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THE PROTECTOR OF CITIZENS’ INPUT FOR THE SPECIAL RAPPORTEUR ON THE HUMAN RIGHTS OF MIGRANTS ON THE IMPACT OF COVID-19 PANDEMIC ON THE HUMAN RIGHTS OF MIGRANTS

**Overview of the Protector of Citizens’ Activities in the Field of Protection**

 **оf the Human Rights of Migrants**

In the capacity of the National Preventive Mechanism (hereinafter: the NPM), the Protector of Citizens conducted 11 visits in 2020 to monitor the treatment of refugees, migrants and asylum seekers, 6 of which to monitor the treatment of unaccompanied minor migrants. In conducting these visits, the NPM was assisted by the UNHCR, which provided interpreters for each visit, as well as by the CSOs with which the Protector of Citizens has concluded agreements on cooperation when performing the NPM tasks. The visited places included: the Shelter for Foreigners, Nikola Tesla Airport in Belgrade (twice), the Reception Center in Obrenovac, the Reception Center in Adaševci, as well as the places where unaccompanied minor migrants were: the Asylum Center in Bogovađa, the Asylum Center in Sjenica, the Institute for Education of Children and Youth Belgrade -Vasa Stajić, Jovan Jovanović Zmaj Home, the House of Rescue and the Integration House Pedro Arupa in Loznica.

The visits to Migrant Reception Centers were conducted during the state of emergency, in order to monitor the situation and the conditions there, the treatment of persons housed in these centers, and the measures taken by the Commissariat for refugees and migration with a view to providing protection against the coronavirus. In this regard, a report was made including 12 recommendations that were sent to the competent authorities. The recommendations were primarily aimed at relieving the burden from the capacities, improving the housing and sanitary conditions, engaging sufficient number of workers in order to conduct unhindered and quality reception of and care for migrants.

As mentioned, the NPM has paid special attention last year to monitoring the treatment of minor migrants, housing conditions in which they live, access to education, activities, contacts with outside world, asylum seeking procedure, the manner of exercising their rights, healthcare, etc.

Apart from providing special accommodation for unaccompanied minor migrants, the state has provided a sound access to healthcare services, addressing the issue of accessing education and efficient use of leisure and launched a program of promoting specialized fostering.

Further efforts should be directed towards improving the material conditions of accommodation and upholding the functioning of accommodation in residential social institutions and houses run by humanitarian organizations for unaccompanied minor migrants.

Continuous trainings for all civil servants in contact with the children are critical in order to acquaint them with the standards in the area of child social welfare and additionally sensibilise the work with this extremely sensitive group of migrants.

Having in mind wide competences of social welfare centers and the fact that their proper functioning is the base for the protection of the best interests of the child, refugees and unaccompanied migrants, the NPM pointed out that it is important to ensure continuous contact of the child with one guardian and the continuity regarding the accommodation of unaccompanied children. In order to achieve that, it is necessary to further strengthen and build the capacities of the social welfare centers.

**Comparative statistical overview of the Protector of Citizens’ activities in the field of protecting migrants’ human rights for 2019-2020**

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|  | 2020 | 2019 |
| No. of complaints | 26 | 15 |
| No. of visits [[1]](#footnote-1) | 11 | 4 |
| No. of issued recommendations[[2]](#footnote-2) | 16 | 8 |

*2020 saw an increase in the number of complaints received in the field of protection of migrants' rights, as well as the number of realized visits and recommendations issued by the Protector of Citizens in the capacity of the National Preventive Mechanism to the competent authorities, paying special attention to the protection of migrants’ rights during COVID-19 pandemic.*

**International cooperation of the Protector of Citizens in the field of protecting the**

**human rights of migrants**

During the state of emergency in the Republic of Serbia, the Protector of Citizens, in the capacity of the NPM, intensified international cooperation with the European National Institutions for Human Rights (NHRI) and the Working Group of the European NHRI Network (ENNHRI) for asylum and migration with a view to exchanging information on the situation in the area, reviewing the institutions’ activities during the COVID-19 pandemic, the impact on migrants' rights, as well as to identifying good practice.

