



**REPUBLIC OF SERBIA
PROTECTOR OF CITIZENS**

281-5/17
Belgrade



Заштитник грађана
Zaštitnik građana



БЕОГРАДСКИ ЦЕНТАР
ЗА ЛЈУДСКА ПРАВА

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NATIONAL PREVENTIVE MECHANISM

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

Report on the Visit to the Obrenovac Reception Centre

Belgrade, February 2017

MANDATE OF THE NATIONAL PREVENTIVE MECHANISM

Under the Act Ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Degrading or Humiliating Treatment or Punishment¹, the National Preventive Mechanism for the Prevention of Torture (NPM) shall visit institutions where persons are or may be deprived of their liberty with a view to deterring any form of torture or other form of ill-treatment by the state authorities or public officials and to providing guidance to state authorities on putting in place accommodation and other living conditions in institutions where persons are deprived of liberty in accordance with the valid regulations and standards.

The NPM is entitled to unimpeded and unannounced access to all institutions where persons are or may be deprived of liberty at all times; to hold private interviews with such persons, with public officials, who are under the obligation to cooperate with it, and with any other persons who may have information of relevance to the treatment of persons deprived of liberty; to access all documentation regarding those persons; to issue recommendations to the competent authorities with a view to improving the treatment of persons deprived of liberty and the conditions in which they are held or detained.

Under Article 2a of the Act, the Protector of Citizens shall perform NPM duties and, in performing these duties, cooperate with the Ombudspersons of the autonomous provinces and with associations, the Statutes of which include the goal of improving human rights and freedoms in accordance with the law.

The Protector of Citizens has formed a separate unit, the "National Preventive Mechanism Secretariat", which performs NPM professional duties, pursuant to the NPM's remit defined in Article 4 of the Optional Protocol to the Convention against Torture. The Secretariat is managed by the NPM Secretary, who operates in accordance with the guidelines issued by the Deputy Protector of Citizens charged with the rights of persons deprived of liberty.

The Protector of Citizens and the AP of Vojvodina Provincial Ombudsperson signed a Memorandum on Cooperation in Performing NPM Duties², under which the Provincial Ombudsperson shall actively partake in the visits by the NPM Monitoring Team to institutions in the territory of the AP of Vojvodina where persons are deprived of liberty.

Pursuant to the procedure implemented after the publication of the Public Call³, the Protector of Citizens selected the following associations with which it will cooperate in performing NPM duties: the Belgrade Centre for Human Rights (BCHR), the Victimology Society of Serbia, Group 484, the Mental Disability Rights Initiative - Serbia (MDRI-S), the Committee of Human Rights Lawyers (YUCOM), the International Aid Network (IAN), the Human Rights Committee - Valjevo, the Helsinki Committee for Human Rights in Serbia and the Human Rights Centre - Niš.

1 Official Journal of Serbia and Montenegro - International Treaties Nos. 16/2005 and 2/2006 and Official Gazette of the Republic of Serbia - International Treaties No. 7/2011.

2 Signed on 12 December 2011.

3 Published in the Official Gazette of the Republic of Serbia on 29 January 2016.

After its visits, the NPM prepares reports, which it forwards to the visited institutions. Thereinafter, the NPM maintains continuous dialogue with the visited institutions and the authorities within which they operate, with a view to eliminating the identified deficiencies that may lead to torture or inhuman or humiliating treatment.

