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NORTHERN SERBIA ADVOCACY REPORT

Observations and Trends in Pushbacks, Border
Violence, and Conditions in Northern Serbia



Photo by Romain Kosellek

PREPARED BY



Table of Contents

About the Authors	2
Introduction	3
Methodology	7
Trends in Border Violence	8
Trends in Serbia State Action	17
Conclusion	24

About the Authors

Medical Volunteers International

Medical Volunteers International (MVI) is a grassroots NGO based in Hamburg with projects across the Balkan route. We have been working in Northern Serbia since March 2022. We provide health education to people on the move, help with their medical needs and facilitate people's access to the Serbian healthcare system.

To connect with MVI in Northern Serbia, please contact advocacy-serbia@medical-volunteers.org.

Collective Aid

Collective Aid is a grassroots NGO committed to bring dignity and care to refugees and other displaced people across Europe. Our organisation currently works in Serbia, Bosnia and Herzegovina, and France facilitating showers, clothes & washing services, providing food, safe water, and essential material aid. We have been working in Northern Serbia since 2019 and have provided thousands of people seeking safety in Europe with countless amounts of vital material aid and hygiene solutions.

To connect with Collective Aid in Northern Serbia, please contact subotica@collectiveaidngo.org.

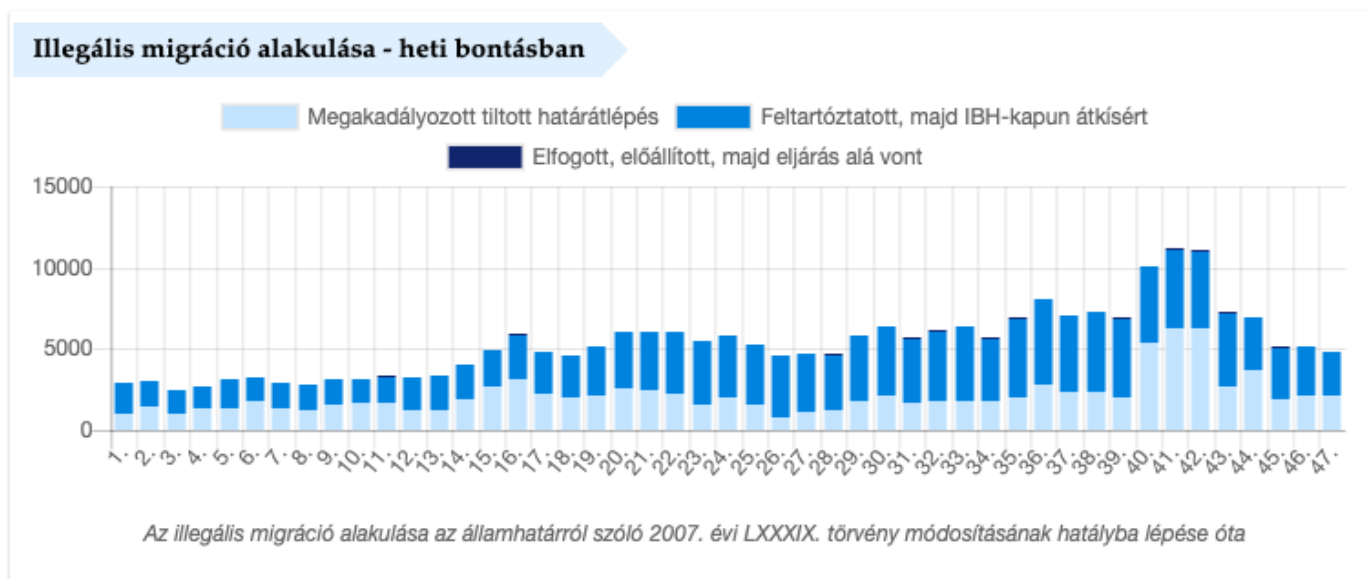
Introduction

This report is the first in a series of monthly reports to be produced by our network of grassroots organisations working along the Northern Serbian border with Hungary and Romania. As a transit country for people on the move, the consequences of illegal border practices of neighbouring states are visible in Serbia on a daily basis.

These reports are predominantly concerned with pushbacks and the human rights abuses associated with this practice, highlighting not only the violations but also the political framework which upholds them. Harmful border practices have been consistently applied against people on the move along the Western Balkan route, one of the main migratory networks to Europe, since the end of 2015. However, information about these practices is difficult to find and is consistently denied. These human rights violations, enacted by both the European Union (EU) member states and non-EU countries, are sparsely documented. It is this lack of information that needs to be addressed.

There has been a significant increase in the number of people on the move going through Serbia towards the European Union throughout 2022, as demonstrated by the Frontex and the Hungarian government's official numbers (see chart below). Frontex calculated a 168% increase in the number of people crossing through the Western Balkans from September 2021 to 2022.¹ The Hungarian government tracks the number of pushbacks from Hungary to Serbia. According to this set of data, approximately 11,000 people were pushed back from Hungary to Serbia per week throughout the month of October. The number of pushbacks decreased significantly in November to around 6,000 people per week. It is unclear what the reason behind this would be; the number of people on the move that we encountered throughout November did not decrease so significantly.

