traffickers. Reaction of social worker in this illustrative case, was weak, insufficient, and shows failure in recognizing and preventing risks for unaccompanied minors, especially such a small age.

Another trend as a consequence of "accommodation measures" for unaccompanied minors emerged, mostly in southern camps like Bujanovac, but also in Adaševci and Obrenovac. Minors are claiming to be adults in order to stay with a group with which they are traveling, fearing of being separated and showing significant lack of trust in authorities – Commissariat's staff and social workers mostly. When they were disclosing this information to APC staff, center for social welfare was immediately informed. Same like in other situation, there was no reaction.

Guardianship, the most significant measure of protection of unaccompanied minors, proved to be weak in 2019. Practise with private guardians, falsely named "professional", employed by UNHCR funded organization, continued and in Belgrade they were almost the only one dedicated to unaccompanied minors, while they don't have enough capacities to do so. The result was that a lot of unaccompanied minors staying in Krnjača camp complained about not having a guardian, although they were in the camp for couple of weeks or even months. Others, had guardian only formally and even if they met them, like those in Sjenica camp, since the quality of their service was extremely poor, they didn't experience any practical use of it. Only few had high quality relationship with their guardians, developed trust and felt that they are supported and protected. Criteria for deciding who will get guardian is not transparent, how guardians are employed, as well who is controlling, monitoring and supervising their work, what is the role of organization that is actually employing them (as well UNHCR) and what is the role of the Ministry of Labour, Employment, Veteran and Social Affairs as well local centers for social welfare stays unknown.

Lastly, legal status of unaccompanied minors remains unsolved. Majority is in irregular position, or are only registered but do not initiate asylum procedure. Main reasons for this is lack of information, distrust in system, pressure to continue their journey, false promises and intimidations both from authorities and smugglers. Important is to mention that from those who have guardians, also extremely low number starts their asylum procedure. Due to general attitude that unaccompanied minors "just want to continue their journey", and lack of knowledge about asylum, often unknowingly providing false information, failing to motivate kids to regulate their status, as well failing to recognize their own position as a key person with responsibility to conduct best interest of a child (which simply can't be to stay in irregular position), guardians show ignorance toward this important aspect of protection of children that are traveling alone. Official statistics of Asylum office reflects previously mentioned, and in 2019 only 823 unaccompanied minors were registered, while in reality numbers of unaccompanied minors in Serbia is a lot higher, and only APC identified 1489 unaccompanied minors, showing that approximately 50% of all are staying outside of the system, unprotected and at great risk of being abused or exploited. When talking about asylum procedure, only 27 of unaccompanied minors started it. These poor numbers reflect alarming state of system of reception and protection of those who are most vulnerable and in need.

CONCLUSION

2019 deepened already existing and brought new problems considering migration management, reception and protection of migrants, asylum seekers and refugees, without visible strategy for strengthening and developing current system. Additionally, negative attitude towards refugees is on rise, influenced by negative media coverage, negative discourses among politicians and inability of state authorities to deal with migration and enforce integration into local communities, rather sending message to wide public that migrants don't want to stay, that Serbia is just transit stop on their way to Europe, and that there is nothing to be worried about. Commissariat, as the loudest and most important authority for reception and integration of migrants, asylum seekers and refugees, as well for managing migration, is claiming that everything is under control, while in reality people are facing existential problems, very bad living conditions, lack of everything (including basic needs for water and food), constant uncertainty and fear for their future, are treated with violence and humiliation, kept in irregular position, abused and misused.

Migration itself became more dangers, pushing people to put their lives at risk while trying to cross the borders, while also experiencing systematic violence from border guards especially at border with Croatia and Hungary. Consequences are serious, leaving people with physical but also psychological wounds and scars. They are becoming emotionally disturbed, some even with mental health problems,

distrustful, desperate, hopeless and helpless. Adding to their misery and deepening their problems is very weak and inefficient system of protection, with very long and uncertain asylum procedures, from which they are prevented on every step with false information, mostly coming from Commissariat, as well denial of right for expressing intention of applying for asylum, prolonging interviews with Asylum office, etc. Alongside with that, there is, direct and indirect, prevention of migrants, asylum seekers and refugees from having contact with helpers and organization that are active in protection of their rights and prevention of violence, discrimination and abuse, in order to keep people "on the move" and continue with lawful practices towards them. Those who still manage to overcome all of these obstacles and are trying to build their lives in Serbia and integrate in local community and society, are unable to do it on their own, since they face discrimination and difficulties in almost everyday life.

When it comes to vulnerable groups, such as unaccompanied minors, they are completely neglected, and, which is more worrying, there is no visible intention to improve identification of vulnerable persons and building system to meet their special needs and to protect them.

It is obvious that Serbia is still struggling in dealing with emergency problems, which are growing and becoming more complex. Restrictive policies towards migrants, asylum seekers and refugees that are reflecting real attitude and intention of the state – not to accept refugees – is additionally worsening the situation. Looking towards practise in European Union and witnessing deterioration of migration and asylum system in Serbia in the last two years, there are no big expectations for its improvement in the coming period. Nevertheless, there is growing need to continue fighting for rights of those who lost it, as well to continue pointing out and fighting against lawful practices and insisting on protecting all that need protection.

ASYLUM AND MIGRATION POLICY MONITORING REPORT BACKGROUND AND CONTEXT

This report portrays key developments in the field of asylum and migration policy in Serbia in 2019 with the focus on implementation of asylum and migration policies including social protection policies aimed at those most vulnerable among asylum seekers, refugees and migrants in Serbia.

The increase of migratory flows in Serbia in the past few years raised manifold questions on the country's institutions and civil society capacities and preparedness to implement asylum and migration policies. Yet, in order to set the scene for the abovementioned discussion it is indispensable to have a look at the 2019 contextual circumstances in the field of asylum and migration in the country.

While in 2015 Serbia was faced with dramatic increase of refugees and migrants arrivals, peaking at 800,000 persons, in March 2016 that number plummeted after the alleged closure of the Balkan Route resulting from the EU-Turkey agreement. That year the country recorded 12,821 people who expressed their intention to apply for asylum in the country, which resulted finally in 6,400 people staying at the Serbian territory (UNHCR, 2017). Despite the EU-Turkey Agreement, which provided the allocation of 6 billion euros of European Funds to prevent further migratory fluxes from the Middle East to the European Union through the Balkan route, and which was intended to close definitely the Balkan Route, the refugee pathway has never been effectively closed, even though a substantial decrease in numbers of arrivals has been recorded (APC/CIJP, 2018). In the case of Serbia, despite the decrease in arrivals, the number has nevertheless remained robust. This has been mainly due to the implementation of the chain pushbacks mechanism toward Serbia from Austria, Slovenia and Croatia. Policy monitoring reports 2017 and 2018 (APC/CIJP, 2017; 2018) have shown that 6,199 migrants expressed the intention to seek asylum in Serbia in 2017, while only 236 people actually applied for asylum (AIDA - Asylum Information Database, 2017). These data prove that in 2017 the access to asylum process was still very limited in Serbia, putting refugees at risk of *refoulement*. During 2018 the number of migrants who crossed Serbian border increased – 8,436 persons expressed intention to seek asylum, while only 327 effectively lodged the asylum application in Serbia (APC/CIJP, 2018). The gap between numbers of those expressing intention to seek asylum and those actually seeking one was vast during 2018 which implies that many of those expressing intention to seek asylum intended to legalise their 'transit' stay in Serbia, while on the other hand it equally leads to the conclusion that the access to asylum procedure remains difficult, unclear and lengthy.