MAIN INFORMATION ABOUT THE VISIT

VISITED INSTITUTION	Obrenovac Reception Centre
PURPOSE OF THE VISIT	Monitoring of the treatment of migrants/asylum seekers in the Republic of Serbia by the competent authorities
VISIT CONDUCTED BY	Protector of Citizens in cooperation with the Belgrade Centre for Human Rights
DATE OF VISIT	3 February 2017
NOTICE OF VISIT	The visit was pre-notified
VISIT TEAM	<p>Team Leader: Marko Anojčić, <i>Professional Service of the Protector of Citizens /NPM</i></p> <p>Team Members: Jelena Jelić, <i>Professional Service of the Protector of Citizens /NPM</i> Snežana Nešić, <i>Professional Service of the Protector of Citizens /NPM</i> Milica Zarin, <i>Professional Service of the Protector of Citizens /NPM</i> Dušan Pokuševski, <i>Belgrade Centre for Human Rights</i> Milena Vasić, <i>Belgrade Centre for Human Rights</i> Marko Vasiljević, <i>Belgrade Centre for Human Rights</i></p> <p>Interpreters: Dušan Roaji, <i>Farsi</i> Raduan Mansouri, <i>Arabic</i></p>

COOPERATION OF THE OFFICIALS WITH THE NPM TEAM

The Obrenovac Reception Centre staff fully cooperated with the NPM team and facilitated its full performance of its duties. They provided the NPM Team with all the information it required and unimpeded access to the documentation and all the migrants it wished to talk to.

COURSE OF THE VISIT

After the NPM Team familiarised the Reception Centre management with its remit and introduced its members, it split into several groups, which interviewed the Centre staff members and the migrants, perused the documentation and toured the accommodation facilities. The Team ended its visit by sharing its main impressions with the Centre management.

INTRODUCTION



The Obrenovac Reception Centre is located in the Army of Serbia facilities in the former Bora Marković army barracks, several kilometres away from the centre of the settlement. The Commissariat for Refugees and Migration (hereinafter: CRM) has been granted the use of the barracks under a Government conclusion. The compound is 14 hectares in area, it is fenced off and comprises a number of facilities suitable for the accommodation of people, offices and for other purposes. The barracks had not been used for years and were first reopened to accommodate the Obrenovac residents evacuated during the 2014 floods. They had not

been used since. The compound was reopened again to provide appropriate accommodation to migrants, who had been staying at informal venues, primarily in Belgrade, which are unfit for human residence. The transfer of the migrants from these informal venues began on 16 January 2017, when a group of underage migrants was taken by a bus to the Krnjača Asylum Centre. They were taken to the Obrenovac Reception Centre after they were examined by the doctors, had a bath and changed their clothes. **These activities were monitored by the NPM Team and publicly supported by the Protector of Citizens.**⁴ The CRM staff told the NPM Team that the first group of migrants was admitted to the Obrenovac Reception Centre on Tuesday, 17 January 2017.

The adaptation of the facilities was under way on the day of the visit. The repair of the heating and water and sewage systems and the furnishing of the rooms for the accommodation of the migrants had already been completed. The management plans on continuing the work and opening a large cafeteria to take the place of the three small ones used for the time being. The main works are to be completed within the next ten days. Apart from the workers of the company contracted to perform the works, 15 convicts serving prison sentences in the Padinska Skela penitentiary are also engaged in adapting the compound and the facilities. A group of prisoners was present in the Centre during the NPM Team's visit.

The NPM Team again applauds the activities of the relevant state authorities aimed at transferring migrants from informal venues where they had been rallying and where their lives and possessions are in danger and encourages the authorities to continue putting in place the conditions for their accommodation in state-run facilities.

⁴ "Protector of Citizens Welcomes Transfer of Migrants from Hangars near Belgrade Main Bus Station," available in Serbian at: <http://www.ombudsman.rs/index.php/2011-12-25-10-17-15/2011-12-26-10-05-05/5093-z-sh-i-ni-gr-d-n-p-zdr-vlj-iz-sh-nj-igr-n-iz-h-ng-r-u-blizini-b-gr-ds-u-bus-s-nic>.

LIVING CONDITIONS IN THE RECEPTION CENTRE

There were 579 migrants at the Centre on the day of the visit: 437 were nationals of Afghanistan, 124 nationals of Pakistan, 10 nationals of Iraq, five nationals of Syria, one national of Iran, one national of Bangladesh and one national of India. All the migrants were male. The Centre can take in 750 people at the moment, and its capacity will increase as the other facilities are adapted.

