



Заштитник грађана  
Zaštitnik građana

REPUBLIC OF SERBIA

OMBUDSMAN

281-99/16

Belgrade



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## NATIONAL PREVENTIVE MECHANISM AGAINST TORTURE

MONITORING THE TREATMENT OF MIGRANTS AND ASYLUM SEEKERS BY  
COMPETENT AUTHORITIES IN THE REPUBLIC OF SERBIA

# Report on the Mission to the Subotica and Sombor Reception Centers and Horgoš and Kelebija Border Crossing Points

Belgrade, December 2016

## MANDATE OF THE NATIONAL PREVENTIVE MECHANISM AGAINST TORTURE

The Law Ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment<sup>1</sup> provides that the National Preventive Mechanism against Torture (*hereinafter*: NPM) visits institutions where persons are or may be deprived of their liberty, with a view to discouraging public authorities and officials from any form of torture or any other form of ill-treatment, as well as providing guidance to public authorities on the provision of accommodation and other living conditions in places of detention, in conformity with the applicable regulations and standards.

The NPM is authorized to: gain unhindered and unannounced access at all times to all institutions and premises where persons are or may be deprived of their liberty; have private interviews with such persons and with officials, who are required to cooperate in this respect, as well as with any other persons who may be in possession of information relevant to the treatment of persons deprived of their liberty; have access to all documentation pertaining to such persons; give recommendations to the competent authorities with the aim of improving the treatment of persons deprived of their liberty and the conditions of their detention or imprisonment.

Article 2a of the abovementioned Law provides that the NPM role is fulfilled by the Ombudsman, who cooperates in the fulfillment of this role with provincial ombudspersons and associations whose statutes set the advancement and protection of human rights and freedoms as the aims to be pursued by those associations, in conformity with the law.

Within the Office of the Ombudsman, a designated organizational unit – Secretariat of the National Preventive Mechanism against Torture – has been established to discharge the professional duties of the NPM, whose mandate is laid down by Art. 4 of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The Secretariat is headed by the NPM Secretary in accordance with the guidelines provided by the Deputy Ombudsman in charge of protecting the rights of persons deprived of their liberty.

The Ombudsman and the Provincial Ombudsman of the Autonomous Province of Vojvodina have signed the Memorandum on Cooperation in Fulfilling the NPM Role<sup>2</sup>, which provides that the Provincial Ombudsman participates actively in the NPM monitoring team's visits to institutions located in the territory of the AP of Vojvodina in which persons are or may be deprived of their liberty.

Following an open call<sup>3</sup>, the Ombudsman selected the following associations to cooperate with in fulfilling the NPM role: Belgrade Center for Human Rights, Victimology Society of Serbia, Group 484, Mental Disability Rights Initiative of Serbia (MDRI-S), Lawyers' Committee for Human Rights (YUCOM), International Aid Network (IAN), Valjevo Human Rights Committee, Helsinki Committee for Human Rights in Serbia and Niš Center for Human Rights.

After each visit, the NPM prepares a report and delivers it to the institution visited. The NPM subsequently maintains ongoing dialogue with the institution visited, as well as the public

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<sup>1</sup> Official Journal of Serbia and Montenegro – International Treaties Nos. 16/05 and 2/06 and Official Gazette of the Republic of Serbia – International Treaties No. 7/11.

<sup>2</sup> Signed on 12 December 2011.

<sup>3</sup> Announced on 29 January 2016 in the Official Gazette of the RS.

authority in charge of the institution, with a view to remedying the identified deficiencies that may result in torture, inhuman or degrading treatment.

## PARTICULARS OF THE MISSION

INSTITUTIONS VISITED	Subotica Reception Center, Sombor Reception Center, Horgoš Border Crossing Point and Kelebija Border Crossing Point
OBJECTIVE OF THE MISSION	Monitoring the treatment of migrants and asylum seekers by competent authorities
MISSION CARRIED OUT BY	The Ombudsman, in cooperation with the Provincial Ombudsman
MISSION DATES	8 and 9 December 2016
PRIOR ANNOUNCEMENT	All visits were announced in advance.
MISSION TEAM	<p><b>Team leader:</b> Miloš Janković <i>Deputy Ombudsman</i></p> <p><b>Team members:</b> Aniko Širkova <i>Deputy Provincial Ombudsman</i> Jelena Unijat <i>Secretariat of the Ombudsman/NPM</i> Jelena Jelić <i>Secretariat of the Ombudsman/NPM</i> Marko Anojčić <i>Secretariat of the Ombudsman/NPM</i> Ana Okanović <i>Secretariat of the Ombudsman/Department for Children's Rights, Gender Equality and Protection of Social and Cultural Rights</i> Jagoda Vještica <i>Secretariat of the Provincial Ombudsman</i></p> <p><b>Interpreters:</b> Marica Rakičević, <i>Arabic</i> Šeri Spasić, <i>Farsi</i></p>

