

klikAktiv

center for development of social policies

# MORE PEOPLE, MORE POLICE AND LESS SAFETY

Annual Report 2022





# About **Klikaktiv**

*Klikaktiv – Center for Development of Social Policies* is a grassroots non-profit civil society organization which provides legal counseling and psychosocial services to people on the move, asylum seekers and refugees in Serbia. The team is present on the external EU borders, namely covering border areas between Serbia and Croatia/Hungary/Romania, but also Bosnia and Herzegovina.

The report covers the main activities of Klikaktiv, trends and needs observed in the field, legal obstacles for people on the move in Serbia, and legal analysis of EU and Serbia's migration management policies in 2022.

There is a particular focus on monitoring and documenting violent push backs from the EU member states, as well as presence and participation of foreign police officers and Frontex staff during these practices. The report includes testimonies of refugees who reported increased brutality and humiliation by the border police, as well as detailed description and photos of informal settlements where people on the move sleep rough while in the border area, including their quotes and several cases presentation.

For more information and regular updates on our work, you can visit [Klikaktiv's webpage](#) and [Facebook page](#).

For any additional information, comments or suggestions, feel free to contact us: [info@klikaktiv.org](mailto:info@klikaktiv.org)

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# Editorial Note: Important Terminology, Acronyms and Relevant Actors

**People on the move** – an umbrella term for refugees, migrants and asylum seekers

**Refugees** – people fleeing persecution, war, discrimination or any other factor that threatens their safety and well being<sup>1</sup>.

**Migrants** – people who migrate, or move from one location to another<sup>2</sup>.

**Asylum seekers** – people who have applied for asylum and international protection in a country.

**Squat** – an informal settlement in a field, forest or abandoned building. More explanation provided on [page 14](#).

**Push back** – a collective expulsion of people on the move by the border police authorities, regardless of the persons' asylum claims. Push backs commonly involve acts of violence, humiliation and/or other inhumane and degrading treatment.

**Game** – a slang term used by people on the move to refer to an attempt to cross a border.

**SCRM** – Serbian Commissariat for Refugees and Migration, a governmental body primarily in charge of managing accommodation for people on the move in Serbia in official reception, asylum and transit centers. More information can be found on their [website](#).

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<sup>1</sup> The term “refugees” is used in the report more broadly – for all beneficiaries Klikaktiv has worked with, which does not imply that all of them have been granted refugee protection by the state authorities

<sup>2</sup> Since the change in public discourse in 2016, the term migrant has been used commonly with adjectives “illegal/economic/irregular” and thus has a negative connotation.



# Key Trends in 2022:

1. Several agencies in the field noted **a significant increase in the number of new arrivals via the Balkan route, comparable to the peak of the refugee crises in 2016.**
2. The increase of the number of the new arrivals was followed by **an increase in the number of informal settlements at the EU external borders with Serbia:** from 17 identified squats in 2021 to 31 in 2022.
3. The second most important trend that marked 2022 were **mass shootings between the organized criminal groups of smugglers** in the northern area of Serbia, followed by police raids and local protests. During the raids, many squats were dismantled and refugees and migrants forcibly transferred to reception centers. Several people from the migrant community were killed during the shootings.
4. According to Klikaktiv's data, the majority of refugees in Serbia come from **Afghanistan and Syria**, with the number of Syrian people rising since the summer 2022. The new arrivals from Syria include families and women traveling alone, as well as a significant proportion of young unaccompanied boys (7-14 years old).
5. The trend of **violent push backs to Serbia from EU member states** also continued, while the brutality of Hungarian police significantly increased, with testimonies of physical violence on women, toddlers, teenage girls and the elderly. **Some refugees also reported physical violence at the hands of Frontex in Hungary.**
6. The most common entry point to Serbia has been through **Bulgaria**, since June 2022. Before that, the majority of people on the move entered Serbia through North Macedonia.
7. The fence that Serbia is constructing on its southern border with **North Macedonia** has progressed for a minimum of 10 – 15 km, with some segments made of barbed wire.
8. The Ministry of Interior proposed **changes of the Law on Asylum and Temporary Protection** in November 2022. A positive change is that the Serbian state will finally start issuing refugee passports, while on the negative side there is still a lack of proper procedural guarantees for asylum seekers in accessing their rights during the asylum procedure.
9. Serbia followed the practice and policy of EU member states and granted temporary protection to all refugees with Ukrainian citizenship.

# Snapshot of Klikaktiv's work in 2022

Although on the move for a while, the majority of the refugees in Serbia have no information about asylum and other relevant procedures in EU and in Serbia, their rights and duties, access to services (especially health care, asylum procedure and accommodation). They usually make decisions about their final destination and their journey based on incomplete, invalid or completely false information provided by the diaspora, the smugglers or rumors from other refugees they had heard while on the move. Some of the misinformation and disinformation include such myths as that it is possible to “erase” one’s fingerprints from the EURODAC database, that there are no deportations from the EU member states to the refugees’ and migrants’ countries of origin, that it is relatively easy to obtain “papers” (with various connotations: from permits to stay to citizenship), that if they were to reach Vienna they can travel by an airplane to London and others.

This is why the Klikaktiv team made an effort to reach out to people on the move in informal settlements in the border area, and provide legal aid information and answer questions for specific cases, so that the refugees can make informed decisions on their safety and wellbeing. The Klikaktiv team provided individual and group legal counseling, psycho-social support, NFI (tents, blankets, hygiene items), food and water, and a station for mobile phone charging.