¹ Frontex



This public pronouncement of pushbacks ought to be surprising, given that collective expulsions are illegal under international law such as Article 4 Protocol 4 of European Court of Human Rights (ECHR) — prohibition of collective expulsion of aliens. However, Hungarian national law prescribes the automatic removal of unlawfully staying foreigners to the Serbian side of the border fence without identification, individualised procedure, formal decision or communication with the Serbian authorities.² What is not publicly admitted is the extent of the violence which is enacted against people on the move as they are pushed back from Hungary to Serbia (i.e., also from Romania to Serbia). The Schengen Borders Code stipulates that border guards shall, in the performance of their duties, fully respect human dignity.³ What we have observed can only be described as the antithesis of such a statement. The violence in pushbacks involves the use of batons, guns, sticks, pepper spray, tear gas, rubber bullets, tasers, racial and religious humiliation, forced-feeding, verbal abuse, detention, and refusal of water, food or medical treatment.

Not only is there no respect for basic human rights or access to the judicial system in the instant of a pushback, but existing legal remedies to these violations also serve next to no function in this current political climate. As the Hungarian Helsinki Committee (HHC) have concluded in their latest report, there is no governmental intent to implement judgments on

² S5(1) (b) of the State Borders Act

³ Schengen Borders Code, Article 6 (1)

asylum violations and border practices.⁴ This blatant disregard for upholding judgments protecting the human rights of individuals is only becoming more frequent and more bold from Hungary and other EU member states.

And yet, the EU as a whole continues to promote itself as a protector of human rights, most recently defending Croatia's entry into Schengen by arguing that this move would improve the protection of migrants' human rights at the EU's external borders.⁵ In fact, a range of member state authorities are present at the EU's external borders. Currently, there are Austrian and Czech forces at the Serbian-Hungarian border with 40 Slovakian police officers to be deployed next month.^{6,7} It is clear from testimonies that all of these EU forces are complicit in the harmful practices along the border despite it being very effectively hidden from mainstream media. As such, it is vital that we bring attention to the cruelty and violence that is being enacted. This form of monitoring and documentation takes a step toward holding the EU and state governments accountable for such harsh practices.

As organisations based in Serbia, we are confronted with human rights violations of people on the move by the Serbian government on a daily basis. These violations occur as people are in transit through Serbia, or after they have been pushed back from Hungary. Since 2015, Serbia has received 200 million euros in aid from the European Union for migration, with the latest figure being 37 million euros and an increase in the number of Frontex border forces for 2023.⁸ The ways in which this money translates into providing adequate facilities for people on the move is intentionally opaque. While there is a camp system with centres across the country, the reality in most of these centres include poor sanitation, insufficient food, and unreliable access to medical care. Furthermore, particularly since the end of November, there has been a significant increase in forced and often violent evictions of people on the move from informal settlements into camps all over Serbia. This includes the destruction and theft of their personal belongings.

This first report will introduce our observations on the current situation in Northern Serbia for people on the move. We intend to produce bi-monthly reports in order to

4

<https://helsinki.hu/en/wp-content/uploads/sites/2/2022/11/Implementing-judgments-in-the-field-of-asylum-and-migration-on-odd-days.pdf>

⁵ <https://www.euractiv.com/section/justice-home-affairs/news/croatia-must-enter-schengen-to-protect-migrants-rights-mep-says/>

⁶ <https://www.borderviolence.eu/bvmn-statement-on-czech-officers-involvement-in-fundamental-rights-violations/>

⁷ <https://www.schengenvisainfo.com/news/slovakia-sends-40-policemen-to-protect-Serbian-Hungarian-border/>

⁸ <https://rs.n1info.com/english/news/serbia-gets-eu-grant-to-help-with-migrations/>

ensure that the information that is shared remains up to date and accurate. Our organisations have recorded details and analysis regarding border violence practices from the last two months, increased internal violence in Serbia and the current climate for people on the move in Serbia regarding evictions, police violence, and increased limitations on their access to basic rights.

Methodology

Our methodology comprises several data collection approaches to obtain detailed and accurate information which inform the content of this report.

Border Violence Testimony Collection

Our organisations leverage close social contacts with people on the move to monitor pushbacks and violence at the Hungarian and Romanian borders. Our field volunteers are trained in violence reporting and testimony collection by the Border Violence Monitoring Network (BVMN). When individuals return with stories of violent pushbacks, one of the volunteers will collect their testimony and document any injuries they have. While many people experience violence during a pushback, we also document testimonies of non-violent pushbacks, as they are still illegal. There is a standardised questioning framework for the interview structure which blends hard data collection (e.g., dates, geo-locations, officer descriptions, photos of injuries / medical reports) with open narratives of the abuse.

Medical Conversations

We come into daily contact with a large number of people on the move, sometimes exceeding 120 patients per day. A member of the team will offer and explain to the patient that they can give a report about their experience. Speaking specifically about medical issues not only corroborates the border violence testimonies that are given but the number of medical concerns that we see far exceeds the number of testimonies taken which provides a more accurate sense of the extent of the violence being experienced in Northern Serbia.