## OFFICIALS' COOPERATION WITH THE NPM TEAM

The staff of the institutions visited cooperated with the NPM team, provided all the information requested, and facilitated unhindered access to documentation and unsupervised interviews with migrants selected by team members.

## MISSION PROGRESS

After presenting the NPM mandate to the managers of the reception centers visited and the team members' introductions, part of the team conducted interviews with the managers, officials and medical staff working at the reception centers and inspected the records, while

the remainder of the team interviewed migrants staying at the reception centers. At the border crossing points, the mandate was presented and the team members introduced themselves to the police officers present; following this, the team members visited migrants' informal gathering points along the state border and interviewed migrants.

## 1. INTRODUCTION

The NPM had last visited the Subotica Reception Center and the Horgoš and Kelebija Border Crossing Points on 10 August 2016, while the only prior visit to the Sombor Reception Center had been carried out on 7 October 2015; mission reports had been prepared<sup>4</sup>. At that time, on average, about 400 migrants stayed at the Subotica Reception Center; however, the figure displayed an upward trend owing to the fact that migrants were beginning to leave improvised camps at border crossing points. Most of them stayed at the Center while waiting for an opportunity to continue their journey towards developed European countries, while part of them were on the waiting list for admission by Hungarian authorities. At the time of the visit, there were about 400 migrants at the Horgoš Border Crossing Point and about 150 migrants at the Kelebija Border Crossing Point; all were waiting to be admitted to Hungary. On the other hand, at the Sombor Reception Center, there were only a few cases of groups of 10 to 15 people staying for not longer than 3 to 4 hours. In addition to their desire to continue the journey as soon as possible, the conditions unfavorable for a longer stay were a reason for this. At the time of the previous NPM visit, there were no migrants at this Center and there were plans for further modification of the structures to ensure the Center's functionality and adequate living conditions.

The migrants staying at these centers at the time of the visit were about to be admitted to Hungary. More specifically, after a barrier had been erected by Hungary along the state border, a number of migrants were admitted to Hungary each day according to the lists provided to the Hungarian authorities by migrant community representatives (known as *community leaders*). Community leaders had been nominated by migrants in all centers in Serbia. They were tasked with preparing lists of the migrants wishing to cross into Hungary and submitting these lists to the Hungarian authorities through the community leaders staying in the vicinity of the border; the order of admission was subsequently decided by the Hungarian authorities. Migrants were informed about the order of admission through community leaders. Previously, the order of admission had been provided in writing by the Hungarian authorities, and these lists, bearing the stamp of the Hungarian competent authority, had been displayed at the Centers. However, according to the information provided to the NPM during the mission to the Principovac, Šid and Adaševci Reception Centers<sup>5</sup>, it was no longer the case; this resulted in confusion among migrants and distrust of the regularity of this procedure. The official order of admission to Hungary was not displayed at the Subotica and Sombor Reception Centers either. Near the date of their admission to Hungary, migrants were transported to the Sombor and Subotica Reception Centers by the International Organization for Migration (*hereinafter: IOM*), in coordination with the Commissariat for Refugees and Migration (*hereinafter: Commissariat*).

During the visit to the Sombor Reception Center, an interview was conducted with the

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<sup>4</sup> Report on the Mission to the Subotica Reception Center, Horgoš and Kelebija Border Crossing Points and Kolevka Home for Children with Developmental Disabilities in Subotica, No. 281-62/16, filed under No. 35361, dated 13 September 2016; Report on the Mission to the Sombor Reception Center No. 71-97/15, filed under No. 37852, dated 15 October 2015.