We particularly focused on gathering testimonies of people on the move regarding violent push backs from EU member states and barriers they had encountered to accessing the legal and social protection system in Serbia.

Besides our core activities through outreach work in the border areas, Klikaktiv also guides, informs, and accompanies asylum seekers through their asylum process in Serbia. Lastly, Klikaktiv offers free training on legal frameworks for asylum in Serbia to other humanitarian workers, volunteers and activists.

Klikaktiv works with all displaced people in Serbia (including unaccompanied and separated children, women, disabled and elderly people and those who had fled Ukraine) but focuses on the double-marginalized group of migrants and those facing intersectional discrimination because of their country of origin, skin color, religion, ethnicity, gender, age, as well as overarching issues such as poverty, climate change or racism.



# Klikaktiv's work in 2022: Data

Where we work:



## Services provided to people on the move from:

**Afghanistan (24%), Syria (21%), Morocco (12%), Tunisia (10%)** as well as India, Iraq, Egypt, Turkey, Turkish Kurds, Algeria, Pakistan, Lebanon, Bangladesh, Iran, Ukraine, Russia, Burundi, Palestine, Syrian Kurds, Libya, Cuba, South Sudan and other (12%).<sup>3</sup>

<sup>3</sup> Note that the demographics represent the people that the Klikaktiv team met and provided services to in the informal settlements in the border area. The demographics might vary from the population of refugees and migrants accommodated in the official reception and asylum centers, as well as in the private accommodation throughout the country.

# 1. Context & Background, including developments in the legal framework at the EU, regional and national level

## Access to the Serbian territory and asylum procedure

According to the Frontex [data](#) the so-called Western Balkan route was the most active route to the EU in the previous year. In the first 11 months of 2022, more than 308.000 irregular entries were detected at the external borders of the European Union out of which 45% were detected on the Western Balkan route. Frontex also states that the Western Balkan region has registered the highest number of detections since the peak of the migration crisis in 2015.

When it comes to the Western Balkan route, Klikaktiv observed drastic changes in the migration trends. In the last quarter of 2022, around 80% of people on the move that Klikaktiv interviewed have entered Serbia from Bulgaria, unlike the first 9 months of the year when most people came from North Macedonia. People on the move report that if the Bulgarian police caught them near the Turkish border, they would immediately push them back to Turkish territory. However, if they are caught deeper into Bulgarian territory, Bulgarian police would beat them, steal their money and phones and push them forward to the Serbian border. Some of them tried to apply for asylum in Bulgaria, but they were denied this right.

According to the data available on the [website](#) of the Serbian Ministry of Interior, in 2022 police prevented a total of 66.099 illegal border crossings, which is 2,4 times more compared to the previous year. It is also stated that most of the illegal border crossing attempts (46.000 attempts) were prevented at the border with North Macedonia, which could be one of the reasons why the route was shifted toward Bulgaria in the last months of 2022. What is not stated on the website of the Ministry of Interior is under which conditions were these border crossing attempts prevented. Are they in fact illegal push-backs or were people returned under the readmission procedure? Were there any vulnerable groups, people in need of international protection, victims of human trafficking?

Unfortunately, people on the move were also not able to apply for asylum even deeper into the Serbian territory. Throughout the whole year 2022, most police stations in Vojvodina (region of Serbia north from the capital Belgrade) refused to register people as asylum seekers, regardless of their vulnerability. In August, a single mother with five underaged children wanted to apply for asylum in Serbia but they were denied this right. They were kicked out first from the police station in Kanjiza and then from the police station in Subotica, after the police officers refused to register the family as asylum seekers. This is only one of many examples that Klikaktiv's team recorded throughout the year.

According to the [data](#) of the Serbian Commissariat for Refugees and Migrations, from January until December 2022, a total of 124.127 people on the move were accommodated in the state camps. Most of the people on the move who were accommodated in the camps were from Afghanistan 36.13%, Syria 29.19%, Pakistan 11.89%, Morocco 7.92% and India 4.04%. Most of the people on the move who were residing in informal settlements and private accommodations, that Klikaktiv interacted with, are not part of this statistic so the number of people on the move who have been transiting through Serbia is much higher. It is also important to emphasize that the vast majority of people who were accommodated in state camps were not in asylum procedure and therefore were not able to exercise the rights of asylum seekers (right to residency, health care, education, work, etc.). In fact, only 3.4% of people who were accommodated in state camps were registered by the police as asylum seekers and only 0,3% actually applied for asylum. The main reason for these low numbers of asylum seekers is the fact that people are being misinformed about their status in Serbia



and the fact that police stations in the north of Serbia refuse to register people as asylum seekers.

The only aspect in which the asylum system was functioning during the previous year is the procedure of granting temporary protection for Ukrainian asylum seekers. Following the EU policies, the Serbian government also adopted the decree under which the temporary protection is granted to all Ukrainian citizens.