Joint Organisational Observations

There are several humanitarian, legal, and advocacy organisations that monitor the conditions of people on the move across Northern Serbia such as Collective Aid, No Name Kitchen, and Medical Volunteers International, to name a few. These organisations meet on a regular basis to share and validate observations, trends, and incidents in the field which increases the number of data points in our analysis and enhances the accuracy of information provided in this report.

Secondary Resources

This report is also informed by secondary research across a variety of channels, including government statistics, non-governmental organisation databases, quarterly reports, and reporting from Serbian and European media outlets.

Trends in Border Violence

This section features a wider contextual overview of the Hungarian and Romanian border while providing a snapshot of the systematic pushback practices and police brutality through collected personal testimonies.

Hungary

The border between Hungary and Serbia is divided by two razor-wire fences which stand at 4 metres high and run over 175 kilometres (see photo below). Patrolled by armed



Hungarian border authorities 24-hours a day, the fences are fitted with thermal sensor cameras to alert border controls of any nearby activity. Recent testimonies have evidenced that sections of the fences can produce electric shocks when touched.⁹ Additionally, the borderline is often monitored by Hungarian helicopters and drones, both of which have been

observed by the teams present in the field.¹⁰ Persons crossing the fences are regularly met by unmarked Hungarian vehicles and authorities with indistinguishable uniforms and masked faces. Hungarian border officers are armed with guns, batons, and pepper spray and are frequently accompanied by police dogs which are used to intimidate and attack people on the move.

Analysis of testimonies collected in October and November further demonstrates the standardised and systematic nature of pushbacks at the Serbian-Hungarian border. Field teams have noted that once people on the move are observed by the border authorities, they are quickly apprehended, beaten, and searched. The apprehended groups are commonly

⁹ <https://www.borderviolence.eu/violence-reports/october-1-2022-0600-horgos-serbia/>

¹⁰ <https://www.borderviolence.eu/violence-reports/october-1-2022-0130-horgos-serbia/>

ordered to lie face-down on the ground while their bodies are searched and belongings destroyed or stolen. At the point of apprehension, people on the move have frequently reported being subjected to extreme acts of violence and torture (e.g., beatings). Individuals are then often transferred, either by foot or vehicle, to the transit zone at Röszke-Horgoš.¹¹ If taken to official buildings, they are subjected to a number of practices including, but not limited to, unlawful detention and having pictures, fingerprints, and personal information taken. Regardless of whether people on the move have been detained, apprehended individuals are pushed back into Serbian territory often through the border gates of Horgoš¹² and Kelebija.

Despite the hostility at the Serbian-Hungarian border, the inhumane border policies of Hungary are expected to increase. The Hungarian State Secretary, Bence Rétvári, announced on the 31st of October, “Hungary is increasing the height of its border fence so that Europe does not have to bring back internal border controls.”¹³ In addition to the potential height increase, Hungary also introduced the “Border Hunter” unit in Autumn 2022 which was created specifically to administer pushbacks and given the directive of ‘protecting the border’. The Hungarian authorities are supported in their activities by forces sent from other EU member states including Austria, Czech Republic, and Slovakia.

Romania

The Serbian-Romanian border has no physical border fence but is heavily monitored by border authorities. The surrounding areas are heavily patrolled by armed Romanian authorities every day of the week with intermittent assistance of helicopters, cameras, and drones. The nature of this mass surveillance effort is corroborated by testimonies from people on the move who are frequently told by border authorities that they were observed many kilometres prior to the point of apprehension.

As crossing into Hungary via Romania is a more circuitous path to many EU member states, this is a less common option for people on the move. Those taking this route often travel by foot and are required to walk for extensive periods of time. Because of this, combined with the flat and bare landscape of the bordering countries, many on the route are left exposed to the Romanian authorities. Once into Romanian territory, people on the move are frequently

¹¹ Coordinates: 46.1839, 20.015

¹² <https://goo.gl/maps/oWx2534b5UjeabLEA>

¹³ <https://www.schengenvisa.info.com/news/hungary-to-make-border-fence-with-serbia-higher/>

met by unmarked officers in vehicles who apprehend multiple groups at a time. After being apprehended, a very similar procedure to that at the Hungarian border is administered. However, people are pushed back from Romania to the official crossing at the Serbian town of Rabe.¹⁴

The frequency of apprehensions and pushbacks at the Romanian border is evidenced by the continuous recognition of one specific border officer. Multiple testimonies refer to one Romanian officer who is clearly identified by his earring, bald head, tattoos, and accompanying police dog.¹⁵ Those that encounter this officer report being brutally beaten and having their money and belongings stolen or destroyed. Despite there being clear evidence of a systematic routine being administered by this officer, the lack of accountability allows him to continue violating the law without fear of being held responsible.

Cases of Border Violence

The following testimonies have been collected by the authors of this report, all of which document recent pushbacks and are indicative of trends in abuses and torture used by Hungarian and Romanian authorities.