<sup>5</sup> Report on the Mission to Principovac, Šid and Adaševci Reception Centers No. 281-98/16, filed under No. 48887, dated 12 December 2016.

community leader, who stated that he was not in charge of preparing lists as this was done by community leaders in the Preševo and Bujanovac Reception Centers, that the lists he was in possession of had already been prepared when he was nominated community leader, and that he was only helping ensure that the order of admission was followed.

According to the Commissariat staff, 10 migrants per day were admitted to Hungary via Horgoš and Kelebija Border Crossing Points, but only on working days. Families were given precedence; upon entry into Hungary, they were escorted to reception and assistance centers. Migrants travelling alone were admitted in smaller numbers and detained on premises located in the immediate vicinity of the border throughout the procedure, which lasted up to 28 days. Allegedly, migrant community leaders were granted benefits in the form of accommodation in the abovementioned centers, the possibility of transit through Hungary or fast-track asylum procedure. The Commissariat staff highlighted that Hungarian field officers refused any communication with them and that the described procedure for admission to Hungary was followed exclusively through the agency of migrant community leaders.

## 2. SUBOTICA RECEPTION CENTER

The center had 107 beds; on the day of the visit, 82 migrants were staying there: families including 21 men, 11 women, 25 male minors and 12 female minors, and 13 unaccompanied minors. Out of these, 35 were from Afghanistan, 21 from Syria, 12 from Pakistan, 10 from Turkey, 3 from Algeria and 1 from Iran. According to the records kept by the Center, a total of 7,356 migrants had stayed at the Center since the beginning of 2016.

The average length of stay was about 7 days; there were rare cases of people who stayed at the Center for 3-4 months. In the recent past, there had been no situations when the available capacity was filled. People were being transferred from other centers, most frequently from the Krnjača Asylum Center and the Preševo Reception Center; however, there were also cases of people admitted to the Center after a failed attempt to cross into Hungary.



There were no more tents in the Center yard; instead, solid structures with bunk beds had been erected or were under construction. To the extent possible, in assigning places in these structures, migrants were grouped by countries of origin. The Center yard also contained a child-friendly space, an isolation unit for sick persons and a structure used by professionals from the Social Welfare Center.

There were no migrants with disabilities; one migrant used crutches owing to an injury. In the recent past, a migrant missing a leg had stayed at the Center. **Works to provide toilet facilities adapted to the needs of persons with disabilities, which was one of the NPM recommendations given in the previous Report, had not been completed.**

There were 6-8 Commissariat staff per shift at the Center; they also made rounds of Horgoš and Kelebija Border Crossing Points. **Police officers made rounds of the Center twice per day and a patrol was nearby at all times, which was consistent with the NPM recommendation to ensure the constant presence of uniform police officers in order to protect the security of migrants and other persons and their belongings.** In addition, there were representatives of the organizations providing humanitarian assistance to migrants, the

Municipal Police and representatives of the Office of the United Nations High Commissioner for Refugees (*hereinafter: UNHCR*). *UNHCR* representatives monitored the numbers of migrants and interviewed them to ascertain their needs.

The Center kept electronic records of migrants, uniform across all the centers; the records contained the following personal data: first and last name, sex, age (minor or adult), country of origin, date of birth and family relationships. The data about a migrant who was admitted to the Center or left the Center were recorded in a separate document and subsequently entered into the electronic records. In addition, several weeks before, the Ministry of the Interior had registered all migrants present at the Center, including taking fingerprints and photographs.

Migrants were free to leave the Center at will. When leaving temporarily, they were issued with a document containing their name, age, country of origin and time of leaving the Center; the document was issued by the Commissariat staff. When leaving the Center permanently, they reported to the Commissariat staff to register their departure.



Communication with migrants was facilitated by the Arabic- and Farsi-speaking Commissariat staff, who were present in each shift. **The Center had House Rules, which were displayed on an office building windowpane, in French, Arabic and Farsi, as recommended by the NPM.** The House Rules invited the migrants to maintain the cleanliness of the facilities in which they stayed, to refrain from causing incidents or bringing alcohol or weapons to the Center and the like. The House Rules (in Arabic and Farsi) and information on meal distribution hours were also posted at the entrances to the accommodation facilities. According to the staff, there were no major disturbances, no complaints by migrants against the Center staff, and the atmosphere was good, as observed by the NPM team members.