## Cooperation with EU agencies and aligning with EU migration policies in the area of voluntary returns and forced removals

In March 2022, the Serbian Government adopted a Resolution on the Program of Voluntary Return of Foreigners for the period from 2022 until 2025, since the previous program adopted for the period from 2019 until 2021 has expired. The EU representatives have emphasized the importance of voluntary return from the Western Balkan states on several occasions. According to the Resolution, voluntary return is accessible to asylum seekers who have withdrawn their asylum application or received an application rejection. Also, this procedure is available to foreigners who have received the Decision on Return issued by the Ministry of Interior, which is a first step in the forced removal procedure, regulated by the Law on Foreigners. Issuance of this decision is a common practice of the Ministry of Interior in the last years – instead of being informed about the possibility of applying for asylum and referring them to asylum procedure, the Ministry of Interior issues the Decision on Return according to which a person is given 7–30 days to voluntarily return to their country of origin or another country. If this deadline is not respected, the person can undergo the forced removal procedure. The Resolution authorizes the Commissariat for Refugees and Migrations (CRM) to conduct and assist in the procedure of voluntary return, with the cooperation of the International Organization for Migration (IOM) and other relevant international and non-governmental organizations, if necessary.

Joint Coordination Platform (JCP) Ministerial Return [Conference](#) in Vienna, which was held on 21st and 22nd of February, gave a significant preview in which direction the EU migration policies will head in the year 2022. At the invitation of the Austrian Minister of the Interior, the governments of 22 countries met at a conference in Vienna to discuss the situation of the Balkan refugee route with the aim of enhancing measures “against illegal migrations” and to conclude “return partnerships” with Western Balkan states. On the occasion, Oliver Varhelyi, the EU Commissioner for Neighborhood and Enlargement, announced on his Twitter profile that the EU will deploy 355 millions EUR in the following few years for the Western Balkan countries to fight illegal migrations. By the end of the year, more precisely in December 2022, the European Commission presented the [Action Plan on the Western Balkans](#) which focuses on the deportations to the countries of origin, additional authorities and involvement of Frontex and transit centers at the EU external border in which the EU could apply the “safe third country concept”. Klikaktiv published the [Statement](#) on the Action plan, listing more details of the planned activities and migration policies.

At the same time, at the beginning of 2022, Frontex announced a new joint operation “Terra 2022” at the EU’s external land borders. This operation takes place across 12 EU Member States (including Croatia, Hungary and Romania) with more than 450 standing corps officers who are supporting national authorities with border management. More on the Terra operation is available [here](#) and [here](#). At the same time, Frontex officers are also present on the Serbian territory, based on the agreement between the Serbian state and Frontex. It was also [announced](#) that in the near future Serbia will sign an “upgraded status agreement” with Frontex. Under the new legal framework, the status agreement will allow Frontex standing corps to be deployed in Serbia both at the EU borders and at the borders with the third countries and exercise the executive powers.

Besides agreements and cooperation with EU institutions on the issue of migration, Serbian authorities have established cooperation with individual Member states in the same area. [Draft](#) Law on ratification of the agreement on the strategic partnership with Hungary was submitted to the national parliament for adoption in November. The agreement stipulates that Serbia and Hungary will continue their joint efforts on combating illegal migrations and they will expand the application of the readmission agreement in the future. And in November, Serbian Minister of Interior had a [meeting](#) with the Romanian ambassador during which it was emphasized that the two countries have to increase their cooperation in “protecting the border” and fighting illegal migrations.

## Challenges and criminalization of migrations

Another important point that had marked 2022 in terms of the position of refugees and migrants had been mass shootings between the organized criminal groups of smugglers, with some of the incidents having fatal outcomes for several men. Some of the shootings happened in a local village, which sparked fear and protests from the local community, as well as xenophobic and anti-migrant and fake news in the mainstream media. The governmental response has been focused on police raids of the squats during which refugees and migrants had been unselectively detained and forcibly transferred to reception centers. Some of them reported physical violence, theft and destruction of personal belongings by the police officers during the raids. Besides violating refugees’ and human rights, these operations have led to impeded access to people on the move who had started hiding scattered in smaller groups in the northern area, and no specific perpetrators of the shootings had been targeted in the raids.



*Photo 1. One of the police raids in the informal settlements in the northern part of Serbia. Credits: Ministry of Interior, Republic of Serbia (November, 2022.)*

Also, many people on the move lost their lives throughout the previous year. Klikaktiv followed up on more cases of people drowning in river Drina (natural border between Serbia and Bosnia and Herzegovina) and on the Old mountain at the border with Bulgaria. Some of those cases are recorded in [4D database](#).



# Proposed changes of the Law on Asylum and Temporary Protection

In December 2022, Serbian Ministry of Interior (Moi) published a [program of the round table and public discussion on the new draft of the Law on changes of the Law on Asylum and Temporary Protection](#). Klikaktiv submitted to the Moi its comments and critics regarding the proposed changes.

This is the first proposed changes on the Serbian asylum legislation, since [the current Law on Asylum and Temporary Protection](#) was adopted back in 2018. Moi justified the proposed changes as another step in the process of joining the EU and further harmonization of national legislation with EU directives. Moi also emphasized that proposed changes will “influence on the increased national security and protection of national interests in case of large influx of asylum seekers who have left their countries solely for economic reasons”, which shows that Serbian government also plans to follow policies that present influx of refugees as a “threat” to national security and public interests.