In addition, the NPM took part in the ENNHRI project related to the treatment of migrants at the borders. To that end, the borders with Northern Macedonia, Bulgaria and Croatia were visited. At the borders with Northern Macedonia and Bulgaria, entry into the country was monitored, while the NPM focused on treating migrants and asylum seekers when leaving the country at the border with Croatia.

On the day of declaring the state of emergency, 5,912 persons were housed in the Asylum and Reception centers of the Republic of Serbia. During the state of emergency, the Government of the Republic of Serbia passed a decision on temporary restriction of the movement of asylum seekers and irregular migrants accommodated in asylum centers and reception centers of the Republic of Serbia. In just two days after the declaration of the state of emergency, the number of people accommodated in the centers increased by 2,000, so the number of migrants accommodated in the centers in mid-March 2020 reached 7,960, and at one point the number of people accommodated during the state of emergency rose to more than 9,100. In order to urgently take care of people, the Commissariat has increased the capacity for accommodation in solid facilities as soon as possible, repurposing common rooms into dormitories. In addition, tents and rabhols, intended for a shorter stay of people, were reactivated in shortest time.

In addition to the existing centers, two more locations, Morović and Miratovac, have been designated for setting up the facilities and tents for emergency accommodation. The overcrowding of the centers and the restriction of movement due to emergency measures have resulted in increased tensions among the beneficiaries of the centers and increased risks related to safety and security in the centers. The Commissariat had to relocate people between the reception centers in order to ensure minimum housing conditions, avoid potential problems related to hygiene conditions, alleviate overcrowding in the centers and prevent tensions among the beneficiaries.

Certainly, the biggest challenge was to counter the spread of the virus among the beneficiaries. The Commissariat has been implementing intensive prevention measures since mid-February 2020. Appropriate instructions for asylum seekers are prescribed, together with directives for staff. Hygiene standards have been raised to a high level and information and education of migrants accommodated in asylum centers and reception centers has started timely. In addition, a daily bulletin was introduced, written and printed daily and translated into four languages (English, French, Arabic and Farsi) with the aim of informing people on a daily basis on the impact of coronavirus both in the country and in the world. Due to the measures taken, no positive cases of coronavirus have been reported in the centers.

The impact on asylum seekers and migrants themselves has been manifold. Everyone was provided with access to healthcare. Medical teams have been engaged in all centers, including at least a doctor and a medical technician, and most often a psychologist. Everyone, in accordance with the indications, was provided with healthcare at both the secondary and tertiary levels. National Commission for infectious diseases prepared the Protocol for acting in cases of coronavirus suspicion in Asylum and Reception Centers. Everyone with indications was tested for coronavirus.

With the aim of preserving mental health, different activities have been organized in order to occupy the time of these people through sports activities, planting trees within the centers, film screenings, etc. observing social distance as much as possible in this type of accommodation. In some centers, where possible, migrants were engaged in sewing masks for themselves and staff, which they also distributed to volunteers in the local community. Regardless of the numerous measures that have been taken in order to preserve mental health, it is certain that long-term isolation and uncertainty have also had an impact on the psychological well-being of these individuals.

The situation has been especially challenging for migrants in terms of education, because they have had to attend the teaching of the Serbian curriculum organized on national TV channels and portals and submit homework electronically. School children in the centers have faced difficulties in attending Serbian school programs due to a lack of educational gadgets, including televisions. The equipment was provided with the help of UNHCR and UNICEF, which enabled these children to finish the school year. Additional difficulties were the lack of parents’ interest to include their children in the school system and the overburdening of employed asylum seekers during the state of emergency.

On the other hand, a number of domestic and international NGOs have limited their activities and reduced or completely suspended their activities at the Center since the introduction of the state of emergency. This resulted in the range of activities and services available to the beneficiaries of the centers being reduced to a minimum.

1. The Protector of Citizens conducted the visits in the capacity of the National Preventive Mechanism. [↑](#footnote-ref-1)
2. The Protector of Citizens issued Recommendations to the competent authorities in the capacity of the National Preventive Mechanism. [↑](#footnote-ref-2)