Psychological and Physical Violence at the Hungary Border¹⁶

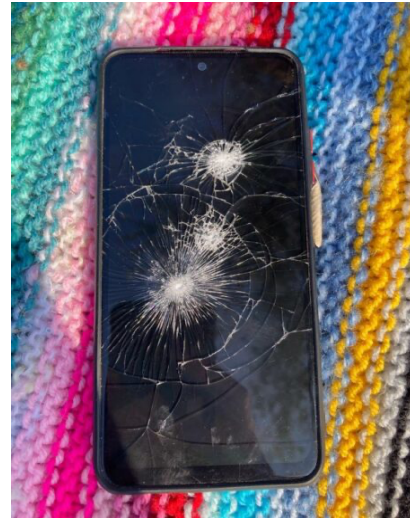
Recent testimonies have evidenced systematic torture tactics that are being administered at the Serbian-Hungarian border, all of which breach a number of international protection laws.

On the 10th of October, three Moroccan men crossed over the fence at the Hungarian border before being apprehended by four border officers. The men were made to lie face down on the ground while the officers kicked and beat the men in their ribs, head, and genitals, only stopping when the injured parties struggled to breathe. After searching their belongings and stealing their money, the officers smashed up each of the men's phones (see photos below). Following the discovery of one of the individual's Quran, the Hungarian officers tore out the pages and told the men, "no Muslims in Europe." The officers then returned the group to the official crossing at Horgoš, after taking their fingerprints and photos.

¹⁴ <https://goo.gl/maps/6vFxqwkHoDFhnCA6A>

¹⁵ <https://www.borderviolence.eu/violence-reports/october-14-2022-0730-near-the-serbian-village-of-rabe/>

¹⁶ https://www.borderviolence.eu/?post_type=report&p=21496&preview_id=21496&preview_nonce=305ad60f5d&preview=true (link to be publicly available shortly)



This psychological and physical torture is common practice and typical for a pushback by border authorities despite breaching Hungary's obligations as a party to the ECHR and the Charter of Fundamental Rights of the European Union (CFREU). Both Article 3 ECHR and Article 4 CFREU stipulate that no one shall be subject to inhumane or degrading treatment.¹⁷¹⁸ Furthermore, in the performance of their duty, border authorities must respect human dignity and cannot discriminate against persons on grounds of racial or ethnic origin, religion or belief.¹⁹ Despite these obligations, this testimony portrays a clear breach by the Hungarian authorities on the basis of acts of torture and direct religious and racial discrimination.

Unlawful Detention at the Hungary Border

People on the move are frequently being unlawfully detained in official and unofficial buildings throughout Hungary as part of a standard practice of illegal pushbacks.

On the 7th of October, two Syrian men were violently apprehended in Komárom, a Northern Hungarian town, while on their journey into Slovakia.²⁰ The men were taken to what they describe as an “unofficial police jail,” where they were refused access to a translator, legal assistance, and medical care despite one man having significant facial injuries. Eventually, the injured individual was taken to hospital on the advice of

¹⁷ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:C2012/326/02>

¹⁸ https://www.echr.coe.int/documents/convention_eng.pdf

¹⁹ Schengen Borders Code, Article 6 (1)

²⁰ <https://www.borderviolence.eu/violence-reports/october-7-2022-1727-kelebija-serbia/>

ambulance staff; however, he was immediately returned once treated. The individuals were detained for approximately 14 hours before they were pushed back into Serbian territory despite expressing their intention to claim asylum in Hungary during their detention.

The right to claim asylum is deeply entrenched in international law and obligates contracting states to respect expressed intentions.²¹ Furthermore, it is well established that an intention to claim asylum should be respected regardless of the manner in which it is expressed.²² The complete disregard for the two individuals' claim for asylum is therefore a fundamental breach of international law. In addition, breaches were and are frequently committed by denying individuals the right to a translator and legal assistance. Consequently, the lawfulness of their deprivation of liberty could not be challenged, contributing to the systematic lack of access to justice.

Stripped Searched at Romanian Border

There is a standard practice of inhumane and degrading treatment at the hands of the Romanian authorities when people on the move are apprehended at the border which includes, but is not limited to, both torture and theft.

On the 14th of October, a group of 11 Syrian men crossed the fields of Northern Serbia into Romanian territory.²³ Shortly afterwards, the group was apprehended by border authorities who had used a helicopter to discover them. The Romanian officers took the group out-of-sight into a vast pit where they were made to strip naked in order to be searched. While naked on the floor, the officers beat the men with batons and stole all of their belongings which included collectively €2600. Once they were allowed to re-dress, the men were forced to run in front of the officer's vehicle all the way back into Serbian territory where they were told by one of the officers before crossing, "If I see you here again, I will kill you."

Although not a party to the Schengen area, Romanian authorities are still subject to the treaty obligations under the ECHR and CFR. By returning the group to Serbian territory without

²¹ Charter of Fundamental Rights, Article 18

²² ECtHR, *M.A. and Others v Lithuania*, Application No 59793/17, Judgement of 11 December 2018, EDAL, available at: <http://bit.ly/2Zv7cJJ>, 109.

