



**REPUBLIC OF SERBIA
PROTECTOR OF CITIZENS**

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Заштитник грађана
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**BEOGRADSKI CENTAR
ZA LJUDSKA PRAVA**

NATIONAL PREVENTIVE MECHANISM

**MONITORING OF THE TREATMENT OF IRREGULAR MIGRANTS/ASYLUM SEEKERS IN
THE REPUBLIC OF SERBIA**

Report on the Visit to the Krnjača Asylum Centre

Belgrade, January 2016

MAIN INFORMATION ON THE VISIT

VISITED INSTITUTION	Krnjača Asylum Centre
PURPOSE OF THE VISIT	Monitoring Treatment of Refugees/Migrants in the Republic of Serbia
VISIT CONDUCTED BY	Protector of Citizens in cooperation with the Belgrade Centre for Human Rights
DATE OF VISIT	19 January 2016
VISIT ANNOUNCED	The visit was announced in advance
VISIT TEAM	<p>Team Leader Jelena Unijat, <i>Protector of Citizens Professional Service</i></p> <p>Team members Dragan Božović, <i>Belgrade Centre for Human Rights</i> Milena Vasić <i>Belgrade Centre for Human Rights</i> Saman Ali Vještica Urdu interpreter</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 THE REPRESENTATIVES OF THE SERBIAN COMMISSARIAT FOR REFUGEES AND MIGRATION AND THE KRNJAČA ASYLUM CENTRE

The visit by the NPM Team began with a meeting with the Assistant Commissioner for Refugees and Migration, Ivan Georginov, and the Commissariat staff and Asylum Centre Manager Rade Ćirić and his 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 the hosts about the Commissariat's activities related to refugees/migrants and about the treatment of foreigners living in the Centre. NPM Team's interlocutors provided a general overview of the Commissariat's work and that of the Centre and of the main problems they faced in their work and answered the Team's questions.

STAGE II: PERUSAL OF DOCUMENTATION

The NPM Team perused the relevant documentation.

STAGE III: TOUR OF THE FACILITIES IN WHICH THE FOREIGNERS ARE RESIDING

During its visit, the NPM Team visited the premises in which the foreigners have been residing.

STAGE IV: INTERVIEWS WITH FOREIGNERS RESIDING IN THE CENTRE

The NPM Team interviewed the foreigners residing in the Centre and asked them about their treatment by the Centre staff and the living conditions in the Centre.

STAGE V: INTERVIEW WITH POLICEMAN IN THE CENTRE

The NPM Team interviewed the police officer assigned to the Centre about his duties and treatment of foreigners residing in the Centre.

1. Activities of the Commissariat for Refugees and Migration

According to the Assistant Commissioner for Refugees and Migration, a number of reception centres for refugees/migrants are to be established across Serbia. A new reception centre will be set up at the entrance into Šid. The reception centres in Šid will have the capacity to temporarily accommodate 4,500 people altogether. Furthermore, reception centres will be established in Vranje and Vladičin Han. The reception centre in Dimitrovgrad, which will be able to take in between 60 and 100 people, will open on 10 April 2016. The Sombor centre is no longer operational and a new one, with a capacity of 120 beds, will open in that town in mid-March. A reception centre has been opened in Subotica, across from the Old Brickyard; it can take in between 60 and 100 people and is to start registering the foreigners as well. The Commissariat estimates that the Reception Centre in Bujanovac will not provide accommodation to foreigners and only register the refugees/migrants when the Preševo Reception Centre is unable to handle the heavy workload. The Asylum Centre in Obrenovac will reopen after renovation. The Commissariat plans to increase the accommodation capacities of the Krnjača Asylum Centre by 700 beds.

The Assistant Commissioner for Refugees and Migration said that the Commissariat's Migration Department had only 63 members of staff, whereas nearly 600,000 refugees/migrants passed through Serbia in 2015.