Two positive changes have been proposed – asylum seekers will also have a right to preschool education and people with refugee status will be entitled to refugee passports. Current Law (as well as the Asylum Law from 2008) also states that refugees are entitled to refugee passports, but that the form of the passport will be further regulated by subsequent bylaw which should be adopted by the Minister of the Interior. **However, the Minister never adopted the required bylaw, which the Ministry of Interior used as an official excuse not to issue travel documents to refugees.** The current regulation resulted with the Ministry of Interior not issuing refugee passports at all. In the proposed changes, the form of the refugee passport is regulated in the text of the Law (with no additional bylaws required) which is a positive change and hopefully will lead to the Ministry of Interior finally issuing passports to refugees.

On the other side, there are several negative changes in the proposed draft of the Law. First, it is proposed that from the moment of police registration as asylum seekers until submitting an asylum application, asylum seekers will have very limited rights – only the right to accommodation, food and clothes. This is extremely problematic because asylum seekers don’t have any influence on the act of submitting asylum applications, since the Asylum Office is the one who schedules the appointment for submitting the asylum application through the form of an interview in the asylum camps. Additionally, the existing Law (as well as the proposed changes) don’t guarantee that asylum seekers will be informed about their rights upon registration in the language they understand, which leads to the situation that the majority of asylum seekers are unaware of their rights and obligations throughout the asylum process.

Further on, the proposed changes on the border procedure **do not guarantee the right to legal aid for asylum seekers who are being detained at the border.** According to the proposed changes, the border procedure can last up to 28 days, but lawyers and NGOs are referred to ask for the permission to access the border facilities (and asylum seekers who are being detained there) in a procedure that can last up to 30 days. Therefore, it is clear that an asylum seeker can already be deported before the lawyer is granted the permission to access the border and establish contact with the asylum seeker.

Klikaktiv also pointed out that in the proposed changes there is no wording on the naturalization of refugees, although the Geneva Convention proclaims the obligation of states to facilitate the assimilation and naturalization of refugees. As a reminder, **the Serbian state does not grant citizenship to refugees.** Klikaktiv is representing a first ever refugee who has applied for citizenship in 2019 and was rejected by the Ministry of Interior. The case is currently pending before the Administrative court.

# Southern borders' entry points:

## Monitoring the process of fence construction at Serbia's borders with North Macedonia and with Bulgaria

As a reminder, on April 20th, 2020, the Government and the President adopted a "Decree on the changes of the Decree regarding the measures during the state of emergency," **which allowed the government to expropriate private land near the border between Serbia and North Macedonia, as well as land near the border between Serbia and Bulgaria.** The decision was made while the country was in the state of emergency due to the COVID-19 pandemic, which included complete lockdown for locals and refugees. The reason stated in the Decree was *"to prevent the spread of the infectious disease COVID-19 caused by the SARS-CoV-2 virus, and especially the mass unauthorized crossing of the state border outside the border crossing point"*. Following the Decree, the Ministry of Finance adopted the Decision on occupying the land alongside the border, the locations listed in full in the decision. The full text is available [here](#) (in Serbian).

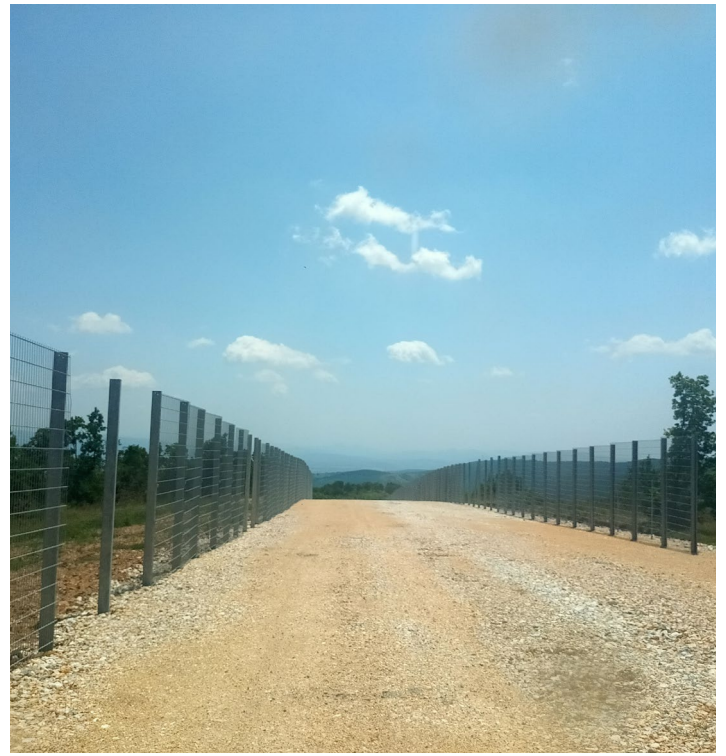
Since then, the Klikaktiv team has monitored the process of the fence construction at the two borders, through annual field visits to the area. The visits were also used to gather information on the general refugee situation at the entry points, focusing primarily on the topics of police violence and Frontex operations in the area.



*Map of the border fence construction process at the border between Serbia and North Macedonia, based on the Klikaktiv's field observations in June, 2022.*

**North Macedonia:** the construction of the fence on the border between Serbia and North Macedonia continues: between June 2021 and June 2022 a minimum of additional 10–15 km were built. The fence has three layers, one of which is made of barbed wire. Unfortunately, the fence has been notably increased, both in its length and size. The fence is approximately 3 to 4 meters high, and between the doubled fence there is a space for patrolling army and police vehicles. At the top of the fence, there is barbed wire. At the moment it is tens of kilometers long and is situated on the hills along the border. Due to the fence and increased presence of border police, including [Frontex](#) (European Border and Coast Guard Agency), some of the refugees have tried to enter Serbia via an alternative route – via Kosovo.