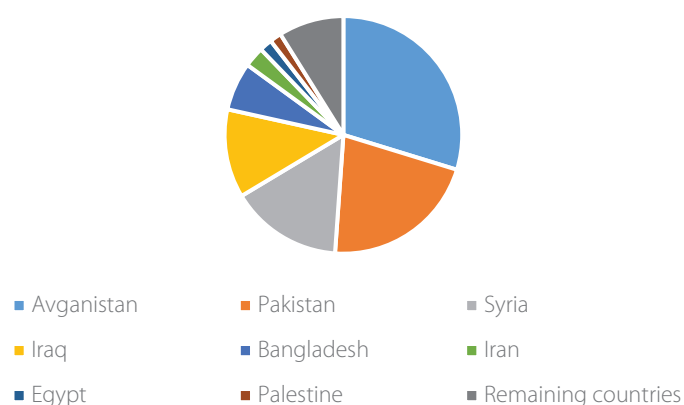
In 2019, 12,935 persons expressed intention to seek asylum in Serbia. This was considerable increase (over 65%) in numbers of migrants crossing Serbian borders compared to 2018. Of total number of migrants expressing intention to seek asylum, majority were men – 12,052 or 93.2% while only 885 were females (APC, 2019a). Moreover, 2,939 children (22.7% of all asylum seekers) of which 823 were unaccompanied and separated minors (6.4% of all asylum seekers) expressed their intention to seek asylum in Serbia (UNHCR, 2020; APC, 2019a). There was increasing trend in number of submitted intentions to seek asylum throughout 2019 peaking in November 2019 with 1,791 intentions submitted (ibid.). The highest number of those expressing intention to seek asylum in Serbia were coming from Afghanistan (3,847 or 29.7%), Pakistan (2,766 or 21.4%), Syria (1,976 or 15.3%), Iraq (1,560 or 12%) and Bangladesh (849 or 6.6%). The remaining populace of migrants comes from Iran (358), Egypt (224), Palestine (205), Algeria (191), Morocco (190), India (149), Eritrea (125) and Somalia (103).

In 2019, 113 first instance decisions have been made by the Asylum Office – 35 application was positively resolved – 18 applicants received subsidiary protection and 17 applicants received refugee protection while 78 applications were rejected. In addition, total of 178 applications have been closed in 2019 in Serbia (ibid.). Refugee protection was received by the 5 applicants from Iran, 4 from Afghanistan, 3 from Russian Federation, 3 from Cuba, 1 from Iraq and 1 from China. Subsidiary protection was granted to 6 Syrian national, 5 Iraqi nationals, 3 Libyan Nationals, 2 Pakistani nationals, 1 Iranian and 1 Afghan national (APC, 2019a; BCHR, 2019a).

Generally, the findings show that Serbia will keep on having a role of both transit and destination country for the migratory fluxes, and having this in mind there is obvious need to improve asylum, migration and relevant social protection policies aimed at this population group and notably the vulnerable ones.

CHART 1

Number of expressed asylum intentions by country of origin

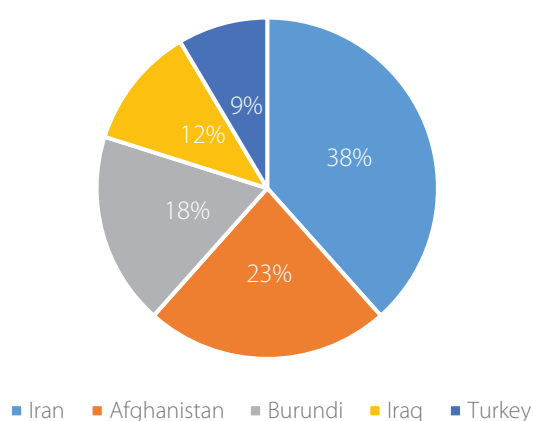


While above presented data concerns official statistics of those expressed intentions to seek asylum in Serbia, the actual number of migrants in Serbia, according to APCs estimation, both regular and irregular reached 38,000 persons indicating that more than 60% of total number were irregular migrants in 2019.

During 2019 the number of persons who applied for asylum in Serbia was considerably lower compared to the number of those expressing intention to seek asylum. Namely, only 252 persons submitted asylum application in 2019 which is a slight drop compared to number of asylum applications submitted the previous year (327). Of those who submitted asylum applications the highest number comes from Iran (63 or 25%), Afghanistan (38 or 15%), Burundi (30 or 12%), Iraq (19 or 7.5%) and Turkey (14 or 5.5%) (UNHCR, 2020).

CHART 2

Number of submitted asylum applications by country of origin



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Generally, the findings show that Serbia will keep on having a role of both transit and destination country for the migratory fluxes, and having this in mind there is obvious need to improve asylum, migration and relevant social protection policies aimed at this population group and notably the vulnerable ones.

SERBIAN ASYLUM AND MIGRATION POLICY IN 2019: SELECTED ASPECTS

THE ASYLUM AND MIGRATION POLICY FUNDAMENTALS AND PRINCIPAL NOVELTIES

Asylum and migration policy in Serbia is based upon three fundamental acts: Law on Asylum and Temporary Protection (LATP), the Law on Foreigners and the Law on Borders Control. In 2018 the new Law on Asylum and Temporary Protection (Official Gazette of the Republic of Serbia, 2018a) was adopted and entered into force. Compared to the previous Law on Asylum (Official Gazette of the Republic of Serbia, 2007a) the key components of the new LATP considers the following: accelerated asylum and border procedure, the subsequent asylum application, the improvement of the third country provision and the introduction of the concept of first country of asylum (AIDA - Asylum Information Database, 2018), the concept of temporary protection which is “provided in the extraordinary procedure in the case of a mass influx of displaced persons who cannot be returned to their country of origin or habitual residence if there is a risk that, due to such mass influx, it will not be possible to carry out individual asylum procedure” (Official Gazette of the Republic of Serbia, 2018a). Moreover, in 2018 the new Foreigners Law (Official Gazette of the Republic of Serbia, 2018b) has been introduced while its implementation started as of October the same year. It governs the entry, movement, residence and return of foreigners, as well as the competences and duties of the Serbian state authorities regarding the entry, movement and residence of foreigners in Serbia and their return from Serbia (BCHR, 2019b). The new Foreigners Law is featured with new provisions and concepts notably those related to family reunions, granting temporary residence to nuclear family members of foreigners granted protection under the LATP. The Foreigners Law now also provides for the possibility of granting temporary residence on humanitarian grounds, granting temporary residence to foreigners who had been involved in facilitating irregular migration, provided they took part in the proceedings as injured parties or witnesses, as well as to victims of human trafficking. The Foreigners Law defines and regulates illegal stay, lays down the return procedure principles, the procedure for issuing rulings on the return of foreigners not fulfilling or no longer fulfilling the requirements to legally reside in Serbia and the deadlines for their voluntary return to their country of origin or country of habitual residence (ibid.). Foreigners Law provide for the prohibition and postponement of the forcible removal of foreigners to territories where they are at risk of capital punishment, torture, or inhuman or degrading treatment or punishment or of grave violations of their rights enshrined in the Serbian Constitution (non-refoulement). As opposed to the prior Foreigners Law, the new one includes provisions relevant both to the return procedure in general and to the status of some particularly vulnerable categories of foreigners, introduces the possibility of them lodging appeals that have suspensive effect and provides for exceptions from the application of the provisions on forcible removal. In addition, the Foreigners Law introduces the concept of temporary residence on humanitarian grounds for asylum seekers or refugees not fulfilling the asylum requirements in specific countries, including those who have integrated into Serbia’s social life, i.e. who have developed strong cultural and social ties with Serbia, particularly in terms of their education, work activities or language skills (ibid.). Temporary residence on humanitarian grounds may also be granted to foreigners for serious and legitimate personal reasons humanitarian in character, if cases when there is interest of Serbia or deriving from its international commitments. Temporary residence on humanitarian grounds may be granted for a period of minimum six months and maximum one year and may be renewed if the reasons for which it was granted still exist.

Newly introduced legal provisions and concepts in the domain of the key asylum and migration acts certainly contributed to more context based legal framework that shows increased potential for effective implementation. However, as it will be shown below, the implementation of the LATP and related acts did not remain without challenges.

SELECTED POLICY IMPLEMENTATION PRACTICES IN 2019

According to numerous resources (e.g. APC, 2019b; BCHR, 2019c) implementation of the asylum and migration policy framework was featured with numerous challenges during 2019. Firstly, the issue of information sharing to migrants entering Serbia on their rights and obligations including procedural mechanisms for regulating their position in the country persisted in 2019. This particularly refers to mandatory information provision yet only in Serbian language instead in languages persons is able to fully understand. This resulted in failings to initiate specific procedural measures by migrants as they were unaware of exact procedural steps and mechanisms in regulating their position in the country. The LATP, Article 35(13) states that the police and other state officials must take actions within

their remit to inform foreigners expressing the intention to seek asylum of the ensuing actions and their rights and obligations whilst in the Serbia (Official Gazette of the Republic of Serbia, 2018a). On the other hand, the LATP does not specify the ways in which the police officers will provide information in understandable fashion to migrants.