2. Living Conditions and Treatment of foreigners in the Krnjača Asylum Centre

The Centre Manager said that the Centre could now accommodate 350 people, or 80 more than the last time the NPM visited it¹. A total of 1,321 people were admitted to the Centre since the beginning of 2016. At the time of the visit, 207 foreigners were accommodated in it (127 men, 42 women and three boys); 168 of them had certificates of entry in the territory of the Republic of Serbia issued to foreign nationals coming from countries where their lives are in danger (the so-called "transit certificates")² and 39 had certificates of intent to seek asylum. Most of their certificates had been issued by the Preševo Reception Centre and the Belgrade City Police Foreigners Department. The Centre staff no longer take the foreigners transit certificates and certificates of intent to seek asylum on admission and merely ask the foreigners to present them so that they can register them in the Centre records. The Manager also said that some people had presented photocopied certificates of intent to seek asylum, which they had bought in one of the Belgrade parks, and that they were referred to the Foreigners Department to obtain valid certificates.

The rooms in which the foreigners are accommodated are located in a number of barracks in the Centre. Each room is furnished with three or four bunk beds. They are heated and appear in decent condition and well-kept. All barracks have living rooms, bathrooms and toilets. There are also two rooms where children spend time, study Serbian and English, play, draw and engage in other activities. The residents are under the obligation to maintain hygiene in their rooms. Four cleaning ladies also look after the Centre hygiene every day. The Centre has its own laundry room, in which it washes the bed linen, and plans to purchase five washers dryers that the Centre residents can use. English language copies of the House Rules are displayed in every barrack; they mostly consist of pictures illustrating the house rules. The "Srbija turs" operator's bus schedule to Šid is displayed in Arabic in each barrack as well; a ticket to Šid costs 10 EUR. The Centre has wireless Internet.

¹ The NPM paid its previous visit to this Centre on 13 August 2015.

² Decision on the Issuance of Certificates of Entry into the Territory of the Republic of Serbia to Migrants Coming from Countries Where Their Lives are in Danger (Official Gazette of the Republic of Serbia No. 81/2015).

The Commissariat staff are on duty in the Centre round the clock. Two officers and one interpreter work the day shift and one officer is on duty every night. According to the Centre's management, a doctor comes to the Centre every day and provides medical assistance to all the Centre residents, both those with transit certificates and those with certificates of intent to seek asylum. Only foreigners with certificates of intent to seek asylum are subjected to comprehensive medical examinations.

The NPM Team talked with around 50 people from Bangladesh and Pakistan, who had already been staying the Centre for several days. Most of them had transit certificates, while some had certificates of intent to seek asylum specifying they were from Afghanistan. They said they had not encountered any problems with the police in Serbia and that they had taken a bus from Preševo to Šid and tried to enter Croatia, but that Croatia admitted only people who have come from Syria, Iraq or Afghanistan. Namely, a Croatian interpreter talks to the foreigners before they board the train to Croatia in Šid. Those assessed to be from Syria, Iraq or Afghanistan based on the language they speak are allowed to board the train. The foreigners the NPM Team talked to had passed the first interviews in Šid and entered Croatia by train. However, when they arrived at the Slavonski Brod Reception Centre, the staff, who interviewed them with the assistance of an interpreter there, assessed that they were not from Afghanistan. The foreigners allege that the Croatian police had been extremely verbally abusive to them and even beat some of them up. The police asked them why they had come to Croatia and told them they would not be allowed to proceed. After establishing, with the interpreter's help, that they were not from Syria, Iraq or Afghanistan, the Croatian policemen put them on a truck and drove them to a place some 10 km away from the border with Serbia. They then drew their rifles and compelled them to return to Serbia by foot. Upon their return to Serbia, they were bussed from Šid to Krnjača free of charge.

They also told the NPM Team that two buses took a number of foreigners, so-called "economic migrants", who had been temporarily accommodated in the Krnjača Asylum Centre, to the border with Romania three days earlier. Allegedly, a Centre member of staff had come three days earlier and told the foreigners in Centre that they had to change their route and try and enter Slovenia via Romania; some of them agreed and paid 10 EUR tickets. The buses left the Centre yard late at night. The interviewed foreigners said they were concerned about the fate of these people because none of those, who had left for Romania, had contacted their families. They only got some contradictory information, from word that they had been received well in Romania to word that they had been arrested, that two of the foreigners of poor health died on the way to Romania because they were forced to cross the border on foot. None of the information was, however, substantiated by any personal data or additional information that would help verify its accuracy. The NPM Team got the general impression that the interviewed foreigners were extremely worried and unsure whether they should change their route.