Of all the Centre residents, 276 were minors: four were 10-11 years old, 33 were 12-13 years old, 56 were -14-15 years old and 111 were 17-18 years old. Most of them were unaccompanied minors, who had been travelling in groups.

Around 20 CRM staff members of both sexes work in the Centre round the clock, in shifts. Only male CRM staff work the night shift. The CRM plans on engaging more people from Obrenovac in the upcoming period. The entrance to the Centre is guarded by police officers and Army of Serbia troops, who control entry to and exit from the compound. The representatives of the United Nations High Commissioner for Refugees (hereinafter: UNHCR), the International Organization for Migration (hereinafter: IOM) and non-government organisations extending humanitarian aid to the migrants were also present in the Reception Centre. The officers of the Belgrade City Social Work Centre (hereinafter: SWC) have been visiting the Centre every day. The migrants are extended health care by the medical professionals of the Obrenovac Out-Patient Health Clinic (hereinafter: OPHC).

The bus transfer of most migrants to the Centre has been organised by the CRM but some have made their way to the Centre on their own as well.⁵ The Centre has not refused to admit anyone to date. The CRM staff said that the migrants were first accommodated in a separate prefab facility (so-called camp area), where they stayed until they were examined by doctors, washed and changed their clothes and, if necessary, treated for any contagious diseases as prescribed by the doctors. The new arrivals are now accommodated in the compound facilities, as soon as they are familiarised by the staff with their rights and obligations and complete their check-ups. The migrants and their belongings were not searched on admission. The metal detectors were delivered to the Centre on the day of the visit.

The migrants are accommodated in two two-floor facilities (Facility 4 and Facility 12), the adaptation of which is expected to be completed in the nearest future. Namely, the Centre was urgently opened and could not be fully renovated before all the migrants were accommodated due to inclement weather. The Centre has central heating and the rooms are adequately heated. In the NPM Team's view, the adaptation of specific dormitories, toilets and other premises for the accommodation of migrants need to make provisions for persons with disabilities.

1.

RECOMMENDATION

The Commissariat for Refugees and Migration is to secure disability-friendly accommodation in the Obrenovac Reception Centre.

⁵ The officials said that a group of 33 migrants made their way to the Centre on their own two days earlier.



All migrants are registered in a logbook in which the following data are entered: first and last names, age, sex, nationality and the country from which they entered Serbia and whether they wanted to apply for asylum. CRM staff and the records indicated that none of the residents had sought asylum. The Centre does not have an Internet connection, wherefore the above data are not entered in the nationwide electronic records kept in all the Reception Centres. The staff said that the Internet would be up and running in the next few days. They said they sent daily and weekly reports to the CRM on the number of Centre residents, their breakdown and any extraordinary events at the Centre. The Centre was in the process of issuing the migrants IDs, which included their photograph, first and last names, country of origin and date of birth, and

the CRM contact telephone numbers on the back.

There is a bus that takes the migrants to Belgrade at 10 am and back to the Centre at 4 pm every day. These trips are not registered and the migrants do not need to notify the staff of them. Their local trips, usually to the shops are restricted: the migrants may leave the Centre in groups of ten and under the escort of a staff member. The Centre has printed passes the migrants will be given when they leave the Centre temporarily. The staff said that a shop was to be opened to cater to some of the migrants' needs and that they planned on organising various activities for the migrants within the compound to reduce their need to leave the Centre. During the NPM Team's visit, the police officers on duty at the entrance to the Centre noticed two migrants heading towards the bus stop across the road. They escorted the migrants back to the Centre, after the latter ignored their oral orders to return. The police officers did not use means of coercion and the CRM staff immediately talked to the two migrants.



Hygiene in the Centre is maintained by 12 people, working in two shifts, six in each. The migrants are also required to maintain the hygiene in the rooms they are living in themselves, as the NPM Team saw for itself when it toured the facilities. Smoking and eating in the dormitories is prohibited. The Team noted that the hygiene in some of the toilets was unsatisfactory, which is primarily due to the fact that the adaptation of the facilities was still ongoing. The migrants have been maintaining their personal hygiene in the toilets in the facilities and the sanitary containers in the Centre's yard. Each sanitary container has five showers and hot water. The mobile toilets, installed in the yard, are maintained by the company renting them. The CRM plans on repairing the installations and reopening additional toilets in the facilities. The garbage is taken away every day.