*Photos 2 and 3. The border fence between Serbia and North Macedonia (June, 2022).*

The public in Serbia are generally not knowledgeable about the process of the fence construction. Some of the local communities oppose the fence as it disrupts their daily life and work in the area.

**Bulgaria:** The Decree that predicted the fence construction on the border between Serbia and North Macedonia, also includes referrals to land expropriation on the border between Serbia and Bulgaria. Towards the end of 2022, the Klikaktiv team observed some indications that the fence construction might have been initiated at the Bulgarian border as well, yet no conclusive proof had been obtained yet. The local community remains uninformed about the potential fence in the area for the time being.

More detailed information on the process of fence construction as well as information on refugee activity in the area in general, Frontex presence and activities at the Serbian-Macedonian border can be found in the thematic report that Klikaktiv published on the subject which is available on our [website](#) and [here](#). The first report on the fence which describes the beginning of the construction and the process in June 2021 is also available on the website and [here](#).

## 2. Overview of squats at the EU external borders with Serbia and Klikaktiv's work

**What are squats?** Squats are self-organized informal settlements where people on the move gather for a period of time before they try to cross a border, or after they are pushed back from a EU member state. They are not official reception or asylum centers, which are run by the Serbian Commissariat for Refugees and Migration and where most of the governmental and NGO service providers are located. Squats are usually at locations such as: forests, fields, abandoned buildings (houses, factories, farms) or just a group of tents in the open. Some of the characteristic features of a squat are a lack of safety and privacy, a lack of basic facilities, no running water or electricity, etc.

The most common problems that people on the move in squats referred to remain: **safety risks and violence** (by smugglers and local police officers), broken limbs (due to police violence or jumping over the fence at the Serbian - Hungarian border), skin diseases (mostly scabies) and infections due to untreated skin conditions, lack of sanitary facilities and ways to maintain personal hygiene, no access to health care, social protection services (particularly for unaccompanied children and suspected victims of trafficking) and no access to safe drinking water. Refugee and migrant men, women and children spend on average from two weeks to up to four months in squats in such dire conditions.

Despite the hardships of sleeping rough, people on the move stay in the squats for several reasons: reported violence and unhygienic conditions in the official camps due to the overcrowdedness, as well as pressure from the smuggling groups.



Photos 4, 5 and 6. Examples of different kinds of squats in the border areas.



In 2022, the Klikaktiv team identified **31 squats**, a significant increase from 17 known squats in 2021. Each of the 31 squats accommodated on average 100 people on the move at all times: in some squats there can be **from 30 to up to 600 refugees and migrants**. People on the move in the squats tend to group themselves along the lines of nationality, both by location (so one can find a squat with just Afghan or just Syrian refugees) or within the same squat (such as an abandoned factory near Subotica, in the vicinity of border with Hungary where our team spoke with people on the move from: Morocco, Tunisia, Afghanistan, Pakistan, India, Syria, Iraq, Egypt and others).

**Where are the squats usually located?** The Klikaktiv team continued to cover the border areas between Serbia and EU member states (Croatia, Hungary and Romania), with additional monitoring trips to the border with Bosnia and Herzegovina. **Majority of people on the move still tried to continue their journey from Serbia through Hungary, and this is the border where the majority of squats were located.**

## Smugglers

In each of the squats there are persons suspected to be involved in smuggling networks, posing a safety risk for all refugees, especially those from vulnerable groups at risk of gender based violence and trafficking in human beings; and they might impede refugees' access to services offered by a few NGO and INGO who visit the squat.

Yet, in 2022 the organized criminal groups of smugglers grew even stronger. Klikaktiv obtained some information that the refugees and migrants who dared to try to cross a border without paying a smuggler were subjected to torture, with some of them being subjected to skinning their scalp. Those who did not have money to pay stayed in the squats sleeping rough and being stranded for months. Some of the people on the move that the Klikaktiv team had met in the field spoke openly about how they are forced to "work" for the smugglers in order to "pay off" their journey.

The second important point that had marked 2022 in terms of the position of refugees and migrants had been mass shootings between the organized criminal groups of smugglers, described in more detail under the section Context above. The shootings and following police raids had a particular effect on the NGOs access to squats and beneficiaries, as some of the squats were dismantled by the police and local authorities, and many refugees and migrants were distrustful, starting to hide scattered in smaller groups harder to reach for the police, but for the humanitarian workers as well.

More detailed description of each of the squats, including the newly identified will follow in the text below.

# HUNGARY

## Subotica

One of the largest squats in the northern area, both by its size and population accommodated there, is in an abandoned fruit factory called **"Vitaminka"** near the city of Subotica. The squat was firstly identified by the Klikaktiv team in April 2022 and it consists of several abandoned facilities where throughout the year there were between 100-400 refugees and migrants at all times, grouped by their countries of origin. Predominantly, the squat accommodated people on the move from Afghanistan, Morocco, Tunisia and Syria, including a higher percentage of women and children, including those traveling alone.