²³ <https://www.borderviolence.eu/violence-reports/october-14-2022-0730-near-the-serbian-village-of-rabe/>

completing individual assessments of their circumstances, the authorities breached their international obligations. Furthermore, the violence and torture which is administered by the Romanian authorities against the individuals further breaches Article 3 of the ECHR and Article 4 of the CFR. The prevalence and frequency of these breaches portrays an attitude from the border authorities which lacks a fear of accountability and responsibility, a presumption that no legal remedy is available to those persecuted.

Mobile Phone Hacking at the Romania Border

In recent months, there has been an increase in reports recalling the possible use of illegal mobile phone hacking techniques by Romanian border authorities to track the movement of those trying to cross the border.

A group of Syrian men were apprehended by the infamous Romanian border officer (noted in the above section) shortly after crossing the border.²⁴ The group of five people were dragged out of visibility where the officer stole €1200 from them and entered a code into all of their mobile phones in order to track them. Following this, the men were beaten with batons and kicked while lying face down on the floor. The Romanian officer became tired after one hour of beating them, after which he forced the men to walk back into Serbian territory. The group noted how they must destroy their mobile phones after such codes are inputted by the Romanian authorities.

The surveillance tactics of data collection at the borders enacted by European Union member states are in contravention to the EU Data Protection Regulation (EUDPR) and Article 8 of the ECHR.²⁵ Most research has gone into the issues of drone surveillance and photography.²⁶ However, the tracking of mobile phones, likely through copying the IMEI number of a phone rather than inputting a code, is certainly in breach of EUDPR. Reports of phone tracking in Northern Serbia have increased over the last few months along with the destruction of people's mobile devices. Another recent testimony recalled that in a pushback, the police were taking people's phones at random; some phones were broken, one was thrown from one police to

²⁴

<https://www.borderviolence.eu/violence-reports/october-14-2022-1000-around-road-dj682-located-at-the-crossing-point-of-the-hungary-romania-serbia-border/>

²⁵ Right to respect for private and family, home and correspondence

²⁶ <https://www.borderviolence.eu/submission-to-eu-commission-feedback-mechanism-on-data-protection/>

another who hit it back with his baton (i.e., like a baseball match), while others were placed in sealed packages and taken away.²⁷

Infringement on Every Individual's Right to Health

The refusal of medical care or support for people on the move is a systemic issue that is repeatedly reported in both formal testimonies and in general medical consultations. Regarding direct violence against people on the move at the Hungarian border, many report having been beaten with batons or guns to the point of severe injury; begging for a doctor, many are simply denied any access to healthcare.

In the past few months, it has become clear that people on the move are being pushed back directly from Hungarian hospitals to Serbia. This is an established practice wherein the police comes to the hospital after a patient has been treated in order to collect them and immediately drive them to the border. Reports of such conduct have become increasingly common.

On 20th September, KlikAktiv reported that a Moroccan man had his arm broken by Hungarian authorities after crossing the border fence. He was taken to the hospital near Szeged where he stayed for 12 days. He explained that he expressed the desire to seek asylum while still in the hospital. His query was ignored, and instead he was driven from the hospital with six other people with various broken limbs to the border fence at which point they were forced to walk through the gate to Serbia.²⁸

In October, a man in the Serbian city of Sombor explained how he had been repeatedly kicked in the ribs by Hungarian military officers which resulted in four broken ribs. Having pleaded with the soldiers, he was eventually taken to the hospital once the police arrived at the site where he and others had been apprehended. He was seen in the hospital and after treatment, the police were later called to collect him. He was not given his medical documents; instead, they were given to the police and he was driven to the border crossing near Sombor.²⁹

²⁷ <https://www.borderviolence.eu/violence-reports/october-26-2022-0200-horgos-serbia/>

²⁸ <https://klikaktiv.org/journal/violence-at-the-border-between-serbia-and-hungary-continues>

²⁹ <https://www.borderviolence.eu/violence-reports/october-12-2022-2200-sombor-serbia/>

Recently, we met some individuals who had been severely injured in a car crash in Hungary and then taken to various hospitals surrounding Szeged on 14th November.³⁰ Each situation was dealt with differently, however the overriding similarities were that each of these men (and one minor) were discharged from the hospital having had insufficient treatment, having been roughly handled by the medical staff and provided with minimal information regarding their injuries and what treatment had actually been given.

One man was discharged from the hospital two weeks after the accident, refused access to his documents and given no information regarding what emergency surgery he had. Instead, the documents were handed over to the police and he was driven to a border crossing. His mobility severely impaired due to a broken leg and fractured spine, he was left to find a taxi and make his way to one of the informal settlements around Sombor. Another victim of the accident was taken to hospital in Hungary and faced physical and verbal abuse from the medical staff. He was not sufficiently treated or given an x-ray. He was pushed back the following morning from the hospital. Two days later in Serbia he was taken to the hospital to discover he had five fractured ribs among other injuries which had been ignored in the Hungarian hospital.