Furthermore, the issue of delays in scheduling asylum application appointments also persisted in 2019. Namely, the LATP's Article 36(1) stipulates that asylum procedure shall be initiated by the submission of an asylum application to an authorised Asylum Office's representative, on the given form and within 15 days from the date of registration (or filling in intention to seek asylum). Likewise, the LATP points out that migrants who were registered but have not been provided opportunity to submit asylum application within 15 days timeframe, are entitled to apply for asylum by filling out the asylum application forms and submitting them within 8 days from the day of expiry of the 15-day deadline (Article 36(2)). However, the Asylum Office representatives have often not been available in the Asylum Centres as to enable asylum application submission within the 15 days limits which essentially prevented migrants from applying for asylum within the timeframe set out by the law. Practice of placing persons that expressed intention to seek asylum in transit centers, which are not visited by Asylum Office, is deepening this problem and preventing people from submitting their asylum applications within timeframe, since they need to wait to be transferred to asylum center, which is done only if their legal representatives request so, or in rare cases, when persons are persistent enough in their demands to start their asylum procedure. Although the LATP explicitly indicates that asylum seekers are entitled to apply for asylum in asylum centres or *another designated accommodation facility* (LATP, Article 51), the practice shows that Asylum Office representatives is *only* present in Asylum Centres while reception centres in which many of asylum seekers were accommodated were not been considered as places where Asylum Office representatives were undertaking official actions, thus have limited access to asylum procedure for those residing in reception centres (APC, 2019b; BCHR, 2019c).

Furthermore, LATP provides for the possibility that migrants apply for asylum themselves in the case Asylum Office does not enable conditions for scheduled application (LATP, Article 36(2)). They may submit asylum application in writing within 8 days from the day of expiry of the 15-day deadline running as of the moment of registration. However, this is rarely the case in practice as applicants often lack legal knowledge as to avail themselves in such an endeavour. Besides, some of the asylum seekers do not have legal representative and often lack key information on their rights and obligations as mentioned above (ibid.). Finally, access to asylum procedure is impeded by the fact that asylum seekers can not themselves apply for asylum in writing, without the direct involvement of Asylum Office staff (ibid.).

The LATP enables implementation of the asylum procedure at border crossings or transit areas of airports or inland ports (Article 41). During 2019 those who were refused entry in Serbia at the Belgrade's Airport 'Nikola Tesla', by the border police officers, have been given opportunity to seek asylum yet under conditions that were not always in line with the Law on Foreigners or LATP. While most of the foreigners have been issued certificate of registration (expressed intention to seek asylum in Serbia), this process took time during which applicants were detained, even for several days in some cases, at the Airport. The LATP (Article 41) provides for Asylum Office to rule the decision on the submitted application within 28 days from the day of submission while in case it fails to comply with the prescribed deadline entrance into the country shall be allowed for the purpose of pursuing asylum application. During that time provision of adequate accommodation and food is mandatory in the transit zone, yet as per reports of some civil society organizations and the UN Special Rapporteur on torture (BCHR, 2019c, 2019b; UN, 2019) the conditions in accommodation are far from adequate which impacts the entire asylum procedure. As a consequence all registered foreigners were referred to the respective asylum or reception centre where asylum procedure was further applied (BCHR, 2019c).

Above selected examples of policy implementation practices have proved that in 2019 there were still serious gaps and shortcomings in adequate ruling under the law which calls for continuous monitoring of policy implementation and evidence-based recommendations that will possibly lead to enhancement of effective and rightful asylum and migration policy implementation.

SELECTED POLICY CHANGES IN 2019

The Law on Asylum and Temporary Protection, Article 48 (6) indicates that asylum seekers have due right to legal aid. It thus allows the representatives of civil society organisations that are mandated to provide legal aid to asylum seekers including UNHCR to have effective access to the asylum seekers as to provide them with necessary legal support. Also, the Law on Free Legal Aid (Official Gazette of the Republic of Serbia, 2018c) adopted in 2018 whose implementation started as of October 2019 stipulates that free legal aid shall be provided to those seeking asylum in Serbia (Article 4) by civil society organizations as per legal provisions of the asylum and migration laws, i.e. LATP (Article 9). In 2019 based on the Article 33 of the Free Legal Aid Law, Article 42 of the Government Law (Official Gazette of the Republic of Serbia, 2018d) and Article 77 of the Foreigners Law (Official Gazette of the Republic of Serbia, 2018b), new *Rulebook on the referral of the applicant to the legal aid provider* (Official Gazette of the Republic Serbia, 2019a) has been endorsed which encompasses provision on granting free legal aid to asylum seekers as well. Namely, this Rulebook prescribes the referral of the applicant for the grant of free legal aid by the authorized person responsible for deciding on the request for the grant of free legal aid in the local government unit to the providers enrolled into the Register of Free Legal Aid Providers maintained by the responsible ministry (Article 1 of the Rulebook). As per Rulebook provision (Article 2) those seeking asylum who filed request for free legal aid will be directed to the civil society organisations that may engage the lawyer to represent asylum seeker in the asylum procedure who is the first next on the list of free legal aid lawyers managed by the Serbian Bar Association.

Furthermore, based on the Article 85 of the LATP (Official Gazette of the Republic of Serbia, 2018), Article 42 of the Government Law (Official Gazette of the Republic of Serbia, 2018d) and Article 77 of the Foreigners Law (Official Gazette of the Republic of Serbia, 2018b), the Government of the Republic of Serbia adopted *Regulation on Establishing the Programme for Supporting the Voluntary Return of Foreigners for the Period 2019 to 2021* (Official Gazette of the Republic of Serbia, 2019b) in February 2019. The Regulation thus sets out the framework for the support of voluntary return of foreigners to the country of origin or the country to which the foreigner will be accepted (Articles 1 and 2 of the Regulation). The Programme is to be principally implemented by the CRM and in cooperation with the International Organisation for Migrations (IOM), other relevant international organization or non-governmental organization that is oriented to the humanitarian aid provision to the persons entailed by this regulation (Article 3 of the Regulation). Briefly, the main components of the *Programme for Supporting the Voluntary Return of Foreigners for the Period 2019 to 2021* (hereafter: the Programme) consist of sections related to the following aspects: 1) information sharing to the beneficiaries; 2) consultations with beneficiaries; 3) submission of the application for participation in the Programme and registration of beneficiaries; 4) preparations for voluntary return of beneficiaries; 5) provision of assistance to those involved in the Programme of voluntary return; 6) special approach to vulnerable groups in the Programme and 7) Programme implementation.

Likewise, based on the Article 17 of the Law on Migration Management (Official Gazette of the Republic of Serbia, 2012) and Article 42 of the Government Law (Official Gazette of the Republic of Serbia, 2018d) the Government of the Republic of Serbia adopted *Regulation on establishing the Incentive Program for the Implementation of the Measures and Activities Necessary for Achieving the foreseen objectives in the field of migration management in local self-government* (Official Gazette of the Republic of Serbia, 2019c). The Programme set out by this Regulation defines measures and activities, including resources necessary for achievement of migration management objectives at the local level. It also sets out the measures for financial support of the local self-governments engaged in activities in this area. The Programme, amongst others, entails incentives for promotion of integration of migrants and asylum seekers in the local community and allocation of resources for local self-governments that implement educational, sports or cultural workshops and events aimed at integrating migrants in the local community. In addition, the Programme involves measures and activities aimed at bolstering capacities of the local self-governments in the domain of migration management and notably in the following areas: organization of workshops on identification of needs in this area; strengthening public information sharing on the needs and the problems of migrants and vice versa information sharing to migrants about their rights and the ways in which to avail themselves of available support; establishing of info-centers and support centers; awareness raising on the position and the needs and problems migrants face; support research in the area of rights and needs of migrants; strengthening capacities of local self-governments that face increased number of migrants at their territory and allocation of resources for such needs (ibid.).