*Photos 7 and 8. Squat in Vitaminka, border with Hungary (November, 2022.)*

The squat had running water and electricity, until city authorities dismantled the squat in November 2022, following one of the bigger armed conflicts between the smuggling groups in the area. Refugees and migrants sleeping rough in Vitaminka stated that after the conflict in November, the Serbian police prevented them from going to Subotica city center, and that in the nearby grocery shop they were sold food and water for 30% prices higher than regular.

Generally, in the last three months of 2022, the majority of refugees and migrants in the squat stated they had been trying to continue their journey via Hungary, and not via Croatia presumably because the smugglers' networks are more developed on the Serbian - Hungarian border. All of those who had tried to enter Hungary reported being subjected to push backs and violence. A single mother from Tunisia traveling with her son (3) and a daughter (8) described to the team how the Hungarian border police officers searched her children<sup>4</sup>. Also, describing physical and psychological violence when he was pushed back, a young man from Syria stated that the Hungarian police officers urinated on him.

Two minor squats in the very city of Subotica, both located in the vicinity of **the train station** in the city's urban area, had accommodated a smaller number of people on the move mostly from Afghanistan, including young unaccompanied boys (10 - 14 years old) in the winter months of October, November and December 2022. The Klikaktiv team's attempts to refer the boys to social services and safe shelters were obstructed

<sup>4</sup> Klikaktiv shared her testimony in more details [here](#).



by the smugglers at the location. Majority of refugees and migrants the team spoke to complained about the treatment by the Serbian police who raided the squat both during the day and the night, ushering them out, using physical force and violence and sometimes destroying their personal belongings. They added there is not enough space for them at the nearby camp in Subotica and that they are not allowed in. Each of the persons the team spoke to reported being pushed back by the Hungarian police using physical violence.



*Photo 9. The squat at the train station in Subotica, border with Hungary (November, 2022.)*

One of the oldest and largest squats at the Serbian - Hungarian border, in the area of the Subotica city - **an abandoned farm in Horgoš**, was systematically raided and destroyed in the period October - December 2022, by the local police following several mass shootings in the area, presumably between organized criminal groups of smugglers.

This squat consists of several groups of smaller facilities, usually accommodating people from Afghanistan, Syria, Morocco, Tunisia and Kurdish people from Turkey. They are mostly divided in two major groups - the Afghan and the Arab one, and the two groups usually keep to themselves. All of them try to be in the parts of the squats furthest from the main road as it gives them more time to run away in case of a police raid.



*Photos 10, 11 and 12. The squat at an abandoned farm near the village of Horgoš, border with Hungary (October - December, 2022.)*

In December 2022, the complaints about the brutal treatment by the Serbian police during the raids particularly raised in numbers: refugees and migrants at the farm stated the police used physical violence during the raids, destroyed tents and cooking equipment, stole their money, phones and other personal belongings of value. They are subjected to the same treatment by the police when they try to access a local grocery shop. Those who had been pushed back from Hungary to Serbia had also reported being robbed by the Serbian police officers who they had met on the Serbian side of the border, upon return. Some of the refugees also stated some local men in civilian clothes came to the squat, threatened them at gunpoint and stole their belongings.

**The refugees from this squat who had entered Hungary reported seeing police from Germany, Austria and France (reported for the first time in winter 2022), before being pushed back to Serbia. Some of them reported that these policemen had also beaten them. The difference is it is not systematic as is the case with the Hungarian police, but depends on the specific officer.**

Close to the squat at the farm, in October 2022 the team identified a new squat located on the **train tracks in Horgoš**. The squat hosted on average 300 people on the move in the period October – December 2022, mostly from Syria, Morocco, Tunisia and India. In the winter months, there were also women and children at the squat. It consists of 3 – 4 dilapidated houses and more than 90 tents around them. There is electricity but the smugglers charge the refugees to access it. Also, there is running water at the squat but it is not safe for drinking. All of the people the team interviewed at the location reported being violently pushed back from Hungary.



*Photo 13. The squat near the train tracks in village Horgoš, border with Hungary (October, 2022.)*

## Sombor

Apart from Subotica, Sombor is the second city in the northern part of Serbia with several refugees' informal settlements in the area. In the period October – December 2022, there was a notable increase of the number of people on the move in the city's urban area too.

The largest settlement (squat) in the area is in **"Sunce"**, an abandoned sunflower oil factory in the Sombor's suburban area. In the period October – December 2022, it is estimated that there were 400 refugees and migrants in the squat at most times (including women and children), despite regular police raids and forced relocations from the area. Another trend in the reporting period were high tensions and frequent armed conflicts among the smugglers' groups in the squat, which sometimes escalated to mass fighting.





Photos 14 and 15. The squat in Sunce and making bread in one of the dilapidated buildings, border with Hungary, (October - December 2022.)

In mid-December 2022, the Klikaktiv team met a 12 year old unaccompanied boy from Syria, who had been sleeping rough at the squat in “Sunce” for two and a half months at the time. During that period, he hadn’t tried to cross the border as he had lost all his money up until that point and could not pay for smugglers to take him to a “game”. The team tried to motivate the boy to agree to be relocated to a safe house for unaccompanied children, yet his whereabouts were lost. His case is an example of a dangerous gap of access to social protection services for children in the border area, who are left on their own surrounded by smuggling groups, and at high risks of abuse and violence.