The refusal to handover medical documents to the patient is an infringement of data protection rights and patient confidentiality, wherein no person other than the individual concerned should have access to such documentation. Another form of this infringement which we regularly see in hospitals in Serbia and have reports from Hungary is that patients are not given a copy of, nor are they allowed to even see, their x-rays.

Additionally, these instances are indeed individual but they are not exceptional. In fact, medical conversations and documentation (i.e., from those who were allowed to keep their medical records) reveal that a pattern is being followed. These pushbacks directly from the hospital are part and parcel of the existing structure of pushbacks from Hungary to Serbia which disregards how close to the border a person on the move is, how they were injured, and what intention they express (e.g., a desire to seek asylum or access to a lawyer). Even after multiple days spent in a hospital bed in Hungary with injuries inflicted by Hungarian border police or military officials, there is no access to legal remedies and often no access to documentation that would prove the

³⁰

<https://szeged365.hu/2022/11/15/oriasi-tomegbaleset-volt-szegedtol-40-km-re-migransok-csapodtak-farakasba-tucatnyi-serult-van/>

individual had been in the hospital. There are many infringements of human rights wrapped up in these situations relating to both the lack of sufficient medical treatment and the pushback itself. Both issues are an infringement on an individual's right to health. The most pertinent infringement is that each individual's right to health under international treaties prescribes the freedom of non-discrimination.³¹

³¹ International Covenant on Economic, Social and Cultural Rights (art. 2(2))

Trends in Serbia State Action

Camp Inadequacies

In Serbia, reception centres (also known as “transit centres”) are managed by the Serbian Commissariat for Refugees and Migration (Commissariat). As of November 2022, there are currently ten active reception centres across the country with three based in the Northern Serbian cities of Sombor, Subotica, and Kikinda on the Hungarian and Romanian borders.³² The construction and ongoing operations of these facilities are funded through Serbia’s national budget, EU Pre-Accession Funds (IPA), and various UN and EU agencies (e.g., UNHCR).³³

According to the vision statement of the Commissariat, reception centres are intended to provide adequate accommodation and basic living conditions for people on the move. People should be able to access rooms for sleeping, kitchen units, sanitary blocks (e.g., toilets, showers, laundry) and medical services once they register with the Commissariat and receive a Camp Identification document (“Camp ID”). However, ongoing overcapacity at certain camps has made access to Serbian-Hungarians and essential services for people on the move extremely difficult.

According to UNHCR’s latest report, the total capacity of reception centres in Serbia is 7240.³⁴ However, the occupancy rate is not evenly distributed across centres as many people on the move prefer centres (e.g., Subotica and Sombor) close to the Hungary border. Between July and September, official data indicates the monthly occupancy rates were consistently above 160% for Sombor and 230% for Subotica.³⁵

³² <https://reliefweb.int/report/serbia/serbia-statistical-snapshot-october-2022>

³³

<https://kirs.gov.rs/media/uploads/Fact%20Sheet%20of%20the%20Commissariat%20for%20Refuges%20and%20Migration%20of%20the%20Republic%20of%20Serbia.pdf>

³⁴ <https://data.unhcr.org/en/documents/details/89400>

³⁵ Ibid.

Sombor Capacity: 520

Occupancy:

	Occupancy	Occupancy Rate
July	840	162%
August	977	189%
September	768	148%

Subotica Capacity: 170

Occupancy:

	Occupancy	Occupancy Rate
July	391	230%
August	448	264%
September	431	254%

Field observations from grassroots organisations continue to validate this trend of extreme overcrowding in October and partially in November, prior to police evictions at these centres which forcefully reallocated large groups of people to other reception facilities with more capacity. In November, our teams observed that over 400 people often lived in and around the Subotica reception centre in informal settlements prior to evictions, mostly without access to Camp ID for accommodation or essential services. **Due to extreme overcrowding in and around the reception centres, many people on the move have reported unethical practices conducted by the Commissariat, undignified living conditions, and high barriers to access reception centre services.**

First, people are often denied the opportunity to register for Camp ID at reception centres. Since the beginning of 2022, the Commissariat and reception centres in Northern Serbia have faced increasing pressure to accommodate the large influx of people on the move. The Commissariat has turned to deterrence tactics that create unnecessary barriers to apply for certifications. For example, registration offices within centres are open for only 3-4 hours each

day and many people on the move report that only 10-20 certifications are granted daily despite blatant demand for accommodation and services promised by the Serbian authorities and Commissariat. It is common for people to live around the reception centre for weeks without the opportunity to apply for proper certification and access essential services for survival. At Sombor reception centre, grassroots organisations have collected multiple accounts of exploitative methods from the Commissariat to determine who receives certification. Multiple people on the move claim that it is common for those who want to access reception centre services to provide labour for the Commissariat in return for a Camp ID. While not confirmed, our field teams have heard anecdotes of people being asked to “work” for three or more days at the reception centre without pay, supporting staff with cleaning and other maintenance or administrative duties, to increase chances of receiving certification. Nonetheless, those who receive Camp IDs through this method still remain a very small percentage of people who require essential services from the government.