The staff said that the Centre had enough bed linen and other items it needed to accommodate the migrants at the moment. The bed linen and other items are at the moment were washed in the Krnjača Asylum Centre, and this arrangement will continue until the electricity installations are upgraded to allow the Centre to use industrial machines. The migrants wash their clothes by hand and the Centre provides them with detergent. They use the same facilities the army the troops had once used. The Centre lacks clothes at the moment, wherefore the admission of

new migrants has been slowed down. The CRM staff held a meeting with the humanitarian organisations at which they specified what they needed and expected the problem to be addressed.

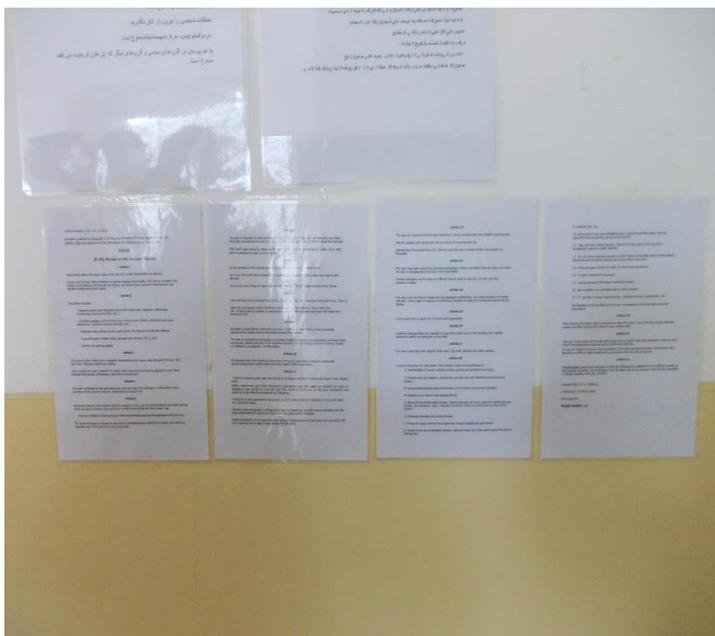
The migrants' meals are provided by humanitarian organisations. They are distributed canned food for breakfast and dinner and hot meals for lunch. Migrants have forms in which the meals they take are registered. The Centre allows migrants to come to the Centre only to eat their meals.

The Centre has engaged two Arabic interpreters. They will be joined by two Farsi interpreters in the near future. The engagement of Urdu and Pashtu interpreters is a problem because there is not enough of them in the country. The staff communicate with migrants speaking these languages in English or with the help of other migrants. Apart from their meetings with the migrants on their admission to the Centre, the CRM staff constantly provide them with the information they need. People with experience in working with migrants in the other Reception Centres have been engaged and, according to the Centre's managers, there are no major problems between the staff and the migrants. The CRM staff are continuously liaising with the designated representatives of the migrant community on organisation issues and everyday activities. The translations of the Rulebook on Asylum Centre House Rules⁶ are visibly displayed in the accommodation facilities. **The NPM Team commended this good**

⁶ Official Gazette of the Republic of Serbia No. 31/08

practice during its visit to the Adaševci Reception Centre, given that no regulations governing the house rules in reception centres have been enacted yet.⁷

Apart from five Syrian migrants sharing the same room, the other migrants have not been assigned to the dormitories on the basis of their country of origin, which may give rise to risks of clashes. Furthermore, the minors are not accommodated separately from adults. Uniformed police officers are on duty at the Centre entrance every day and they sometimes tour the compound. The CRM said that there have been disruptions of order in the Centre



and clashes among the migrants, but that all of them have to date been addressed by oral reprimands and warnings issued by the CRM staff and police officers. None of the migrants have been thrown out of the Centre. The Centre plans on installing video surveillance.

