



REPUBLIC OF SERBIA
PROTECTOR OF CITIZENS
71 - 72/15
Belgrade

Ref. No. 31232 Date: 19 August 2015



Заштитник грађана
Zaštitnik građana



БЕОГРАДСКИ ЦЕНТАР
ЗА ЛЈУДСКА ПРАВА

NATIONAL PREVENTIVE MECHANISM

**MONITORING OF THE IMPLEMENTATION OF NPM RECOMMENDATIONS ON IMPROVING
THE TREATMENT OF MIGRANTS/ASYLUM SEEKERS IN THE REPUBLIC OF SERBIA**

Report on the Visit to the Krnjača Asylum Centre

Belgrade, August 2015

MAIN INFORMATION ON THE VISIT

VISITED INSTITUTION	Krnjača Asylum Centre
PURPOSE OF THE VISIT	Monitoring of the Implementation of NPM Recommendations on Improving the Treatment of Migrants/ Asylum Seekers in the Republic of Serbia (Recommendation No. 75-6/14)
VISIT CONDUCTED BY	Protector of Citizens in cooperation with the Belgrade Centre for Human Rights
DATE OF VISIT	13 August 2015
VISIT ANNOUNCED	The visit was announced in advance
VISIT TEAM	<p>Team Members Jelena Unijat, <i>Protector of Citizens Professional Service</i> Jelena Jelić, <i>Protector of Citizens Professional Service</i> Dragan Božović, <i>Belgrade Centre for Human Rights</i> Dušan Pokuševski <i>Belgrade Centre for Human Rights</i></p>

COOPERATION OF OFFICIALS WITH THE NPM TEAM

All Krnjača Asylum Centre staff members fully cooperated with the NPM Team, providing it with all the information it required and free access to the documentation on request.

1. COURSE OF THE VISIT

STAGE I: MEETING WITH ASYLUM CENTRE REPRESENTATIVES

The visit by the NPM Team began with a meeting with the Centre Manager (Rade Ćirić) and staff. The NPM Team familiarised them with the NPM's mandate, goals, principles of its work and the plan of its visit to the Centre and asked them about the treatment of asylum seekers living in the Centre. NPM Team's interlocutors provided a general overview of the Centre and of the main problems they faced in their work and answered the Team's questions.

STAGE II: TOUR OF THE FACILITIES IN WHICH THE ALIENS ARE RESIDING

The NPM team visited the premises in which the asylum seekers have been residing during its visit.

STAGE III: PERUSAL OF DOCUMENTATION

The NPM Team perused the relevant documentation.

STAGE IV: INTERVIEWS WITH ALIENS RESIDING IN THE CENTRE

The NPM team interviewed the asylum seekers residing in the Centre and asked them about their treatment by the Centre staff and the living conditions in the Centre.

2. MONITORING THE IMPLEMENTATION OF NPM RECOMMENDATIONS

Admission and Accommodation of Asylum Seekers

As a rule, only asylum seekers with certificates of intent to apply for asylum in the Republic of Serbia may be admitted to an Asylum Centre. According to the Centre Manager, most of the certificates of intent to apply for asylum in the Republic of Serbia have been issued by the Aliens Departments of the Belgrade and Pančevo Regional Police Directorates. The Centre, however, also admits pregnant women, families with children and other aliens in need of immediate accommodation who do not have these certificates. Once they are admitted, they are referred to the nearest police station to take out their certificates of intent to apply for asylum.

A total of 2,747 people, who have expressed the intention to seek asylum in the Republic of Serbia, have stayed in this Centre since the beginning of 2015. Since NPM Team's prior visit¹, the Centre renovated two barracks, thus expanding its accommodation capacity and can admit 270 people. At the time of NPM Team's visit, 92 asylum seekers, mostly nationals of Syria and Somalia, were residing in the Centre. According to the Centre administration staff, the asylum seekers stay around seven days in the Centre on average.

Apart from the rooms in which the asylum seekers are accommodated, every barrack has a day room. The day rooms in two barracks have TV sets and Internet access. The Centre residents are entitled to use the soccer field on the Centre grounds.

The Centre staff and residents communicate mostly in English. The Centre has Arabic interpreters on staff, whom it engages when necessary. However, the Centre lacks Urdu and Farsi interpreters, which, in addition to Arabic, are spoken by most aliens seeking international protection.

Medical Examinations

Medical examinations in the Centre are conducted on Tuesdays and Thursdays, by the doctors working in the Krnjača Out-Patient Health Clinic. X-rays for tuberculosis screening are performed in the Clinic on Wednesdays. Apart from the regular check-ups on admission to the Centre, the residents are also taken to health institutions for other medical examinations and interventions. The Centre has its own vehicle for transportation in such cases. The Centre has a first aid kit and a supply of over-the-counter medications.

Asylum Seekers Minors Residing in the Centre

Around 20 children accompanied by their parents were residing in the Centre at the time of the visit. According to the Manager, unaccompanied minors are occasionally accommodated in the Centre. Such minors are appointed guardians in the towns in which they are found and in which the certificates of intent to apply for asylum are issued to them, wherefore they are not appointed guardians by the Palilula municipal Social Welfare Centre, which has territorial jurisdiction over Krnjača. Minors therefore have no contact with the guardianship authority during their stay in the Centre. The Social Welfare Centres (in the towns in which the minors were issued the certificates) do no more than occasionally call up the Asylum Centre to check whether the minors are still in the Centre. The Centre management said cooperation with the Social Welfare Centres had to be improved and that the latter should play a more active role with respect to underage asylum seekers in Serbia.