OUTLOOK TO SOCIAL PROTECTION MECHANISMS OF THE SERBIAN ASYLUM AND MIGRATION POLICY IN 2019

Social protection mechanisms' key aim is to assist in social inclusion and enable respect for human rights of marginalized social groups and individuals. It usually consists of the following elements: labour market policies and programmes; social insurance programmes covering domains such as unemployment, health, disability, old age etc.; social assistance for vulnerable groups and individuals; protection of children to contribute to their future development (Milojevic, 2019). In Serbia right to social protection is guaranteed through the Constitution of the Republic of Serbia (Official Gazette of the Republic of Serbia, 2006) while social security is enabled via social protection system, the child and family protection system and pension and disability insurance. The Social Protection Law (Official Gazette of the Republic of Serbia, 2011a) sets out the main principles of social protection in Serbia – Article 3 thus indicates that the main aims of social protection include the achievement and preservation of the citizens' minimal economic security and independence in satisfying their principal needs, ensuring availability of services and exercise of social protection rights, equal opportunities for all, strengthening social inclusion, fostering and preservation of family relations, improve gender and intergenerational solidarity, prevention of violence, neglect and exploitation. The aims of social protection are to be met by the social protection services provision (ibid.). The Social Protection Law defines provision of manifold services which may be complementary to specific social groups or beneficiaries with the view to meeting their needs and enable effectiveness and efficiency of the provided services (Milojevic, 2019). In this regard, social protection services and mechanisms are designed to be provided to a range of beneficiaries and within the vast spectrum of needs including asylum seekers, refugees and foreigners residing illegally in Serbia as well as stateless persons. However, the social protection policy agenda in the domain of asylum and migration is defined by the separate legal framework intended to address specific social protection rights of refugees, asylum seekers, migrants, returnees under the readmission agreement, internally displaced persons, human trafficking victims etc. the key one being LATP (Official Gazette of the Republic of Serbia, 2018a), Migration Management Law (Official Gazette of the Republic of Serbia, 2012), Family Law (Official Gazette of the Republic of Serbia, 2015a) and Law Ratifying the Agreement between the European Community and the Republic of Serbia on the readmission of persons residing without authorisation (Official Gazette of the Republic of Serbia, 2007b) and Social Protection Law (Official Gazette of the Republic of Serbia, 2011a) including relevant bylaws set out by these laws. The most prominent issues social protection mechanisms address with regards to the position of migrants/asylum seekers/refugees in Serbia are *housing and accommodation for particularly vulnerable categories of beneficiaries* within migrant population as well as *financial assistance* for those outside the accommodation facilities provided by the state.

Persons granted asylum or subsidiary protection in the Republic of Serbia shall be provided with temporary housing pursuant to rulings of the Commissariat for Refugees and Migration (CRM). As per *Decree on Criteria for Establishing Priority Accommodation of Persons*

Recognised the Right to Refuge or Granted Subsidiary Protection and the Conditions for the Use of Temporary Housing (Official Gazette of the Republic of Serbia, 2015b) beneficiaries shall be provided with such housing for a maximum of one year from the day the rulings granting them asylum or subsidiary protection become final (Milojevic, 2019). Moreover, as per LATP (Article 52) accommodation of those particularly vulnerable among refugees and asylum seekers is to be enabled in the social protection institutions. In particular, social protection institutions may accommodate unaccompanied minors seeking asylum in Serbia and adult asylum seeker who cannot be accommodated in asylum centres due to their specific physical or psychological health condition. They exceptionally may be accommodated with other families or other accommodation provider meeting their specific needs (ibid.). In addition, as per LATP and the Family Law unaccompanied minor migrants and separated children must be designated by the temporary guardian as a key measure of social protection for this population group in Serbia.

As noted above, LATP provides for financial assistance to asylum seekers and those granted asylum as a measure of social protection. This right is copiously defined by the *Rulebook on Social Assistance for Asylum Seekers and Persons Granted Asylum* (Official Gazette of the Republic of Serbia, 2011b) according to which asylum seekers and persons granted asylum are entitled to financial assistance if they are not living in asylum centres, i.e. if they are renting private accommodation. They are entitled to the right to social assistance in the same manner and under the same conditions as Serbian nationals – in the form of monthly financial assistance received by the Centres for Social Work in the municipalities they reside in. Their eligibility for such aid is reviewed every year.

In 2019 new *Rulebook on Social Assistance for Persons Seeking Asylum and those Granted Asylum* has been drafted and adopted in February 2020 by the Ministry of Labour, Employment, Veteran and Social Affairs (Official Gazette of the Republic of Serbia, 2020). This regulation specifically defines the conditions for and amount of financial assistance for this population group as well as the procedures for exercise of rights in this domain.

CONCLUSION

Compared to the previous year, 2019 was marked with increased number of migrants/asylum seekers/refugees entering Serbia. In total, 12,935 persons expressed intention to seek asylum in Serbia while 252 persons actually submitted asylum applications to the Asylum Office which is approximately 2% of those expressing intention to seek asylum. Those expressing intention to seek asylum mainly come from Afghanistan, Pakistan, Syria and Iraq, while those seeking asylum predominantly come from Iran, Afghanistan, Burundi, Iraq and Turkey. Men dominate in number of asylum seekers in Serbia - 93.2% of those expressing intention to seek asylum and 68.3% of those applied for asylum in Serbia in 2019. Of total number of asylum seekers 17 was granted refugee status, while 18 was granted subsidiary protection. This is fairly small number of those applied for asylum that had their cases positively resolved in the first instance decisions in 2019.

These numbers also suggest that there were challenges spotted in asylum and migration policy implementation in 2019. Namely, information sharing on rights and obligations of migrant granted by the LATP and other relevant laws and policies within the asylum and migration legal framework remained weak in 2019. Providing information by the police officials and other relevant authorities only in Serbian language impeded in many ways processes and procedures in asylum seeking. Moreover, delays in scheduling submission of the asylum applications by the Asylum Office represented additional obstacle to duly asylum and migration policy implementation and thus have affected asylum seeking processes and numbers of those willing to seeking asylum in Serbia. Likewise, access to asylum procedure is impeded by the fact that asylum seekers can not themselves apply for asylum in writing, without the direct involvement of Asylum Office staff. In addition, many perils emerged with respect to certification and asylum seeking at the border i.e. Airport in Belgrade which additionally prevented from viable policy implementation in this domain.

In 2019, couple of policy changes emerged in this area addressing issues of additionally regulated free legal aid provision to asylum seekers. Asylum seekers may thus ask for a free legal aid provided by the civil society organizations that may engage the lawyer to represent asylum seeker in the asylum procedure who is the first next on the list of free legal aid lawyers managed by the Serbian Bar Association. Moreover, the Programme for Supporting the Voluntary Return of Foreigners for the Period 2019 to 2021 has been endorsed which regulates the steps and mechanisms in fostering voluntary return of foreigners to the country of origin or other country they will be accepted. In addition, the local level asylum and migration policies were enriched by the bylaws that regulate support to local self-governments asylum centres are situated in to foster integration of migrants as well as to further develop institutional capacities for duly migration management.

Finally, social protection mechanisms in the domain of asylum and migration mostly cover issues of housing and accommodation of most vulnerable groups among migrant population (unaccompanied minors) in Serbia as well as financial support for those residing in accommodation not enabled by the state. While there are limited data on the implementation of social protection measures at national level, it is clear that at the local community level social protection of migrants/asylum seekers/refugees is weak and requires further development and sustainable provision to those in need.

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MEDIA REPORTING ON MIGRANTS

POLITICAL FRAMEWORK WITHIN WHICH THE PROJECT WAS REALIZED

European Commission reports on Serbia's progress in 2019 contain observations about the serious flaws in the functioning of the rule of law and poor conditions in the media freedom sphere. The Serbian authorities were quite displeased with such remarks, and ruling coalition officials responded to them harshly, on occasions even excessively criticizing Brussels, the opposition, and a few media outside their control.

Namely, for years now the authorities in Belgrade have been starting from the position that Kosovo is Serbia's central problem, and that all other issues, including the rule of law, media freedom, corruption and the work of Parliament, are of much lesser importance. But, although the Kosovo problem is seen as the first-rate political issue, the Commission's reports clearly show that Brussels does not want to limit its relations with Serbia to that topic alone.