A total of 2 people working in 2 shifts worked on housekeeping. Bedclothes were still laundered in Subotica, while migrants hand washed their own clothes. Washers and dryers would be provided through donations. Humanitarian organizations provided migrants with additional clothing and footwear; according to the staff, there was a constant need for this, as migrants kept arriving and leaving. According to them, there was a sufficient supply of personal hygiene and cleaning products at that time.

Food and drinking water was provided by humanitarian organizations. Meals were distributed by Red Cross representatives in the presence of municipal police officers. Meals were distributed 3 times per day; one cooked meal per day was provided. A new dining room was being set up.

As regards the NPM recommendation that, in the interest of protecting vulnerable migrant groups, the constant presence of Social Welfare Center professionals should be ensured, the City of Subotica Social Welfare Center (SWC) informed the NPM that, with *UNICEF* funding, 4 outreach social workers had been hired at



the beginning of November to work with migrants; they were available 24/7 and their activities included daily rounds of the Subotica Reception Center and the refugee camp in the immediate vicinity of the Hungarian border, collection of relevant data and liaising with all stakeholders involved in providing protection to migrants.<sup>6</sup> These workers were not present during the NPM visit; hence, information about the protection of vulnerable migrant groups was obtained through a telephone interview with the head of the Child and Youth Protection Service at the City of Subotica Social Welfare Center, who was at the same time the outreach social workers' coordinator. According to her, one unaccompanied minor from Iran had declared his desire to return to his country of origin and a guardian had been appointed for him. No guardians had been appointed for other unaccompanied minors, since they had come to the Center in the company of their friends or relatives. SWC professionals were not present at the Center; instead, the abovementioned 4 outreach social workers, one of whom was a psychologist, made periodic visits. If deemed necessary, a SWC psychologist was involved. As foreseen, field visits took place between 12 noon and 2:30 PM; during these visits, the outreach social workers interviewed migrants, and could be reached 24/7 at the dedicated telephone number. There had been no reports or suspicions of domestic violence, child abuse or neglect, or trafficking in human beings.

With funding from humanitarian organizations, one psychologist worked at the child-friendly space. The working hours were from 9 AM to 5 PM every day. About 30 children of different ages were staying at the Center. Children had at least two activities per day, mainly of a creative and educational nature, as well as free time to spend as they pleased. According to the psychologist, cooperation with parents was excellent. There were no known cases of child abuse and neglect in families. Health care was provided for children and examinations were performed as needed. Through interviews with children, the psychologist had noticed heightened anxiety and fear caused by learning that they were about to leave the Center; this was due to the fact that some of them had tried to continue the journey multiple times and their family members had been subjected to violence on those occasions. According to the information obtained, baby food was provided.



Health care was still provided to migrants in the infirmary in the Center's office building. The infirmary was open from 9 AM to midnight, in two shifts, with one doctor and one nurse working in each shift; about 30 medical examinations were performed each day and recorded in a logbook - the examination protocol. Since the beginning of its operation, 5,027 medical examinations had been performed in the infirmary. Data on treatment and diagnosis, as well as any remarks, were recorded in the protocol. Regular reports on examinations were periodically submitted to the Commissariat and the Institute of Public Health, as well as the organization that employed the doctors, in order to monitor needs for medicines. Migrants reported their needs for medical assistance to the Commissariat staff, who escorted them to the infirmary. If needed, communication was facilitated by interpreters working at the Center; however, according to the medical staff, the need for assistance in communication had decreased, as they had learned the key words, and the migrants themselves, having spent

<sup>6</sup> Document of the City of Subotica Social Welfare Center No. 55100-532/16 dated 17 November 2016.

some time in our country, had learned to explain what they needed. To provide medical assistance outside the infirmary opening hours, the Emergency Medical Service was contacted. All newly arriving migrants underwent a comprehensive health check, which consisted of screening for body lice, overall health assessment and preparation for any specific treatment needed. Cooperation with doctors from other reception centers had been established and notifications were received in cases of migrants with specific health issues coming to this Center.

