



SERBIA

A safe country ?

No country can be deemed « safe ». That is the spirit of the Convention relating to the Status of Refugees which provides for the individual examination of each asylum claim: each personal situation is unique. To label a country as a “safe country of origin” suggests that there is no general risk of persecution and that the state of law is respected. A “safe” country can also be categorised as a “safe third country” where asylum-seekers who have transited through the said country may be returned there because their asylum procedures is in line with international and European refugee law standards. Many examples show that human rights standards are often not met.

The notion of safety as an examination tool can have dire consequences on asylum-seekers’ rights (see analysis): accelerated procedures, non suspensive appeals i.e. removal before a final decision is made, claim likely to be rejected if not inadmissible in the case of “safe third” countries.

The European Union is discussing a draft Regulation establishing an EU common list of safe countries of origin comprising, inter alia, Serbia which, to date, is only listed by 8 Member states out of the 12 existing national lists of safe countries of origin (Austria, Belgium, Bulgaria, Czech Republic, Denmark, Germany, Luxembourg, and the United-Kingdom).

The AEDH, EuroMed Rights and the FIDH are opposed to the notion of « safety » which is usually used as a means to remove people in a country where they, allegedly, would not be at risk: is that really the case?

FREEDOM OF SPEECH AND OF OPINION

- **Hostile environment** against the media ; freedom of the press threatened
- Physical or virtual **attacks** against the press
- **Judicial harrassment** against journalists
- **Lack of follow-up and commitment by the authorities when investigating such crimes :** in 2015-2016, according to Amnesty International «Thirty-four independent journalists were attacked or received threats which were not effectively investigated»

MINORITIES AND VULNERABLE GROUPS

- **Threats and intimidation against LGBTI people.** No investigation conducted on these crimes
- **Hostile environment against human rights defenders,** especially LGBTI rights advocates
- **Minority groups discriminated against and marginalised especially Roma,** especially access to accommodation, to education and to health care services
- **No effective access to international protection and inappropriate reception conditions** for asylum seekers and refugees

FURTHER INFORMATION

AEDH, EuroMed Rights, FIDH, « Safe » countries: denying access to asylum, May 2016
<http://euromedrights.org/analysis-safecountries-en/>

Belgrade Centre for Human Rights report (2014) [\[ENG\]](#)

Hungarian Helsinki Committee report (2011) [\[ENG\]](#)

Pro Asyl report (2013) [\[DE\]](#)

Human Rights Watch report (2016) [\[ENG\]](#)

Amnesty International report (2015-2016) [\[ENG\]](#)

Human Rights Watch report on freedom of the press in the Balkans (2015) [\[ENG\]](#)

European Court of Human Rights: Analysis of statistics 2013 [\[ENG\]](#) and 2014 [\[ENG\]](#) [\[FR\]](#).



EuroMed Rights
EuroMed Droits
الأورو-متوسطية للحقوق