The year 2019 was marked by growing political tensions in the country, complicated relations with most neighbors, little progress in negotiations on the normalization of relations with Kosovo, and a series of scandals involving high-ranking officials. Tension between the ruling bloc and the leading opposition parties gathered in the Alliance for Serbia also gained momentum. Displeased with election conditions, the opposition declared it would boycott the regular general vote due to in April 2020.

The international community had encouraged a dialogue between the authorities and the opposition on election conditions and the European Union had sent its envoys to mediate the talks. Several rounds of discussions were held, at which steps that should be taken to ensure the participation of all relevant political groups in the polls were on the agenda, but there was no essential progress. Meanwhile, a part of the opposition that boycotted the talks under the EU patronage began also boycotting the work of the parliament. It is difficult to expect that there will be any improvements before the April vote. The decision to call the elections will probably be made early in March, and they are expected to be scheduled for April 26.

In such political conditions, the issues related to migrants have not been a priority in 2019. Still, there is a real danger that the attitude toward the migrant crisis may be radicalized and abused for the purpose of securing support from the nationalistically-oriented voters. The opposition and nationalistic Dveri movement last fall took a harsher stance toward the migrant situation, announcing a campaign criticizing the government over its handling of the crisis.

MEDIA FRAMEWORK WITHIN WHICH THE PROJECT WAS REALIZED

In 2019, the Serbian authorities upped their pressure on a few media outlets outside their control trying to force them to adjust their editorial policies to the interests of the ruling circles. The authorities wield decisive influence over the mainstream media that are the source of information for nearly 80 percent of the population, but still want full media dominance to prevent any undesirable information reaching the public. Control over the media is of exceptional importance for the ruling bloc, as it is one of the main tools for maintaining the voters' trust, especially ahead of the 2020 general vote.

President Aleksandar Vucic participates several times a week in shows aired by the leading TV stations, explaining the government's successes and criticizing the opposition, media, and journalists who are not offering him unquestionable support, and his long appearances usually coincide with major political events or opposition actions. The leading broadcasters still have no shows in which different political views are exchanged, and opposition representatives are present in them only as targets of severe attacks. Surveys show that TV is still the dominant media in Serbia and the main source of information for some 80 percent of the people, followed by the Internet, newspapers, and radio programs.

While experiencing political pressure, the media companies are also exposed to economic pressures. The advertizing market in Serbia is quite underdeveloped: according to the data for 2018, its value was EUR197 million,¹ which is insufficient to ensure the economic survival of all active outlets. Because of the ailing economy and constant liquidity problems, the state still plays an important role in the media market. It maintains its control over the media through various models of state financing (public competitions for media projects, public purchases of media services, and direct advertizing contracts).

¹ Source: Ipsos, Nielsen AM, marketing agencies.

It is not known what the amount of state assistance granted to certain media is, in what way it is provided, and what are its effects. Researchers warn that for years the state has been the leading advertiser in the country, through its ministries, public companies and national agencies. There are also big pressures on the part of the marketing agencies, whose owners have close ties with the ruling party, so that the media critical of the authorities do not have a chance of making any advertising contracts or contracts with the state.

Since according to the law, state ownership of the media should not exist, the state is exercising its influence over them through public companies. Thus, for example, in late 2018 and during 2019, the state-run telephone operator MTS took over a group of media outlets, making a strong media platform. It is organized as a shareholding company, in which the state also has a stake.

A conspicuously large number of outlets offer unlimited support to the ruling elite and releases almost daily fake and slanted information aimed to confuse the public or create a false picture of the dangers threatening not only Serbia, but also the region. Thus, the cover pages of four widely read tabloids (Informer, Alo, Srpski Telegraf, Kurir) in 2019 carried as many as 945 fake news.² Most of it concerned the opposition and its leaders, while presenting President Vucic and Russian President Vladimir Putin exclusively in a favorable way.

Data gathered by specialized portals show that Serbian media are one of the biggest exporters of fake news into the neighboring countries. At the same time, according to the latest reports on the impact of fake news, Serbia holds third place, immediately after Romania and the Czech Republic, on the list of the biggest “exporters.”

Tabloids are also newspapers that sell the most in Serbia. What sets them apart from the similar media in other countries, is that politics is their dominant topic, meaning that the greatest number of fake news they publish pertain to that area of life.

Many court verdicts against tabloids were pronounced in 2019, on charges for publishing fake news, slander and defamation that were pressed by affected individuals. This, however, did not result in the diminishing of the number of fake news, and the media publishing it continued to receive the public funds through various tenders and competitions and without any hindrance whatsoever.

MEDIA REPORTS ON MIGRANTS AND ASYLUM SEEKERS

Where the migrant-related topics are concerned, conclusions of the analyses from previous years are valid for 2019 as well. Media reports clearly reflected the positions of Serbia's official policy toward migrants and asylum seekers, and most outlets limited their dealing with the topic to just carrying official stances. As in the previous years, Serbia was presented as a transit country only, regardless of the change in policies and events taking place in neighboring countries.

Statements by politicians and representatives of institutions were still dominant in reports, mentioning the “protective” role of the state, which is doing everything that is important and necessary to make the position of this vulnerable social group less difficult. These statements suggested that this population has “a decent position,” especially compared to how it is treated in certain neighboring countries, while the need to improve their position was rarely mentioned.

Most of the media production deals with registered migrants, while those outside the system are almost invisible for the media, or are mentioned only in connection with incidents. Some 2019 reports contained demands that the centers in which migrants and asylum seekers are sheltered be closed owing to their improper behavior and the provoking of incidents. It should be noted that most reports on incidents or clashes between the migrants and the local population were not confirmed and were intended to disturb the population and instigate prejudices. This is the recognizable modus operandi of the tabloids and their portals, which resort to sensationalism regardless of the consequences.

Only political magazines (NIN, Vreme, Nedeljnik, Novi Magazin...) reported on the objectively grave conditions in the migrants' home countries and the difficulties they encounter during their journey. Except N1, not too many TV stations dealt with that side of the migrant stories either.

Where events in the neighboring countries are concerned, most reports dealt with incidents involving migrants in Bosnia and Herzegovina and Croatia. Such reports were quite sensationalistic and lacked any serious analysis or picturing of the realistic conditions the migrants are facing. Non-government organizations working with migrants and asylum seekers are warning that the illegal push-backs of these people has become a practice along the Balkan migrant routes. They are forced back from one country to another, and even through several countries, and, according to these NGOs, this is happening on a daily basis. Frequently, their possessions are seized, and they are abused and humiliated in the process.

² According to a survey conducted by the Raskrikavanje portal.

Media outlets still lack reports on the problems migrants in Serbia are facing, the length of the procedure to determine their refugee status, their integration into society, the position of unaccompanied minor migrants, in the case of whom the procedure for determining the refugee status is rarely initiated. The right of those who were granted the status of refugees to education, freedom of movement, access to the labor market, health care, personal documents... is rarely mentioned in reports. Those without such status, who are subject to a different legal regime – possible deportation, temporary protection, subsidiary protection, return to their home country – are hardly ever mentioned.

ANALYSIS OF MEDIA REPORTS

In 2019, the Beta news agency continued to monitor how the national newspapers and TV stations, most political weeklies and local media from border areas covered the migrant-related topics. A daily survey, supplied by the Ebart Research Center, was based on the selected key words and encompassed 28 outlets.³

In 2019 there were 3,278 items released by various media on migrants and asylum seekers, i.e. 8.98 per day on average. This is slightly less than in 2017, when this figure was 11.8, and in 2018, when it was 9.7.

The highest number of items was publicized in December – 439, whereas the lowest number of items was published in January – 155. Radio and TV stations showed a slightly less interest in the topic, with only 590 reports released during the year (the figure in 2018 was 636). The same trend was registered in newspapers – a total of 2,017 reports (in 2018, the number of reports was 2,364).

The topic was the least present in the media at the beginning of the year, with the number gradually going up, to reach the highest point in December. In 2018, the month with the highest number of reports was June.