**In order to receive information about the health status of newly arriving migrants, the medical staff of the Subotica Reception Center had established communication with the medical staff of the reception centers where they had stayed previously, which is regarded by the National Preventive Mechanism against Torture as a good practice in the treatment of migrants.**

According to the medical staff, at the time of the peak prevalence of lice in the migrant population, about 10% of the migrants at this Center had been affected; after the application of control measures, lice occurred sporadically. In case of infestation, the migrant/patient showered, was provided with new, clean clothes and treated with the appropriate lice control agent. At the time of the visit, one migrant had body lice and the doctor stressed that all the necessary treatment agents were available. An information leaflet about lice and how to suppress them was available to migrants at the Center, in a language they understood. Scabies rarely occurred. The medicines needed for basic medical assistance were available in the infirmary; if other medicines or medical supplies were needed, doctors contacted the organization that employed them. At the time of the visit, migrants were affected by colds and viral infections. Medicines were administered in a controlled manner, depending on the type of medicine and the prescribed frequency of administration. At the time of the visit, no pregnant women were staying at the Center. According to the usual practice, they were referred to the Subotica Primary Health Care Center for gynecological examinations, as other migrants needing specialist examinations; in case they stayed at the Center for an extended period of time, their pregnancies were monitored regularly. Pregnant women were transported to the Subotica Primary Health Care Center in the Health Care Center's vehicles; doctors from the Reception Center contacted the Health Care Center by telephone in advance and prepared the migrants for gynecological examinations. In case the examination was to be performed by a male doctor, the migrant was usually accompanied by her husband. Pediatric examinations were also performed in Subotica. In case a particular specialty was not available at the Primary Health Care Center, patients were referred to other health care institutions. The original specialist reports were retained by migrants, and copies were kept in the Center's infirmary. The medical staff highlighted the good cooperation with local health care centers.

Occasionally, less frequently than before, migrants came to the Center with injuries that, according to their accounts, had been inflicted by Hungarian police officers while they were trying to cross into Hungary. These statements were recorded by doctors in the examination protocol, in the remarks field, and reported orally to the Commissariat staff, who, in turn, reported them to the police. There had been no cases of migrants complaining of injuries inflicted by the officers of the Republic of Serbia. Injuries were treated, but not photographed. The doctors also stated that they had undergone training in how to treat migrants, and were therefore able to provide a certain degree of psychological support. A case of domestic violence had occurred at the Center; the Social Welfare Center had been contacted in connection with this, and the husband, the alleged perpetrator of violence, had been removed from the Center. There had been no suspicions of trafficking in human beings.

The NPM team conducted interviews with several migrants, and none of them complained about their treatment by the Center staff, or about the living conditions. They stated they were satisfied with the hygiene facilities and that there was always a sufficient supply of hot water. Yet, some migrants complained that they did not get any cooked meals, and that the quantities of milk provided for children were small. All the interviewed migrants entered Serbia from Macedonia and did not wish to stay in our country. Some had stayed in Belgrade, in the park adjacent to the central coach station, and at the Šid Reception Center for a while. According to the interviewed migrants, they were informed by community leaders when their turn to cross into Hungary approached.

An unaccompanied minor whose family members were in his country of origin was interviewed as well. He had decided to embark on the journey on his own, convinced that he would find opportunities to build a better life for himself. Given that he had learned that his mother was severely ill, he wished to return to his country of origin. He stated he had encountered problems along the way: he had been physically abused by the Bulgarian police and robbed by smugglers, which he had reported to the Serbian police, but was not satisfied with their response. He had no objections to the living conditions at the Center, but he wished to go to the children's home in Subotica or one of the shelters in Belgrade, to be closer to his country's embassy. He did not have contacts with other migrants because he did not want to, and communicated with the staff only. Two people staying in the camp had abused him verbally, which he had reported. These people had been admonished, and subsequently left the Center. The Social Welfare Center had appointed a guardian for him, but he stated he did not have contact with her. Social workers carried out field visits, but spent very little time at the Center, which was confirmed to the NPM team by the Commissariat staff.

#### **RECOMMENDATION**

**The Ministry of Labor, Employment, Veteran and Social Affairs and the City of Subotica Social Welfare Center shall take measures to ensure that outreach social workers working with migrants devote more time to professional work with vulnerable migrant groups at the Subotica Reception Center.**

### **3. SOMBOR RECEPTION CENTER**

The facilities used by the Center were owned by the City of Sombor and made available to the Commissariat to use; the Center had started receiving migrants on 5 November 2016. The Center's capacity was 125 beds; on the day of the visit, 90 migrants were staying there: 21 men, 29 women, 21 male minors and 19 female minors. There were no migrants travelling on their own at the Center, i.e. all the migrants present there were accompanied by their family members. Out of these, 78 were from Afghanistan, 7 from Iran and 5 from Syria. No migrants with disabilities had stayed at the Center since its opening.