Second, the inability to access Camp ID for the majority of people on the move leaves many in inhumane living conditions and sometimes life threatening situations.

Given limited accommodation at reception centres, informal settlements of more than 300 people have sprung up around the gates of Sombor and Subotica reception centres. While some groups have access to a mix of tents, tarps, and sleeping bags to create their makeshift accommodation, many lack access to these goods and are sometimes forced to sleep in the



open. In November, our teams observed several instances of people on the move living on pieces of cardboard in under five degrees celsius weather conditions (see photo above), posing both security and health risks (e.g., hypothermia) to many vulnerable individuals.

For the minority who have received Camp ID, many find conditions within reception centres uninhabitable. Our teams frequently hear about poor hygiene in sleeping quarters, toilets, and showers. Beds are ridden with insects, resulting in rashes and other skin conditions (e.g., scabies).

Access to healthcare is also an arduous, and often impossible, process. In Serbia, the right to health for people on the move is provided through the reception centres. In theory, these centres ought to provide secure access to emergency healthcare for people on the move — fulfilling Serbia's international obligation. Many people on the move cannot obtain Camp ID to access healthcare at all. After the eviction of Subotica camp on the 11th of November, a person on the move was clearly told that since the eviction, there was no chance of him being registered for any of these essential services in the near future. The consequence of this must be made clear - this is a refusal to allow individuals to access the healthcare system that is available to them - a decision given with no explanation or resolution.

Doctors in Subotica and Sombor reception centres have entirely arbitrary working hours or outright refuse to see some patients. Repeated reports of consultations with a camp doctor state that the doctor was not listening, and either refused to write a prescription or a referral letter to hospital. This comes up frequently for people who have suspected bone fractures and are in need of an x-ray but are not referred to the hospital by the camp doctor but instead sent away with some cream.

Within hospitals and clinics themselves, discrimination against people on the move is common. Individuals are often refused from clinics and sent on a tour of medical facilities, with arbitrary excuses being put forward for not examining the patient. This discrimination often manifests in the handling of patients. Many of these instances have been witnessed by our team. This includes a lack of care shown when removing bandages, which seems to be done with the intention of causing pain or outright verbal abuse such as an incident wherein a patient was shouted at by the doctor that all migrants should leave Serbia.

Ongoing Evictions

There has been a rising number of evictions of official camps' surroundings and other informal settlements around Northern Serbia. These actions come not only as a measure to address overcrowding at camp facilities, but also as a way for authorities to demonstrate to the Serbian public and other international stakeholders (e.g., the EU member states) that the Serbian government is effectively managing the rapidly increasing number of people on the move at the Hungary and Romania borders. Despite the frequency of evictions, these state efforts often prove to be futile in managing migration but instead exacerbate unnecessary

suffering for people on the move. Most sites are re-inhabited within 48 hours of evictions as individuals have no other viable accommodation; however, most return in worse condition as police confiscate and destroy belongings that are essential for survival (e.g., warm clothes, shoes, phones).

Our teams have observed frequent evictions around Sombor and Subotica camps in November; grassroot organisations have documented that Serbian authorities evicted the surroundings of Sombor camp at least five times this month and of Subotica camp at least three times. These evictions often involve police deploying violent tactics against people on the move, including the use of physical force to gather people onto buses and destruction of people's personal belongings (e.g., tents). Most are forcefully reallocated to other camps in distant locations at least three or more hours away by car from Northern Serbia.

Evictions are not only commonly experienced by individuals living in and around camps, but also by those living in unofficial settlements. This month, we've seen an increase in these police actions across various squats in which individuals are taken to camps across Serbia against their will. While routine evictions are often defined by aggressive searching and shuffling of people on the move onto buses, withholding information of transport destination until arrival, and destruction of personal property at the eviction site, we also observe more violent evictions that involve purposeless and cruel harassment, abuse, and humiliation of people on the move by Serbian authorities. An example of this occurred recently around Tavankut, an area near Subotica. Generally between 15 and 50 people survive in this part of the forest with self-made tents to wait for the next opportunity to cross into EU territory. These individuals, who have already been deprived of proper shelter and access to essential services, were subjected to a violent eviction on the 9th November by the Serbian police. At night, at least 3 police vehicles arrived at the settlement and destroyed people's possessions and makeshift shelters. The few tents and tarps were cut up with knives, the few valuables (e.g., phones) were destroyed, food was stolen, and water tanks — the only source of drinking water for this population — were confiscated. The police also violently beat all the people on the move according to their own testimonies and the marks on their bodies (see photos below). After the eviction, people on the move had no choice but to pick up their remaining belongings and find a place to sleep. In our conversations, one person said, "the worst thing is that I will freeze...I mean, I'm always cold, but today it's going to be bad."³⁶ One of these settlements in Tavankut

³⁶ <https://www.nonamekitchen.org/evictions-externalization-of-eu-borders-and-criminalization-of-migration-everyday-life-in-serbia/>

remains completely empty since the eviction, whilst in another location around 10 or 12 people have returned in the last weeks.