By month:

January: There was a total of 155 reports, 27 on websites, 24 by radio and TV stations, and 104 in newspapers. On January 14, no reports were published, while the date with the highest number of items released was January 23. The latter was due to an arrest of migrant traffickers.

The highest number of reports was registered on January 10 and January 23, with 13 reports, influenced by the arresting of migrant smugglers.

February: There was a total of 183 reports, 34 on websites, 34 by radio and TV stations, and 115 in newspapers. No reports were published on February 16, and February 10 saw only one item published. The highest number – 19 – was on February 21, which was due to a statement by Interior Minister Nebojsa Stefanovic that from the beginning of the crisis in Syria, over one million migrants had passed through Serbia. On February 13, there were 15 reports, mostly dealing with the discovery of migrants in a refrigerator truck at a border crossing.

March: There were 210 reports altogether, 32 on websites, 38 by radio and TV stations, and 140 in newspapers. The least number of reports was registered on March 26 – only two, and the highest on March 29 – a total of 15. The latter was prompted by the hijacking of a ship by migrants at La Valetta. A crash of a van carrying migrants led to the release of 14 reports on March 6.

April: A total number of reports was 171, of which 38 on websites, 27 by radio and TV stations, and 106 in newspapers. There were no reports on April 29, while on April 28 there were only two. Three reports were published on April 17, 20, 24, and 27. The highest number of reports was registered on April 12 – a total of 12 – covering the death of a migrant hit by a train at Presevo. On April 7 and 9, there were 11 reports each day, mostly dealing with Bosnia and Herzegovina closing its eastern border.

May: There were a total of 245 reports, 44 on websites, 44 by radio and TV stations and 157 in newspapers. None were published on May 2, while there was only one on May 1. The highest number of releases was on May 23 (21 reports) and May 24 (27). The latter were mostly dealing with the discovery of a group of migrants in a tank truck in the town of Futog, of whom two died by suffocation.

³ Included were: Vecernje Novosti, Politika, Danas, Blic, Kurir, Informer, Alo, Srpski Telegraf, Dnevnik, Narodne Novine Nis (daily newspapers); NIN, Vreme, Novi Magazin, Ekspres and Nedeljnik (magazines); RTS (public service), Prva, O2, Pink, Happy and KCN (Kopernikus) (national TV stations); Studio B and TV Subotica (local city TV stations); TV Novi Pazar (a regional station), and Telegraf, Srbija Danas, Mondo and Juzne Vesti (websites).

June: There was a total of 373 reports, 76 on websites, 96 by radio and TV stations, and 201 in newspapers. On June 24 there were only two reports, while there were three on June 15, 19, and 23, respectively. Most items were released on June 7 – 42 – due to a murder of a migrant in Belgrade, which was the second such incident in a row. Namely, on June 6, a migrant was also killed, the incident being covered by 26 reports. June 21 also saw a high number of reports – 32 – mostly devoted to a ruling by a Hungarian court, which sentenced four persons to life in prison because of their role in the 2015 death by suffocation of 71 migrants, whose bodies were found in a refrigerator truck on a road in Austria.

July: This month registered a total of 306 reports, 62 on websites, 34 by radio and TV stations, and 210 in newspapers. There were only two on July 13, with the highest number of 20 on July 4, the latter due to an attack on a migrant camp in Tripoli, Libya. On July 9, there were 18 reports warning that the Balkans was about to face a new wave of refugees.

August: There was a total of 225 reports, 43 on websites, 11 by radio and TV stations, and 171 in newspapers. Two reports were published on August 3 and 21, respectively. The biggest number appeared on August 30 – 15 – when a group of migrants was discovered at a border crossing with Hungary. A relatively high number was released on August 22 and 23 – 12 on each day.

September: There were 257 reports, 47 on websites, 42 by radio and TV stations, and 168 in newspapers. On September 10 there were only two items released, and on September 8, three. The biggest number, 26, was on September 1, prompted by a testimony of a boy migrant on his abuse in Croatia, which was mostly covered by radio and TV stations. The papers dealt with incidents and violent conduct of migrants in Belgrade's public transport.

October: This month saw the release of 356 reports, 90 on websites, 39 on radio and TV stations, and 227 in newspapers. Only three were released on October 30, while a total of 24 appeared on October 18. The latter were prompted by a statement of Hungarian President Viktor Orban that he will defend Hungary's borders with arms if Turkey lets the migrants sheltered there leave that country. A high number of reports was registered on October 2 (23), due to the drowning of two migrants at the town of Sid.

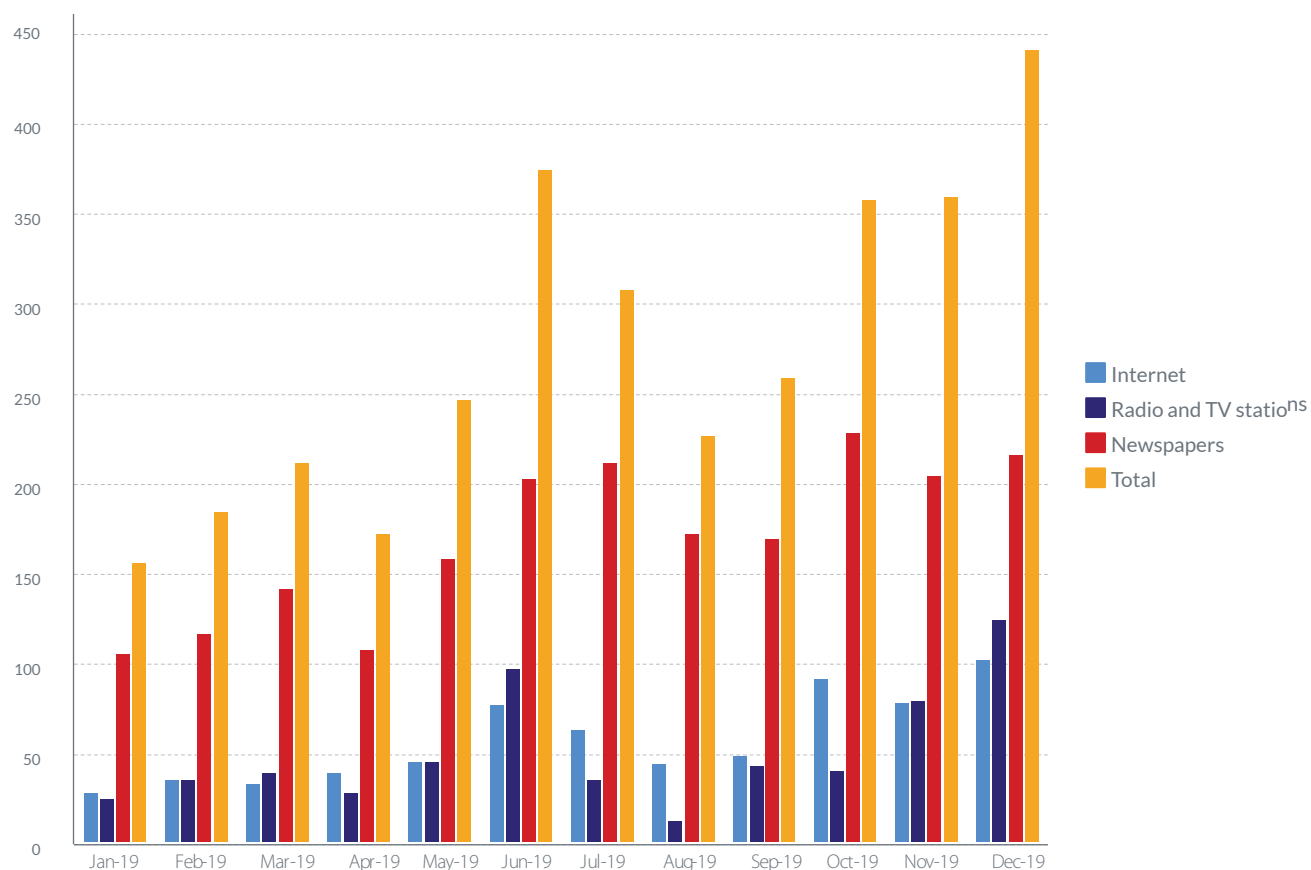
November: There were 358 reports, 77 on portals, 78 by radio and TV stations, and 203 in newspapers. November 9 saw only five reports, while there were 23 on November 20. The latter mostly dealt with allegations that in Bajakovo, Croatia, there is a cellar in which the migrants are being tortured. A large number of items appeared on November 12 (22), mostly dedicated to the drowning of four migrants in the Danube at the town of Apatin. Serbian media also reported in 18 items on November 18 about the Croatian police shooting and wounding a migrant.