The second squat with a significant population of people on the move is located in the very front of the official reception center in Sombor’s neighborhood called **Šikara**. All of the people the Klikaktiv spoke to at this location stated that their reasons for sleeping rough in the tents at the field in front of the camp are bad hygienic conditions in the camp due to its overcrowdedness (not enough beds for everyone so some sleep on the floor or in the hallways, not enough food for everyone, no warm water, at times infectious skin diseases) and threats and violence at the hands of smugglers within the camp’s facilities. The refugees also stated that their tents, cooking facilities and other personal belongings are sometimes destroyed in allegedly joint raids of the local police and the SCRM staff, yet that many return shortly after the raids.



Photo 16. A squat in the form of a collection of tents in front of the official reception center in Sombor, near border with Hungary (September, 2022.)

**“I have come from Bulgaria to Sombor in these flip flops, I don’t have any shoes. I am here with my son, we are waiting for the money to continue our journey to Germany. My health is really bad, I hope I can make it there.”** (a man from Syria, cutting wood to start a fire, sleeping rough in a tent in front of the reception center in Sombor)



The last of the largest squats in the Sombor area is an abandoned facility of a former restaurant and motel called “Odiseja”, where in the winter period there was a lower number of people compared to the other squats. Yet, there were at times women and children in the secluded rooms, and access to them was tightly controlled by the smugglers at the location.



*Photo 17. A squat at an abandoned restaurant “Odiseja”, border with Hungary (September 2022.)*

## Srpski Krstur

The squat near the village of **Srpski Krstur** is located in the middle of a forest and people staying there are sleeping in tents. The squat is at the river bank of Tisa, which at one point is a natural border between Serbia and Hungary. Refugees and migrants at the squat stated they had been subjected to the systematic violence and intimidation by the Serbian police who raided the squat regularly: the violence allegedly included destruction of tents and other personal belongings and use of force during forced relocations.



*Photo 18. A squat in the form of a collection of tents in a forest in the village of Srpski Krstur, border with Hungary (2022.)*

In the period October – December 2022, despite the colder winter weather, there was still a high number of tents in the squat on each of the Klikaktiv’s team visits, with predominantly Tunisian people staying there (this was before the visa free regime<sup>5</sup> Serbia had with the country was abolished).

<sup>5</sup> Klikaktiv wrote a statement on the visa free regime issue available [here](#).



In November 2022, Klikaktiv met a woman from Tunisia traveling alone with her underage daughter. She had her leg broken while running away from the Hungarian police, after she had jumped over the fence at the Hungarian – Serbian border. She stated that after she had fallen down from the fence, the Hungarian police officers beat her with police sticks and pushed her back to Serbia. She added they did not provide her with access to medical aid, but she went to a private medical aid provider in Serbia and had her leg put in a cast. Since, she had been sleeping rough in the squat in Srpski Krstur and had further medical complications with the leg. At the moment the team met her, she was walking with grave difficulties and was not sure about her further plans, remaining in the squat with her daughter.

## CROATIA

Throughout the 2022, there was a lower number of attempts to cross the Croatian – Serbian border, fewer number of people on the move staying and the identified squats in the area, compared to 2021. During July – September 2022 there was noted an increase of people in the area, majority of whom unaccompanied boys from Afghanistan, closely controlled by smugglers in the squats. Yet, towards the winter a drop in the number of people on the move in the area was noted. Majority of them stated that they had tried to cross the Croatian border on foot and hiding in trucks. They did not disclose violence by the Croatian police during the push backs. The two largest squats in the area are near villages of **Batrovci** and **Kuzmin**, with several tents some of whom destroyed, potentially during police raids by the Serbian police.



Photo 19 and 20. The squat in Batrovci, border with Croatia (December, 2022).



# ROMANIA

Klikaktiv published the report *“Formalizing pushbacks – the use of readmission agreements in pushback operations at the Serbian-Romanian border”* which analyzes the practice of deporting refugees from Romania to Serbia based on the Readmission Agreement concluded in 2007 between the European Union and Serbia. **Of particular importance is the practice of the Romanian authorities deporting to Serbia asylum seekers who were previously deported to Romania from another EU Member state on the basis of the Dublin agreement.** The report is available on Klikaktivs [website](#) and on this [link](#).

When it comes to the general situation on this border in the last quarter of 2022, people on the move who tried to enter Romania did so at a specific point where the country borders both Serbia and Hungary, as their goal was not to go deeper into the Romanian territory, but just to bypass the barbed wire fence at the Hungarian – Serbian territory. Hence, not many refugees and migrants attempted to continue their journey via this route: for the majority of them it was still the Hungarian border regardless of the continuous police violence and humiliation.

Yet those who did try to cross the Serbian – Romanian border police in the period October – December 2022, stated the officers were not physically violent and just told them to return to the Serbian territory (still without due processing of their asylum claims). They also did not report any theft of personal belongings as was the case earlier in 2022. Majority of the men we had met at the Romanian border had previously tried to enter Hungary but were beaten and pushed back by the Hungarian police. Also, they stated they chose to sleep rough in squats near the Romanian border due to fear of organized criminal groups of smugglers who were present in all of the squats and official camps along the border with Hungary and extorted money from refugees and migrants accommodated there.



Photos 21 and 22. The squat at an abandoned milk factory in Majdan, border with Romania (December, 2022.)

