Task Force: Advocating a human rights approach to Migration/Refugees

***National Context Fiche***

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1. **State of play on migration/asylum**

Serbia as an official candidate for EU membership fallows EU policies regarding migration. Law on asylum which is document that covers rights of different types of migrants is in compliance with similar laws in EU countries. During last migration crisis Serbia was the transit country. According to data provided by Frontex, more than 700,000 migrants have passed through Serbia in 2015. Migrants stayed for a couple of days before they continued their journey to western European countries. After Hungary and then Croatia closed their borders for migrants, majority of those who were stranded in country asked for asylum. Before borders were closed government was more transparent when it comes to number of migrants who are settled in Serbia, what kind of help they are getting and how many asylum seekers there is.

1. **Policy responses**

Serbian Law on asylum is in line with EU standards. Law clearly states what are rights of persons who got temporary protection, refugee status or subsidiary protection. Law on asylum doesn’t recognize persons in transit, so migrants who are located on the territory of Serbia have to ask for asylum in order get protection. So even though law doesn’t recognize persons in transit, government of Serbia allowed migrants to past through its territory. Asylum procedure can sometimes last for as much as two years and on the end a small number of people get asylum. Majority of asylum seekers don’t want to stay in Serbia. They just asked for asylum because borders are closed and because they fear that they will be deported. Usually they will stay couple of weeks in asylum centre, take rest and wait for weather to improve before they try to illegally cross the border. Because of those departures, number of residents in asylum centres varies between 50 and 200.

Irregular migrants found on territory of Serbia face possibility of deportation.

1. **General civil society response**

Civil society in Serbia played a major role in providing support for migrants. Different types of organizations are involved in this issue. Some of them are present on the field providing food, medical assistance etc, while others analyse laws and give policy recommendations to government and local authorities. Depending on type of organization they provided food, water, clothes, legal advices and information’s, medical assistance and transportation from borders to transfer and asylum centres.

1. **How your organization and EAPN is responding/working with the issues.**

SeConS was involved in number of policy research with task to recommend policy changes in laws which are related to migrants. This year we worked with UNCT Serbia on assessment report for Government of Serbia. Aim of that report was to strength the cooperation framework for the Government of Serbia’s further assessment of SDG targets in respect to national migration policy development and EU integration agenda. Other members of EAPN Serbia are also involved in migration issues. From those organizations the most widely recognized is Group 484. They provided humanitarian, psychosocial, legal and informative assistance to refugees.