December: There was a total of 439 reports, 101 on websites, 123 by radio and TV stations, and 215 in newspapers. Only two reports appeared on December 21, while the highest number was released on December 19 – a total of 41. The latter were prompted by statements of Serbian officials on migrants and the country's policy toward them, made on the occasion of International Migrants Day. Many reports were published on December 18 as well, also due to the same occasion. There were 39 reports on December 24, when a boat capsized at the town of Odzaci, causing the death of six migrants.

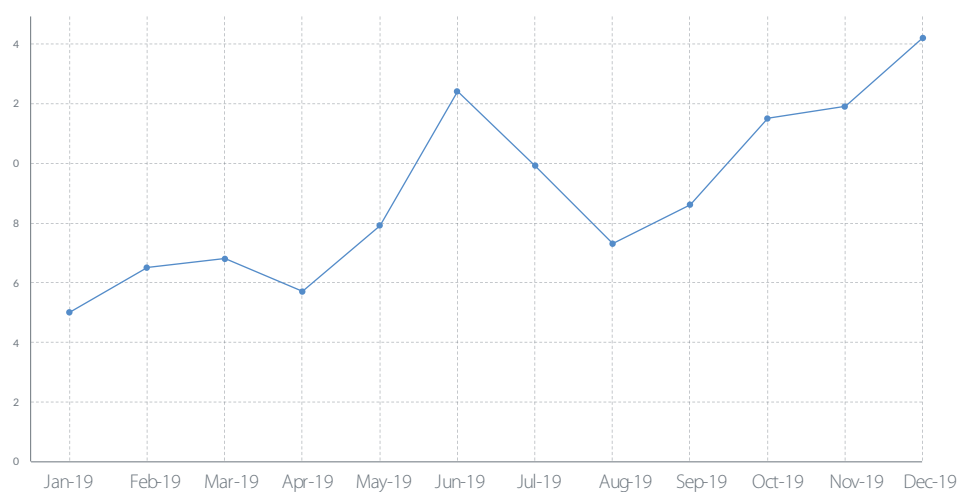
Enclosed are the graphs illustrating the data from the analysis of the media daily reports in 2019, as well as a graph with the comparative data for 2017, 2018, and 2019.

REPORTS 2019

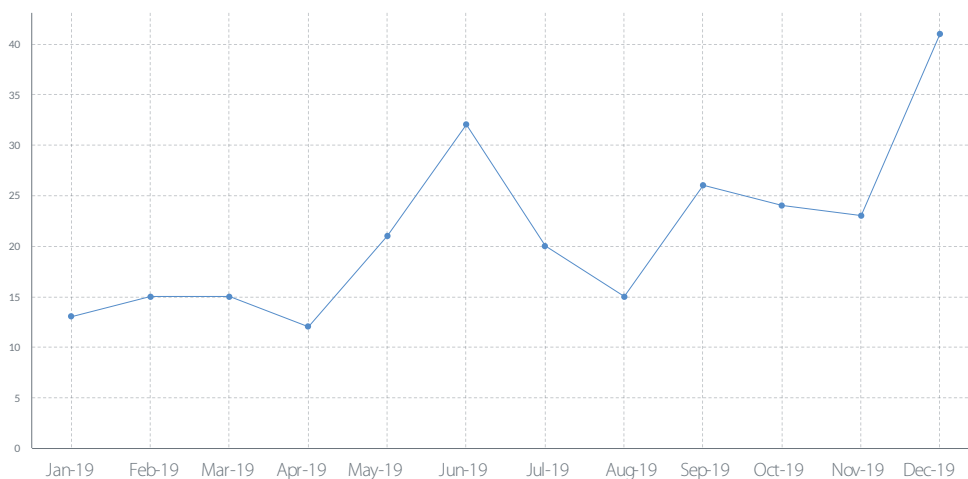
REPORTS	INTERNET	RADIO AND TV STATIONS	TOTAL	NEWSPAPERS	AVERAGE MONTHLY NEWS	HIGHEST NUMBER OF REPORTS IN ONE DAY
Jan-19	27	24	104	155	5,0	13
Feb-19	34	34	115	183	6,5	15
Mar-19	32	38	140	210	6,8	15
Apr-19	38	27	106	171	5,7	12
May-19	44	44	157	245	7,9	21
Jun-19	76	96	201	373	12,4	32
Jul-19	62	34	210	306	9,9	20
Aug-19	43	11	171	225	7,3	15
Sep-19	47	42	168	257	8,6	26
Oct-19	90	39	227	356	11,5	24
Nov-19	77	78	203	358	11,9	23
Dec-19	101	123	215	439	14,2	41
Total				3278		



AVERAGE MONTHLY NEWS REPORTS



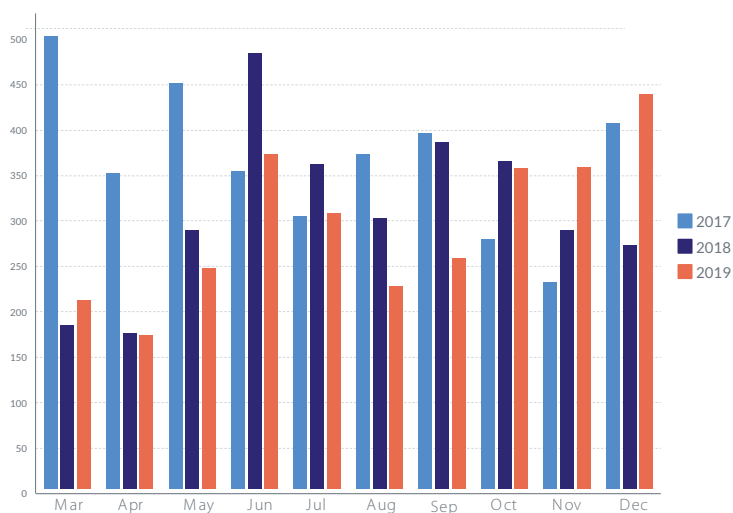
HIGHEST NUMBER OF REPORTS IN ONE DAY



COMPARATIVE REPORTS / MARCH - DECEMBER 2017/2018/2019

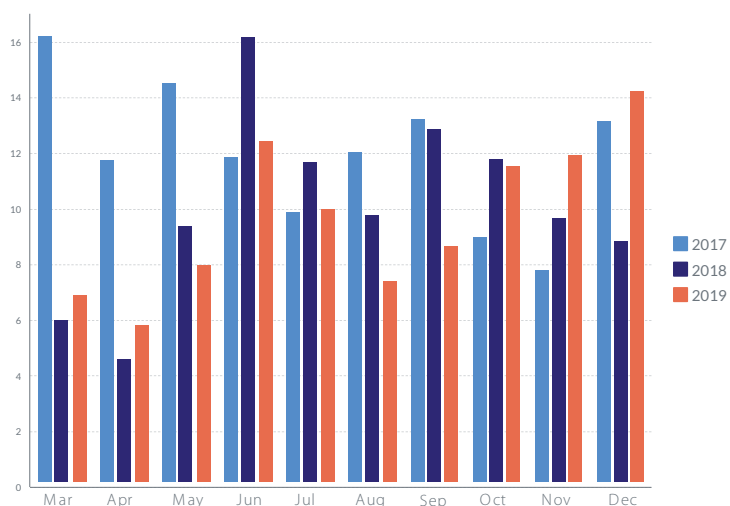
Comparative monthly TOTAL REPORTS March-December 2017/2018/2019

YEAR	2017	2018	2019
March	503	182	210
April	351	173	171
May	451	288	245
June	353	485	373
July	303	361	306
August	373	301	225
September	396	385	257
October	277	364	356
November	230	288	358
December	407	271	439