Shooting at Horgoš and Subsequent Evictions

An incident in Horgoš on the 24th of November has prompted a large-scale response by the authorities, which led to the biggest wave of evictions our teams have seen in the last months. A confrontation between members from informal networks that facilitate border crossings escalated into a shootout with automatic weapons that took place in Horgoš town centre at 18:00.³⁷ One person on the move was shot in the chest twice while six others were left injured. In the immediate aftermath several people suspected to have been involved in the incident have been detained. Unlike many previous confrontations between informal networks, which have taken place close to the border and at night, this incident was highly visible as it took place in town centre and in the afternoon. The subsequent international attention and public concern from the local population prompted a strong and militant response from the authorities. Unfortunately, their response has been focussed less on obtaining the ones responsible for the incident, and more on targeting the population of people on the move in the north as a whole.

By the 27th of November, the Serbian authorities had completely demolished and evicted two of the largest informal settlements in Horgoš.³⁸ Tents, sleeping bags, stoves, and other essentials were destroyed while people on the move at these sites (e.g., we estimate more than 600 people based on the population our team was working with at the time of the eviction) were

³⁷ <https://www.danas.rs/vesti/drustvo/naoruzani-ljudi-u-centru-horgosa-mestani-prijavili-pucnjavu/>

³⁸ <https://pannonrtv.com/rovatok/vesti-na-srpskom/nova-akcija-policije-u-horgosu>

forcefully taken to government camps located near the Serbian-North Macedonian border, most notably Preševo. Those who attempted to escape the eviction were caught and beaten. Additionally, Serbian authorities are restricting movement of these individuals by not allowing them to leave the camp or forbidding their use of public transport lines across Serbia unless they are travelling towards camps with Camp IDs.³⁹ This is a major violation of human rights and also undermines the nature of Serbian camps as they are meant to be “open” facilities that allow individuals to freely exit. Nonetheless there is a lack of public criticism and accountability for the violations carried out by Serbian authorities. As such, our teams expect to see increased harassment of people on the move in the coming months by the police.

Ultimately, Serbian government response and media coverage of this event is further contributing to the criminalisation of people on the move. The Serbian state and public fail to distinguish between the minority of individuals who are responsible for criminal acts and the majority of people on the move who are searching for safety and stability in EU states. The latter group of people experience abuse from both the informal networks and Serbian authorities every day. Unfortunately, these abuses are often met without consequences as there is a severe lack of protection pathways and accountability frameworks that can safeguard vulnerable individuals in the country.

While we sympathise with the concerns of the Horgoš residents in the wake of the shooting, these incidents occur as a result of systemic failures from the EU and Serbian government. If there were safer pathways to seek asylum in the EU and functional camp facilities to host people on the move in Serbia, people would not be forced to turn to illegal options. The lack of access creates a demand for informal networks that profit from facilitating illegal border crossings. The illegal activity is a result of the EU and other state governments lack of support to asylum seekers and people on the move.

³⁹ <https://www.facebook.com/100055278774029/posts/631545055364781/?flike=scwspnss&mibextid=3ihFUia7LCwXZstZ>

Conclusion

This autumn the limitations, violations and controls directed at people on the move in northern Serbia have worsened. These have come as a direct consequence of European-wide political will, Serbian cooperation, and a strong local reaction to the outbreak of violence in Horgoš.

Violence against people on the move on the Hungarian side of the border has increased. Our testimonies provide first hand accounts of the harmful practices used in pushbacks. Further, the Hungarians enlisted over 500 ‘Border Hunters’ in September alone,⁴⁰ accepted more police support from Slovakia and set up plans to increase the height of the border fence by 2m. These developments have already and will lead to (more) violence, injuries and illegal pushbacks. The EU has promised more money to the Serbian government to control migration and to increase Frontex forces to prevent people transiting through Serbia in 2023. Serbia agreed to align their visa regime with the EU⁴¹ to limit migration and signed a memorandum of understanding with Hungary and Austria on 16th November to ‘curb illegal migration’ through further pushbacks.⁴²

All of these decisions point towards greater control and criminalisation of people on the move. Politicians and mainstream media focus on human-traffickers, violence, and abuse of the asylum-system. On the other hand, there is minimal attention placed on the systemic use of border violence against people on the move at the EU external border; there is no accountability for state involvement in these practices; and no political discussion about providing safer alternatives.

This report has presented our direct observations from October and November of the systematic mistreatment of people on the move and how this is reflected in higher political decisions. We will continue to monitor harmful border practices and local discrimination in order to counter the dominant narrative which demonises these people and obscures the reality of their situation.

⁴⁰ <https://hungarytoday.hu/applying-to-become-a-border-hunter-is-very-popular-among-hungarians/>

⁴¹ <https://www.facebook.com/photo/?fbid=406449908366160&set=a.385886680422483>

⁴² <https://www.aa.com.tr/en/europe/serbia-hungary-austria-agree-to-step-up-efforts-against-illegal-migration/2740508>