



**REPUBLIC OF SERBIA  
PROTECTOR OF CITIZENS**

281-7/17  
Belgrade



Заштитник грађана  
Zaštitnik građana



**BEOGRADSKI CENTAR  
ZA LJUDSKA PRAVA**

Ref. No.      Date:

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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 Pirot 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 Punishment<sup>1</sup>, 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 Duties<sup>2</sup>, 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 Call<sup>3</sup>, 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.

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.

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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.

**MAIN INFORMATION ABOUT THE VISIT**

VISITED INSTITUTION	Pirot Reception Centre
PURPOSE OF THE VISIT	Monitoring of the treatment of refugees and migrants competent authorities in the Republic of Serbia
VISIT CONDUCTED BY	Protector of Citizens, in cooperation with the Belgrade Centre for Human Rights
DATE OF VISIT	10 February 2017
NOTICE OF VISIT	The visit was pre-notified
VISIT TEAM	<p><b>Team Leader:</b> Marko Anojčić, <i>Professional Service of the Protector of Citizens /NPM</i></p> <p><b>Team Members:</b> Jelena Jelić, <i>Professional Service of the Protector of Citizens /NPM</i> Milica Zarin, <i>Professional Service of the Protector of Citizens /Child Rights Department</i> Milena Vasić, <i>Belgrade Centre for Human Rights</i></p> <p><b>Interpreters:</b> Milena Roaji, Farsi interpreter Raduan Mansouri, Arabic interpreter</p>

**COOPERATION OF THE OFFICIALS WITH THE NPM TEAM**

The Pirot Reception Centre officials fully cooperated with the NPM Team, providing it with all the required information and unimpeded access to the documentation, as well as private interviews with the migrants of its choice.

**COURSE OF THE VISIT**

After familiarising the Manager of the Reception Centre with the NPM's remit and the members of the Team, the NPM Team split up into several groups, who interviewed the staff and the migrants, perused the relevant documentation and visited the accommodation facilities. NPM Team members also attended the police officers' interviews with individual migrants. The NPM Team shared its main impressions about the visit with the management at the end.

## 1. GENERAL INFORMATION

The Pirot Reception Centre was recently opened. It admitted the first group of migrants on 20 December 2016. A total of 247 migrants are currently living in the Centre, which can take in up to 250 people (three migrants had gone to Belgrade and were expected to return). Of the total number of residents, 227 expressed the intention to seek asylum in the Republic of Serbia and were referred to this Centre. The others are waiting for the police to register them, as, due to the inclement weather, they had been urgently transferred in an organised fashion to the Centre from the informal venues in Belgrade where they had been staying. All the migrants are on the lists for admission to Hungary. Five migrants have left the Centre for good to date.

As per the breakdown of the migrants by country of origin, 149 are nationals of Afghanistan, 63 are nationals of Iraq, 19 are nationals of Syria, 13 are nationals of Iran, 13 are nationals of Iran, one is a national of Cameroon, one a national of Congo and one a national of Nigeria. One hundred twenty-seven migrants (75 men and 52 women) are of age and 120 are minors (61 boys and 59 girls). One minor is travelling with his friends and is not accompanied by his parents, and two underage brothers have been separated from their parents and are travelling with their adult brother. They have not been appointed a guardian formally. Families account for most of the Centre residents, there are not too many single migrants. None of the migrants suffer from disabilities but one migrant had been injured in a car accident and has difficulties walking. Seven migrant women are pregnant and one recently gave birth.

The Reception Centre is staffed by four officers of the Commissariat for Refugees and Migration (hereinafter: CRM) and four people charged with maintaining hygiene (two per shift). The Centre is also manned by two volunteers teaching the migrants foreign languages and medical staff. Organisations extending aid and support to the migrants are also present at the Centre. The police officers visit the Centre every day and the staff of the Pirot Social Work Centre visit it on request. The Asylum Office staff have not visited the Centre yet, although most migrants have been issued certificates of intent to seek asylum.