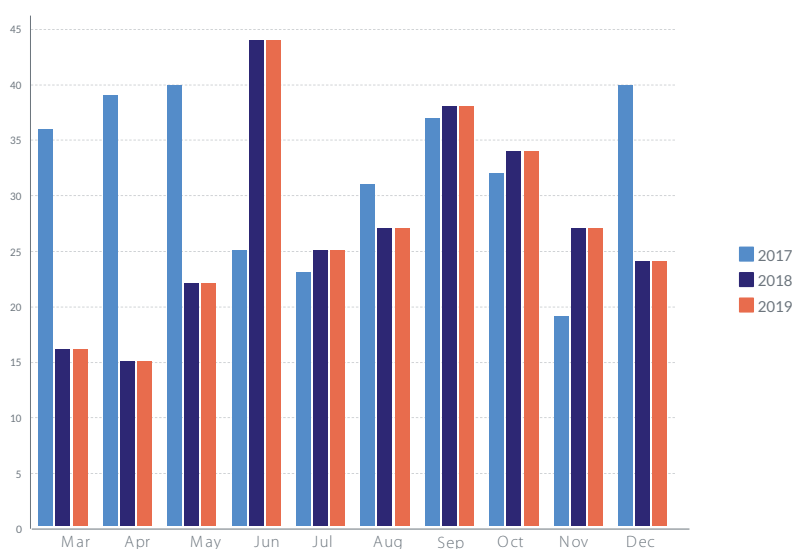
Comparative average monthly reports March - December 2017/2018/2019

YEAR	2017	2018	2019
March	16,2	5,87	6,8
April	11,7	4,47	5,7
May	14,5	9,29	7,9
June	11,8	16,16	12,4
July	9,8	11,65	9,9
August	12	9,7	7,3
September	13,2	12,8	8,6
October	8,9	11,7	11,5
November	7,7	9,6	11,9
December	13,1	8,74	14,2



Comparative highest number of reports in one day March - December 2017/2018/2019

YEAR	2017	2018	2019
March	36	16	15
April	39	15	12
May	40	22	21
June	25	44	32
July	23	25	20
August	31	27	15
September	37	38	26
October	32	34	24
November	19	27	23
December	40	24	41



The topics most frequently covered by the media may be classified in the following groups:

1. Serbia's official policy toward migrants, their accommodation, inclusion;
2. Incidents involving migrants;
3. The migrant crisis in neighboring countries – Bosnia and Herzegovina, Croatia, Hungary, Montenegro;
4. EU member countries and the migrant crisis,
5. Causes of migrations, events in the countries the migrants come from, U.S. President Donald Trump's policy toward migrants.

As a rule, the media covered the first topic through announcements and statements by officials of the government and other institutions in charge. These reports almost exclusively deal with registered migrants, with their number being lower than in the previous years.

The second topic is the one most favored by tabloids and portals. The events covered are described in detail, frequently exaggerated, and under sensationalist headlines ("Migrants stabbing one another," "Bloody migrant showdown," "A migrant stabbed 24 times," "Yet another victim of migrant clans' brawls," "Fighting and chaos continues"...). The photos and the texts are frequently at odds. Reports show a complete lack of knowledge of the cultural and social circumstances in the countries the migrants come from, of their history and the current political and economic circumstances. In reports on incidents involving the migrants and the local population, the statements by the latter are burdened by prejudice, rejection and fear.

The third topic was rather frequently present in 2019, especially in view of the events in Bosnia and Herzegovina and Croatia, but also in other countries on the Balkan migrant route (Hungary, North Macedonia, Greece, Montenegro...). These events were mostly covered by websites and were based on media reports from these countries, with rare original texts, mostly in the weekly magazines. Still, most reports were published under sensationalistic headlines, whereas the texts suggested that the said neighbors are treating the migrants inhumanly. A good example were reports on the existence of cellar in Bajakovo, Croatia, where the migrants are being tortured. Their sole source was a statement by one migrant, which was carried by a number of outlets that did not even try to get a confirmation of the allegations from other sources. Reports also failed to mention that most migrants in Bosnia and Croatia entered these countries from Serbia. Some of the reports quoted announcements by official institutions in the neighboring countries (police, ministries, organizations in charge of migrations).

Reports released by the global agencies and European newspapers were used as the main source of information on the European migration policies and the events involving migrants in EU member countries (Germany, Hungary, Austria, France, Belgium...). Reports were mostly devoted to the elections for the European Parliament and the personnel changes at the EU top, trying to foresee whether the populists and radical rightists would have more representatives in the EU bodies than previously, and to what extent this would make reforms and integrations more difficult. Most original and analytical articles of the kind were published in the surveyed weekly magazines.

The causes of migrations and events in the countries the migrants come from were rarely addressed in the media, and, if they were, it was mostly in analytical texts in the weeklies. The policies of the Turkish president, Erdogan, and Hungarian President Orban were analyzed in that context. President Trump's policy also attracted much attention, and all developments in the U.S. were widely covered. The activities of the civil sector in Serbia were covered even less than in 2018, accounting for below two percent of all reports. Rados Djurovic, director of the Asylum Protection Center, was a representative of the NGO sector that in 2019 was present in the media the most.

A qualitative analysis of the reports on the topic at hand shows that their tone was still dominantly positive or neutral. The only exception were the situations involving incidents, and mostly those between migrants and the local population. A good example was an attempt by the tabloids to make a big story about the conduct of migrants in the Belgrade public transport, which ended up quickly and was part of a negligible number of reports. According to statistics, the incidents between migrants and citizens are rare, and are mostly provoked by unregistered migrants, they are the result of a lack of mutual understanding or the unexpected circumstances in which the migrants have found themselves. Most clashes, according to the data, occur within migrant groups.

TRENDS AND CONCLUSIONS

The migrant crisis topic was present in the Serbian media last year to a lesser extent than in the previous two years. There was still a conspicuously small number of features and original stories, while over 80 percent of the entire production consisted of news items and official statements.

The characteristics of the 2019 media reporting were as follows:

- Greater interest in events involving migrants in neighboring and Mediterranean countries;
- A slight drop in analytical articles on European migrant policies, directly due to the elections in the EU,
- A slight drop in the size of media production.

The manner and tone of reporting had the same characteristics as in 2017 and 2018. News items and reports prevailed in the production, whereas analytical and investigative articles delving into the essence of the matter were quite rare.

Most of the production focused on carrying positions by state institutions, while the stances of the NGO sector were rarely publicized.

Contradictory positions of officials and the civil sector were otherwise constantly present in the public. Commissariat for Refugees and Migrations representatives kept claiming that the migrants and their problems were being taken care of, while the CSOs working on the ground pointed to numerous problems the migrants face.

Despite the relatively high number of media reports on the migrants and asylum seekers, it cannot be concluded that the media are addressing this topic systematically, nor that they have the journalists trained for this type of reporting. Their quantity is owed to a number of official statements and announcements given on the topic, as well as the items released by various news agencies.

In 2019, a growing tendency of spreading prejudices about the migrant population was noticed in reports by certain tabloids and websites. As a rule, such texts mentioned violence, sexual harassment and physical attacks, presenting the migrants as aggressive, unpredictable and socially backward people with a low level of tolerance. Also evidently expressed was fear from the large number of migrants becoming possible rivals in the labor market, or as a potential source of contagious diseases.

Finally, it should be noted that 2020 is the election year in Serbia and it can realistically be expected for the topic of migrants and asylum seekers to be used during the election campaign, especially by the populist and rightist parties. After an announcement that a migrant center will be built in the city of Čačak, the Dveri movement late last year launched a petition against the migrant policy of the national and local authorities. Public appearances of the leader of this opposition and right-wing party are characterized by prejudices, a high level of rejection, and fear. His basic thesis is that the migrants “will be settled in vacated Serbian villages,” which is “a direct attack against the safety of Serbian families.” Such rhetoric warrants a closer monitoring of the shaping of the Serbian public’s attitude toward the migrants and asylum seekers in 2020.



The European Union is made up of 28 Member States who have decided to gradually link together their know-how, resources and destinies. Together, during a period of enlargement of 50 years, they have built a zone of stability, democracy and sustainable development whilst maintaining cultural diversity, tolerance and individual freedoms. The European Union is committed to sharing its achievements and its values with countries and peoples beyond its borders. The European Commission is the EU's executive body.

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Partneri na projektu

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