People on the move near the Romanian border mostly gathered in the largest squat in the area, located in an abandoned milk factory in the village of **Majdan**. In the period October – December 2022, there were fewer people staying in the factory, compared to the period

July – September the same year when there were families, women and children sleeping rough in the squat too. People staying at the squat stated the local police and SCRM staff regularly visited the location yet did not interact further with them. Majority of the refugees the Klikaktiv team met in the squat during the winter 2022 were single men from Syria, who had all experienced violent push backs from Hungary, which included brutal beating and theft of personal belongings.

***“The Romanian police do not beat us as much as before, they just tell us to go back to Serbia. But as soon as we see them we know that the attempt to cross has failed, so we turn around by ourselves and start going back.”*** (a man from Syria in Majdan, November 2022)

## BOSNIA AND HERZEGOVINA

The route from Serbia to Bosnia and Herzegovina and onwards to Croatia tends to be more active over the summer months, as the crossing over the river Drina, which is a natural border between the two countries, is a very perilous journey. Yet, in 2022 there was no significant increase in the number of people on the move using this route, except from groups of men and women from Burundi, and occasionally from India. Before the visa free regime to these two countries was abolished, the Klikaktiv team noted indicators in the squats that some of these groups might be coming to the squats straight from the airport, which means they were not registered in the official SCRM-run camps.



*Photos 23 and 24. A squat in the city of Loznica, near Bosnia and Herzegovina (summer, 2022.)*

The two locations around which informal settlements of people on the move who try to enter Bosnia and Herzegovina from Serbia are mostly concentrated are towns **Loznica** and **Banja Koviljača**. These squats are abandoned facilities near the main bus station as well as a new squat in an abandoned paper factory firstly identified by the Klikaktiv team in October 2022. The new squat was more isolated from the local community than the previous ones and it was chosen as a hiding place as police are said to raid the locations nearer to the city centers every few days with the aim to make people on the move less visible in the public. This also renders them harder to reach by the humanitarian organizations and most of them are not informed about available services and how to access them, including the asylum procedure.



In December 2022, the Klikaktiv team spoke to a group of men from Afghanistan who stated they had been previously accommodated in the reception camp in Adaševci, which they left due to fear and threats from organized criminal groups of smugglers present in the camp. They stated the smugglers' threats were made including guns and that the smugglers even physically attacked them once. They attempted "a game" to Bosnia but were intercepted by the Bosnian police and pushed back to Serbia. They stated the Serbian police officers beat them after the return, and one of the men from the group stated he suffered a heavy blow in the head with a police stick. For the last three days since they had been pushed back, they had spent sleeping rough in the vicinity of the main bus station in Loznica. They were not sure about what their next steps would be, whether they would try to enter Bosnia again, but were adamant not to return to the official camps fearing the violence by smugglers there.

This is one of many examples of why people on the move choose to sleep rough in the informal settlements / squats regardless of poor physical conditions there. In the long term this makes them isolated from the local community, the social protection mechanisms and services available.

## BELGRADE



Photo 25. Refugees in downtown Belgrade (October, 2022.)

Regardless of the colder weather and occasional police raids, people on the move were still present in a few hotspots in the urban area of the capital: on average there were 150 refugees and migrants, as estimated by the Klikaktiv team during the weekly monitoring visits. As was the case in the third quartile of 2022 (July – September), towards the end of the year majority of people on the move met in the urban parts of Belgrade were from Afghanistan and had entered Serbia via Bulgaria. Reports of the physical and psychological violence committed at the hands of Bulgarian border police on the Bulgarian – Turkish border continued.

In addition to the majority of the new arrivals being from Afghanistan, we had met several groups from Arabic speaking countries, Kurdish families from Turkey, single men from India and Bangladesh, as well as men and women from Burundi. Some of the men and boys from Afghanistan we met stated they had left their country of origin 1 to 3 years ago, spending the time in Turkey working in the black market in poor working conditions and for low wages, trying to earn the money for smugglers and continue their journey.

At the end of 2022, One Stop Point Miksalište, a hub of several service providers including the field staff of [the Serbian Commissariat for Refugees and Migration \(SCRM\)](#) closed permanently. This means that the refugees and migrants in the capital have no access to the SCRM who is mandated for running all official asylum and reception centers (camps). This impedes access to accommodation for people on the move and provision of protection services to vulnerable groups (unaccompanied children, women and girls). Since the closure of Miksalište there are also no representatives of social protection institutions (social workers) in the area, mandated for child protection case management. Miksalište was established in 2015 as a community-led humanitarian response to the refugee crisis, and later served as a hub for several local and international humanitarian organizations, before being taken over by the SCRM.



### 3. Conclusion and Recommendations

Given all the trends described, it is safe to expect the migration policies and practices in the Balkan region will continue to focus on exclusion, isolation and criminalization of people on the move. In order to ensure a step towards safety, wellbeing and respect of human rights of people on the move, the Klikaktiv team points out following three points to be implemented by the relevant government authorities:

We call on the Ministry of Interior to stop indiscriminate detention of all refugees and migrants sleeping rough during police raids, and to focus on criminal investigation of perpetrators of mass shootings between organized criminal groups of smugglers.

People on the move should have effective access to asylum procedure in Serbia and access to protection by state authorities. They should be timely informed about their rights and obligations under the national laws.

The Ministry of Interior should adopt changes to the current legislation so that it starts issuing passports to people with refugee status. Also, the Ministry of Interior should start granting citizenship to people with refugee status, as it is obligated to do under the Geneva convention.



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