### 1.

#### *FINDING*

The Asylum Office has not registered or taken any other actions laid down in the Asylum Act<sup>4</sup> vis-à-vis migrants issued certificates of intent to seek asylum in the Republic of Serbia and staying at the Pirot Reception Centre.

#### *FOUNDATIONS*

*An authorised officer of the Asylum Office shall register foreigners and their family members.*

*Registration shall include:*

- 1) establishing their identity;*
- 2) taking their photographs;*
- 3) taking their fingerprints, and*
- 4) temporary seizure of all identification papers and documents, which may be of relevance in the asylum procedure, of which a receipt shall be issued to the foreigners.*

*Foreigners in possession of passports, identity cards or other identification documents, residence permits, visas, birth certificates, travel tickets and/or other documents or official communication of relevance to the asylum procedure, shall be obliged to submit them upon registration or submission of an asylum application, before their interview at the latest.*

*Foreigners shall be issued identity cards for asylum seekers upon the completion of their registration.*

<sup>4</sup> Official Gazette of the Republic of Serbia, No. 109/07.

*Foreigners who deliberately obstruct, avoid or refuse the registration referred to in paragraph 1 of this Article shall not be allowed to submit asylum applications.*

*The manner of conducting the registration referred to in paragraph 1 of this Article shall be prescribed by the Minister.<sup>5</sup>*

*The Asylum Office shall ensure that authorised Office officers are on duty in each Asylum Centre every day.*

*The authorised Office officers shall register foreigners, who have expressed the intention to seek asylum on their admission to an Asylum Centre, in accordance with the Asylum Act, whereupon they shall promptly issue them identity cards. During the procedure, the officers shall in each particular case review the need to issue an order restricting the movement of the foreigners at issue (referring them to the Shelter for Foreigners under enhanced police supervision or prohibiting them from leaving an Asylum Centre, a designated address or area).<sup>6</sup>*

### **RECOMMENDATION**

**The Asylum Office is to take the actions prescribed by the Asylum Act vis-à-vis migrants issued certificates of intent to seek asylum in the Republic of Serbia and accommodated in the Pirot Reception Centre.**

## **2. ACCOMMODATION OF THE MIGRANTS**



The Centre comprises the management building and two accommodation facilities. The management building houses the staff's offices, a cafeteria, a room used for a variety of activities, a laundry room, the doctor's room and two rooms for ill migrants. Each accommodation facility has four entrances. Each entrance leads to a separate section with four rooms and a common bathroom. The dormitories and the bathrooms have been fully renovated and hygiene in them is satisfactory. There is a trash can in

front of each entrance. The trash cans are regularly emptied.

The migrants are not assigned to rooms by their country of origin. All family members are always assigned to the same room. Some dormitories are shared by two families.

The CRM staff said two more facilities of the same kind, behind the ones already in use, would be adapted for the accommodation of the migrants.

## **3. TREATMENT OF MIGRANTS**

All migrants are registered in uniform tables kept by all the Reception Centre. The following personal data are registered in these tables: first and last names, age (whether they are minors or adults), country of origin, date of birth, and mutual family relations. The reports on the

<sup>5</sup> Asylum Act (Official Gazette of the RS No.109/2007), Article 24.

<sup>6</sup> Protector of Citizens Recommendations No 75-6/14 of 10 February 2014, Recommendation 5.2 and 5.3.

number of residents, their breakdown, epidemiological situation and any extraordinary events are sent to the CRM on a daily basis. Data on the numbers of residents are also forwarded to the Ministry of the Interior. The Centre also keeps a logbook, in which all events of relevance are entered on a daily basis.

The migrants are to report to the CRM staff when they leave the Centre. As a rule, the staff issue them registration documents. The migrants can thus go to the centre of Pirot and some migrants went to Belgrade. The CRM staff perform headcounts every evening.

The Centre staff said this establishment had enough items requisite for the accommodation of the migrants but that it needed more of them. On the day of the visit, it lacked spare clothes, which it had already alerted the humanitarian organisations to. Two washers/dryers were recently repaired and the washing of the piled up dirty clothes was under way. The migrants wash their own clothes by hand.