These foreigners were told by the Asylum Centre Manager and staff that foreigners, whose transit certificates had expired, had to go to the Belgrade Police Foreigners Department and obtain certificates of intent to seek asylum or leave the Asylum Centre because they had already been residing in it for several days and no longer fulfilled the requirements for staying on. They are thus concerned because, on the one hand, they do not want asylum in Serbia, while, on the other, they do not know where else to go.

The same foreigners approached the NPM Team a little later and told it that, right after they talked to the NPM Team, two Centre staff members entered the cafeteria, during lunch, and told them in English and Arabic that they had to decide by 5 pm that day whether they wanted

to be bussed by the Centre to Bulgaria or the Former Yugoslav Republic of Macedonia, and that they could not stay in the Centre because their transit certificates had expired.

After it heard this, the NPM Team talked to the Centre Manager and staff and ascertained that foreigners with transit certificates were told they had to decide by 5 pm whether they would go to the Belgrade Police Foreigners Department and apply for certificates of intent to seek asylum or take a bus to Bulgaria or FYROM, depending on which country they had entered Serbia from, and find new routes because they could not enter Croatia. The Centre Manager explained that there were no grounds for letting these foreigners stay on in the Centre and that this was why they were offered transportation. The Manager clarified that this move was also aimed at preventing the smuggling of these people.

The NPM is of the view that the Centre beneficiaries are not being provided with comprehensive, clear and unambiguous information about their status, which exacerbates their anxiety, given the situation they are in. The Centre needs to invest additional efforts to ensure that the Centre beneficiaries are not misled or given false expectations. Notably, it needs to clearly and carefully explain to them, with the assistance of an interpreter, the situation they are in and how their problems can be addressed or alleviated.

The NPM Team also talked to a man from Pakistan, who had applied for asylum. He said he had been staying at the Centre for 16 days and that the NGO Asylum Protection Centre was extending him legal aid in the asylum procedure. His room was locked during the NPM Team's visit and he did not know who had locked it or why. Nor did he have a key to his room. A Centre staff member told the NPM Team the Centre guards had locked his room by mistake.

<p><i>FINDING</i></p> <p>Some Krnjača Asylum Centre residents have not been provided with key to their rooms.</p>
<p><i>FOUNDATIONS</i></p> <p><i>On admission to the Centre, the beneficiaries shall be familiarised with the House Rules in an adequate manner, and provided with a key, a bed, bed linen, blankets, towels and other amenities.</i></p> <p><i>On admission, the beneficiaries shall be accommodated in rooms. They may not change rooms with the other beneficiaries of their own accord, rearrange the furniture in the rooms, or remove or alter the amenities.³</i></p> <p><i>Before they leave the Centre, the beneficiaries shall clean their rooms, return the room keys, bed linen, blankets, towels and other amenities they had been provided with.⁴</i></p> <p><i>Staff and security guards shall, as a rule, enter the beneficiaries' rooms in their presence and, in exceptional circumstances, in their absence.⁵</i></p>
<p>RECOMMENDATION</p> <p>The Krnjača Asylum Centre is to provide each beneficiary with a key to his/her room.</p>

The NPM Team also interviewed a group of foreigners from Nigeria. All of them had applied for asylum and undergone medical examinations. They had no complaints about how they were treated.

³ Article 3, Rulebook on Asylum Centre House Rules (Official Gazette of the Republic of Serbia No. 31/2008).

⁴ Article 19, *Ibid.*

⁵ Article 6(2), *Ibid.*

3. Duties of the Police Officer Assigned to the Krnjača Asylum Centre

A police officer stationed in the Foreigners Shelter is on duty in the Centre every workday, from 7:30 am to 2:30 pm. The Centre has provided the police officer with his own office. He says his job entails notifying the Centre residents of when they will be registered (under the Asylum Act) and escorting them in a car to the Foreigners Shelter, where they are registered.

The police officer said that the Asylum Office officers used to come to the Foreigners Shelter two or three times a week, but have recently been coming more often, wherefore the Centre beneficiaries are registered within a week at most. The asylum seekers are often interviewed in his office.