Migrants had been transferred from other reception centers to this Center because they were about to cross into Hungary. Transportation from other centers was organized by the IOM.

Upon reception, migrants' identities were checked against the lists provided by the center where they had stayed previously. During the reception procedure, police officers were present and migrants' personal items were inspected. As in other centers, uniform electronic records about migrants were kept. Migrants stayed there for relatively short periods, up to 20 days, according to the staff. Near the date of their admission to Hungary, migrants were transported by the *IOM*, first to the Subotica Reception Center, which is closer to the Hungarian border, and subsequently to the border itself. There were no migrants at the Center who needed accommodation after attempting to cross the border on their own, or migrants who had not been transferred from other centers. According to the information received, the migrants present were counted every 2-3 nights.

Four Commissariat staff members worked at the Center in seven-day rounds; during their rounds, they stayed at the Center overnight. In addition, there were three auxiliary and maintenance workers (one of them lived in the immediate vicinity of the Center and was constantly available). According to the Commissariat staff, police officers from the Sombor Police Department were present for several hours every day. Immediately after the opening of the Center, they had spent more time there, but had subsequently realized this was not necessary. The Sombor Social Welfare Center professionals visited the Center once per week.

The Center included the office building with offices and sleeping quarters for the Commissariat staff, an accommodation structure for migrants, a medical block, a warehouse, a boiler room and a structure used by the Sombor Red Cross representatives.



The accommodation structure consisted of 2 wings, each of which contained 4 dormitories, which were not locked; migrants from different countries of origin were mixed. Irrespective of this, there were no conflicts among them and the overall atmosphere at the Center was good. The structure was accessible to wheelchair users. This structure included another large room used as a dining room, lounge

and space for the organization of painting and sewing workshops. According to the Commissariat staff, there were plans to outfit and open a child-friendly space, a new dining room and a separate leisure room, in which case this room would be used for a different purpose. At the time of the visit, a knitting workshop for migrant women, organized by the Red Cross, was in progress. A Red Cross worker stated that this organization arranged 1-2 workshops per day and screened movies and cartoons for children. Television was also available to migrants. Wireless internet access had been provided, but was out of order at the time of the NPM visit.



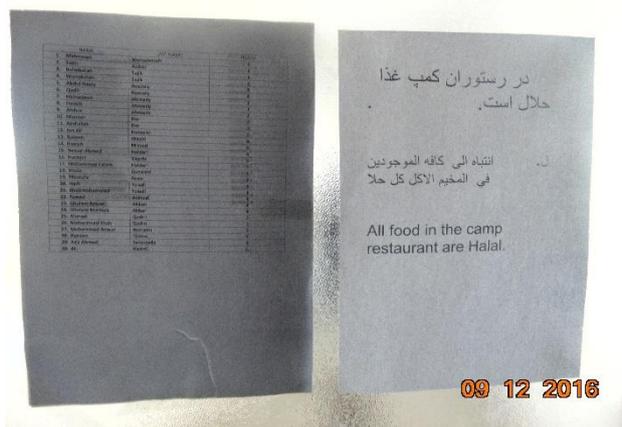
The rooms were sufficiently warm, despite the low outdoor temperatures at the time of the visit. The floor area of 700 m<sup>2</sup> was heated by the boiler room and about 150 kg of pellets per day were used for this purpose.

The medical block consisted of an infirmary and a room for receiving newly arriving migrants; there were plans to outfit another room to be used as an isolation unit for sick persons. Furthermore, there were plans to modify a room for the accommodation of all newly arriving migrants until the medical examination and health assessment, as well as a room for the

provision of psycho-social assistance. At the time of the visit, such support was provided by Red Cross representatives, who stated that they had not had any suspicions of trafficking in human beings or encountered any cases of domestic violence.