The meals are provided by the humanitarian organisations. The migrants get pastry, hot dogs, eggs and similar food for breakfast and dinner and hot meals for lunch. The staff told the NPM Team they resolved the problem they had to secure milk for the children.

The staff communicate with the migrants in English and/or via the representative of the migrant community. The House Rules are displayed in the Centre.

The Centre staff said that the arguments that sporadically broke out among the migrants were resolved by talking to them. Police officers came to the Centre during the NPM Team's visit to identify the migrants who had caused problems in the local fast food establishment the previous day. After they found these migrants, they talked to them in the presence of a CRM officer and an NPM Team member, with the help of the NPM Team's interpreter. The migrants were warned that their behaviour was unacceptable. The Centre staff told the NPM Team that any problems between the migrants and the local population have been ironed out by talking to them. They mentioned a problem that had arisen with an association headquartered across the road, because the migrants had been using the area in front of its building. The CRM staff resolved it by talking to the migrants and the members of the association and their mutual relations are now good.

The Centre Manager told the NPM Team that the migrants had not yet voiced any complaints about how they were treated by the CRM officers or the other Centre staff. There is no formal complaint procedure; the migrants approach the Manager and orally notify him of their needs.

There is a doctor's room and two rooms serving as an infirmary in the Centre. The doctor and medical technician are on duty every day except Sunday, from 8 am to 3 pm. The paramedics are called in in case of emergencies when the medical staff is not on duty. All migrants undergo check-ups naked on admission and, if necessary, are loaned clean clothes and treated for any contagious diseases. The migrants undergo regular check-ups every seven days and themselves ask to see the doctor if they need to. The examinations are conducted in the absence of non-medical staff. The doctor and technician communicate with the migrants in English and, in extraordinary circumstances, with the help of someone who can help with the interpretation (only when the doctor takes down the migrants' medical history). The migrants' improvised medical case files are kept and stored in the doctor's room, under the supervision of the medical staff. The amounts of the medications the doctor gives the migrants depend on the type of treatment: the migrants receive either the entire box or the dosage for one day. Furthermore, the medical staff leaves medications with the CRM staff that the migrants may urgently need when the doctor's room is not open, which the staff give them after consulting

the doctor by phone. Examinations by specialists are conducted in the local health institutions. Pregnant women are provided with adequate health care, i.e. undergo all the necessary specialist examinations and do the lab analyses.

### **3.1. Underage Migrants**

**The Centre staff told the NPM Team that the officers of the Pirot Social Work Centre were called in by the Centre management and, with the help of an interpreter, talked to all the families to ascertain whether all the minors were actually in the company of family members. The NPM Team considers this a good practice of protecting minors from any abuse.**

Underage migrants are assigned to the dormitories together with their families. There are plans to open a Children's Corner, where educational and cultural activities will be organised for the minors. At the time of the visit, two volunteers from the local foreign language school were working in the Centre; they have been organising Serbian and English language lessons for the underage migrants through activities suitable for their age. Furthermore, a humanitarian organisation comes to the Centre once a week and organises various educational and entertainment activities.

The CRM staff said they had established communication with the local primary school with a view to enrolling the underage migrants in school. **Given that many minors have been on the road for a long time and that they have not been covered by any formal education for quite a long time during that time, and earlier, due to the events in their countries of origin, the NPM Team commends the Centre management's attempts to enrol them in the local schools and encourages the relevant authorities to take measures to include the underage migrants in the education system.**

## **4. INTERVIEWS WITH THE MIGRANTS**

The NPM Team members interviewed in private a number of migrants of different ages, sex and countries of origin, who were residing at the Centre. They did not identify any particular problems in the way they were treated by the state authorities in Serbia. The migrants are satisfied with the health care and accommodation. They complained about the limited accommodation capacity and the disagreements among families sharing dormitories. They also complained about the lack of Internet and the food, but in principle did not highlight any major problems in the Centre.