¹ Report on the Visit to the Krnjača Asylum Centre on 31 October 2014.

A classroom/kindergarten was set up in one of the renovated barracks. English and Serbian Language lessons are held three times a week in it (on Mondays, Wednesdays and Fridays).

Absence from the Asylum Centre

Asylum seekers hand over their certificates of intent to the Centre management on admission. They are issued photocopies of the certificates, usually when they need them to seek health care outside the Centre or exercise another right. The beds of asylum seekers issued photocopies of the certificates are reserved for them until they return.

Asylum seekers have been known to leave the Centre without first reporting to the Centre staff. In such cases, their names are deleted from the list of residents during checks and roll-calls, conducted every evening at 20:30. Centre staff notify the police that an alien has left the Centre of his/her own accord as soon as they become aware of his/her absence. Asylum seekers (who had left the Centre of their own accord) who return to the Centre and provide a plausible explanation for their absence are readmitted and their names are included in the list again.

Maintaining Law and Order and Safety in the Centre

A police officer has been on duty in the Asylum Centre every workday since early October 2014. Although the NPM Team was told during the previous visit that the police staff would be able to issue certificates of intent in the Centre, the management notified the NPM Team that police officers still lacked the technical capacities to issue the certificates. The police officer was not in the Centre during NPM Team's visit, wherefore the latter did not interview him.

A fight had broken out between and Iranian and Sudanese nationals in the immediate vicinity of the Centre just before the NPM Team arrived. The NPM Team saw the Iranian national, whose head and right hand were injured. Although the head injury was superficial, he was heavily bleeding and in need of medical intervention. The Iranian national was also insisting on calling the police. One hour later, during the NPM Team's visit, police officers from the Borča precinct arrived to take statements from the participants in the incident. They said that the official minutes of the collected statements would be forwarded to the Belgrade Regional Police Directorate Aliens Department for further action. The paramedics also arrived in the meantime.

The Iranian national claimed that he and the man he clashed with had been on bad terms for quite a long period of time. He said they shared the same room but that he could not sleep because the Sudanese national spent all night talking on his phone. A Centre staff member, on the other hand, said that the two men had been separated two days before the NPM Team's visit and no longer shared a room. **Given the above, the NPM is of the view that the Centre staff should pay particular attention to the assignment of the asylum seekers to the rooms and ensure that those sharing a room are promptly separated as soon as it finds out that they are on bad terms and may clash.**

Furthermore, during its interviews with the staff and asylum seekers residing in the Centre, the NPM Team learned that the Iranian national (involved in the fight) has been violating the House Rules and law and order in the Centre for quite a long time. The Centre Manager said the Asylum Office had not been notified of this case.

FINDING

The Centre management has not notified the Asylum Office of Asylum Centre House Rules violations.

GROUNDS

Beneficiaries must comply with the House Rules prescribed in this Rulebook, fire safety measures and other instructions and orders by authorised officials.

In the event of non-compliance with the prescribed House Rules, the authorised Centre official shall notify the Asylum Office thereof in order that the latter take measures in accordance with the Asylum Act.²

Centre beneficiaries may not:

- 1. express racial, religious, ethnic, sexual or political intolerance;*
- 2. own or use weapons, explosives, pyrotechnics and hazardous chemical agents, et al;*
- 3. pollute the Centre facilities and grounds or engage in violent conduct;*
- 4. engage in any commercial activity;*
- 5. bring in or use hot plates, heating devices, furniture, electrical devices, et al, with the exception of TV and radio sets and computers, which they shall report to the authorised Centre official;*
- 6. bring in domestic and other animals;*
- 7. bring in and drink alcoholic beverages and use psychoactive substances, et al;*
- 8. smoke in the residential quarters, common facilities and other venues where smoking is forbidden;*
- 9. engage in gambling, betting et al;*
- 10. bring food into the residential quarters, except in justified cases, with the consent of the authorised Centre official;*
- 11. take food, cutlery and dishes out of the cafeteria, save in exceptional circumstances, for health reasons;*
- 12. dry and store clothes, underwear and other items in open areas of the facilities (windows and balconies) or stretch clothes lines in the yard;*
- 13. write or paste stickers and posters on the walls, furniture or equipment;*
- 14. walk on the grass in the yard;*
- 15. leave their personal belongings outside their rooms;*
- 16. let other people in to spend time or the night in the Centre;*
- 17. organise politically or otherwise, and*
- 18. engage in activities not in accordance with this Rulebook and other regulations.³*

RECOMMENDATION

The authorised Centre official is to notify the Asylum Office of violations of the Krnjača Asylum Centre House Rules by the asylum seekers residing in the Centre in order that the Office take measures in accordance with the Asylum Act.

² Article 20, Rulebook on Asylum Centre House Rules (Official Gazette of the Republic of Serbia No. 31/2008)

³ Article 18, *Ibid.*