2.

RECOMMENDATION

The Commissariat for Refugees and Migration is to take into account the protection of minors and the migrants' countries of origin when assigning underage and adult migrants to the Obrenovac Reception Centre dormitories. It is to promptly separate migrants as soon as it becomes aware of any disagreements between them that may result in clashes.

The migrants are provided with health care by the OPHC medical staff engaged by humanitarian organisations. They are on duty at the Centre every day except Sunday from 9 am to 3 pm. The NPM Team was told that another shift, until 8 pm, would be introduced. One general practitioner and one nurse work at the Centre. All migrants undergo check-ups on admission and are seen by the doctor when necessary thereafter. The examinations take place in the doctor's rooms and the migrants themselves ask to see the doctor by coming to the doctor's room and waiting their turn. The doctor said that non-medical staff were not present during the examinations. Examinations by specialists, including by paediatricians, take place at the OPHC. One migrant was being treated in hospital, in the Clinical Centre of Serbia, on the day of the visit. The migrants' transportation to the other health centres is organised by IOM. The hospitalised migrant was transported to the Clinical Centre of Serbia by the paramedics. The doctor said she had not observed any injuries the migrants sustained while they were staying at the Centre and that she had examined a migrant with a gash on his head, which had been treated in Belgrade, when he first arrived. Some of the migrants have lice. The medical staff regularly send reports to the Belgrade City Public Health Institute and the Institute for Biocides and Medical Ecology. Staff of the Belgrade City Public Health Institute had performed a check of the Centre the day before the NPM Team's visit. The medical examinations are registered in the standardised logbook – examinations protocol. The humanitarian organisation that has engaged the doctors also secures the necessary

⁷ Report on the Visits to the Reception Centres in Principovac, Šid and Adaševci, No. 281-98/16, Ref. No. 48887 of 12 December 2016.

medications. The medications are delivered twice a month and kept in a cabinet in the doctor's room. The therapies are administered by the medical staff. The dosage given to the ill migrants depends on the type of medication they are prescribed (e.g. if they are prescribed antibiotics, they are given a box of them). The migrants confirmed they received the medications by signing the protocol.

INTERVIEWS WITH THE MIGRANTS

None of the migrants the NPM Team interviewed complained about their communication with or of their treatment by the staff. Most of their complaints regarded the poor and monotonous nutrition at the Centre. They said they had been receiving canned sardines for breakfast, lunch and dinner for days. They confirmed that they received adequate medical assistance when they needed it. Some migrants complained of alcohol and drug abuse by the other migrants in the Centre. Migrants also complained about the Centre entry-exit regime, because they



were not allowed to leave the Centre on their own and because they are only allowed to go to the shop under the escort of a staff member. Furthermore, the migrants said their clothes had been taken away from them on admission to the Centre but that they had not been provided with adequate clothes instead.

The interviewed underage migrants told the NPM Team they had come to the Centre in groups with their peers and had not been accompanied by adults capable of looking after them. They had no complaints about the way they were treated by the Centre staff either. The social worker, a member of the nine-member Team for Migrants formed by the SWC said she visited the Centre every day and was at the disposal of the underage migrants to address any urgent problems (re their accommodation, clothes, medical assistance...). In her capacity of representative of the guardianship authority, the social worker attended the police officers' interviews with the minor, who had information about the incident with a woman pushing her baby in a pram in Obrenovac.⁸

The CRM staff said that one minor had expressed the wish to return to his country of origin, and that the case was taken over by IOM, in cooperation with the UNHCR and the social worker.

⁸ "INCIDENT IN OBRENOVAC Migrants Assaulted Woman with Three Children, Tried to Kidnap Her Baby," *Blic*, 1 February 2017, available in Serbian at <http://www.blic.rs/vesti/beograd/incident-u-obrenovcu-migranti-napali-majku-sa-troje-dece-pokusali-da-joj-otmu-bebu/181d85m>.