Health care was provided by the medical staff (a doctor and a nurse) from the Sombor Primary Health Care Center, who were present at the Center for four hours every working day. If needed, they also came on request of the Commissariat staff. Staff from the Sombor Institute of Public Health came once per week. According to the doctor, newly arriving migrants had certificates of comprehensive health checks performed at the centers from which they came, so such health checks were not performed upon reception to this Center. Yet, after reception, all would see a doctor for a health assessment: in case of a small group, they saw a doctor immediately, and in case of a larger group – within 2-3 days, with priority given to children. During their stay at the Center, migrants requested medical examinations in person, by coming to the infirmary; in most cases, it was necessary to make arrangements to continue the treatment commenced in the previous center or even earlier. Most cases involved chronic diseases; however, some migrants had the pertinent documentation, while others did not. An outbreak of chickenpox had been registered – one diseased migrant had infected 10 more; however, since there had been no new cases for 15 days, the doctor concluded that the outbreak had been contained. **The NPM expects that the forthcoming provision of an isolation unit will contribute to preventing the spreading of diseases.** There were no outbreaks of scabies or lice among migrants, and the infirmary had 25 lice treatment kits. Medicines were dispensed to migrants in quantities decided by the doctor. Examinations were recorded in a logbook – the examination protocol; since the opening of the infirmary on 9 November 2016, 209 medical examinations had been performed. Reports on examinations were periodically submitted to the Institute of Public Health and the organization that employed the doctors. Communication with migrant patients was in English or facilitated by other migrants. The doctor stated that there were no communication problems as the migrants had already spent some time in Serbia, and a list of the key words used by migrants, with translations, was available in the infirmary. Medicines and medical supplies were provided by a humanitarian organization, and if any medicines were unavailable, prescriptions were issued to migrants in order to procure them. The doctor pointed out that pregnancy tests and medicines for the treatment of chronic diseases were missing, and that migrants did not want to procure medicines themselves. There had been no cases of refusal of treatment; if a migrant woman insisted on being examined by a woman, a female doctor was requested to come. If transportation to a health care institution was required, the Sombor Emergency Medical Service was contacted by telephone to request a vehicle. This was done to take pregnant women to regular gynecological examinations. According to the information received, as yet these had been the only specialist examinations to which migrants needed to be taken. Two pregnant women had stayed at the Center; according to the information available to the doctors, one of them had given birth in the Subotica hospital, after leaving the Center in order to cross into Hungary. One baby, born during the mother's stay at the Preševo Reception Center, was staying at the Center at the time of the visit. On departure from the Center, migrants did not undergo medical examinations; they took their medical documentation with them (if necessary, additional data were recorded in the existing documentation), and the quantities of medicines deemed necessary by the doctor were dispensed to them.

As in other reception centers, food was provided by humanitarian organizations: three meals per day, including one cooked meal. The food provided conformed to their religious views and a notice to that effect was displayed. Furthermore, humanitarian organizations provided clothing and footwear; according to the information received, these items were available in sufficient quantities, as were bedclothes and blankets. Bedclothes were laundered once per week; these services were funded by humanitarian organizations, while migrants hand washed their own clothes. A washing machine had been procured and was about to be installed. In addition to the workers responsible for housekeeping, the migrants themselves also cleaned the facilities they used. The Commissariat staff stated there were no problems in this respect: on receiving migrants, a meeting was held with them to explain their obligations. The cleaning rota was displayed in the accommodation structure; according to the Commissariat staff, it had been prepared by migrants themselves. Cleaning products were mainly available in sufficient quantities, and a new delivery was expected soon. The Sombor-based Public Utility Enterprise Čistoća removed waste once per week, or more frequently if needed.



The accommodation structure had men's and women's toilets, a total of 8 showers and one toilet adapted for persons with disabilities. Each day, 260 liters of water were heated, which was sufficient for the migrants' needs, so there were no set hours for using the showers. There were sanitation containers in the Center yard, but they did not need to be used as yet.

Migrants were free to use the yard in front of the structure. According to the information received, there were plans to build a playground. The Center yard was fenced, and the gate was open. The Center was an open facility and migrants wishing to leave it and go to town were free to do so, but were required to report orally to the Commissariat staff prior to leaving. According to the staff, there had been no problems with the local population.



One Farsi interpreter worked at the Center, but was on sick leave at the time of the NPM visit. There were no interpreters for other languages, and communication with migrants was in English; the Subotica Reception Center, which had an Arabic interpreter, was contacted if necessary. As stated above, migrants were orally advised of their rights and obligations upon reception to the Center, at a meeting with the Commissariat staff. No daily schedule of activities or house rules were displayed at the Center. According to the shift leader, there had been no migrants' objections to their treatment by the Commissariat staff.

**RECOMMENDATION**

**The Commissariat for Refugees and Migration shall visibly display house rules and daily schedule of activities at the Sombor Reception Center, in languages understood by migrants.**

Several migrant women from Afghanistan and Syria were interviewed. They had started the journey with their families, had stayed in other reception centers in Serbia, did not wish to stay in our country and wanted to reach Germany and continue their lives there. The journey had been strenuous owing to fatigue, hunger and cold. They had not been subjected to any form of violence or threats, or forced to work neither during the journey nor in Serbia. They stressed that the Serbian police were very courteous. They had undergone medical examinations at this Center, as well as all other centers where they had stayed. Overall, they had no objections to the treatment by the Center staff, or to the living conditions, food and hygiene facilities. Some complained about the lack of warm children's clothes, baby food and hot water. Also, some stated they had not been advised of their rights and obligations at the Center and that they did not know why they were there. Communication with the Commissariat staff was in English or facilitated by migrant community leaders. One of the interviewed migrant women gave birth 27 days ago in the Vranje General Hospital, had no objections to the treatment and conduct of health care professionals, and stated that diapers were provided for the baby.

#### 4. HORGOS AND KELEBIJA BORDER CROSSING POINTS

In the vicinity of the border crossing points, immediately along the state border, there were still improvised camps with migrants waiting for their turn to cross into Hungary. At the time of the NPM team visit, there were about 60 migrants at the Horgoš Border Crossing Point and about 100 at the Kelebija Border Crossing Point. According to the doctor and the interpreter working with the medical team, the average length of migrants' stay in the camps was about 3-4 days, but there were also cases of those who stayed for about 20 days.

Migrants in camps were provided with the necessary items and food by humanitarian organizations and the *UNHCR*. However, there were cases of the local population stealing the items provided. Food was also provided to these migrants by the Hungarian authorities: at the time of the NPM team visit to the Horgoš Border Crossing Point, the Hungarian border police officers had opened a gate in the wire barrier and were distributing meals to migrants.



The NPM team interviewed the medical team providing health care in the camps. A doctor, a nurse and an interpreter were on duty between 8 AM and 4 PM, alternating between the Horgoš and Kelebija Border Crossing Points. Medical assistance was also provided by a Hungarian medical team. In addition, *UNICEF* and *UNHCR* came to the field and kept records of the numbers of women and children staying in the camps. They had observed an increased presence of families: in the past, adult males had accounted for about 90% of the migrant population, while at the time of the visit, children accounted for an estimated 10-20%. There

were no unaccompanied minors. The average daily number of medical interventions was about 15. There had been no suspicions of domestic violence, child abuse or neglect. There had been cases of dog bites and other injuries that, according to migrants, had been sustained in failed attempts to cross into Hungary.

According to the assessment of the Commissariat staff, who made joint patrols with the border police in addition to working in camps and at reception centers, Hungary was excellent at defending its border. The barrier and other technical measures, as well as the army and police forces, prevented migrants from entering Hungary at any other point except the designated gates, and only when it was their turn to cross the border. In case a migrant succeeded in crossing the barrier and was apprehended by the Hungarian authorities further into their territory, he/she would be escorted back across the barrier, to the side facing Serbia. Considering that the barrier was located in the Hungarian territory, a few meters away from the state border, rather than exactly on the border, the migrant concerned would still be in Hungary; he/she would be instructed to walk along the barrier to the camps, to register on the list and wait for his/her turn. In case the asylum application of a migrant admitted to Hungary was refused, when returning the migrant to Serbia, the Hungarian authorities only informed the Serbian Border Police that he/she would exit Hungary through a specific gate. This communication arrangement did not work in the opposite direction, as the times and places of migrants' entry into Hungary were arranged solely through migrant community leaders, as described above. **Considering that, as described above, 10 migrants per border crossing point per day were admitted, i.e. a total of 20 per day, on working days only; that migrants staying in Serbia waited for several months to be admitted by the Hungarian authorities, with a tendency to prolong this period further; that the procedure was implemented through the agency of migrant community leaders, and that there was no other modality of filing asylum applications with the Hungarian authorities, it is the position of the NPM that Hungary did not establish an efficient procedure for the exercise of the right to seek asylum, provided by Article 14 of the Universal Declaration of Human Rights.**<sup>7</sup>



<sup>7</sup> UN General Assembly Resolution 217 (III) dated 10 December 1948.