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The Permanent Mission of the Republic of Serbia to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honor to enclose herewith the response from the Government of the Republic of Serbia, Commissariat for Refugees and Migration, to the call for inputs for the preparation of the report by the Secretary-General on “Human Rights of Migrants”.

The Permanent Mission of the Republic of Serbia to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 16 May 2023

Office of the High Commissioner for Human Rights
Palais de Nations, 1202 G E N E V A

The Republic of Serbia is committed to protect human rights and fundamental freedoms to migrant population. The proof is treatment of huge number of migrants transiting through its territory in last decade. In the text below are some examples of good practice that is regularly implemented toward migrants in irregular position in the Republic of Serbia.

Prevention of abuse in reception system

In order to prevent abuse and exploitation in reception system, the Serbian Commissariat for Refugees and Migration, state authority responsible for reception of asylum seekers and migrants and urgent accommodation of vulnerable migrants in irregular position, in cooperation with UNICEF developed system for safeguarding of beneficiaries, with the focus on preventing exploitation and abuse. The set of measures are foreseen, including regular risk analysis, precising duties and responsibilities of employees in the context of prevention of abuse, developed training curriculum, and delivered trainings both for Commissariat staff and for third parties staff entering centers due any reasons (catering service, maintenance, implementing different leisure activities, etc.). Special emphasis was given to the filing complaints, internal monitoring and reporting. In addition, practical tool, Overview of the measures for safeguarding beneficiaries with the focus on preventing exploitation and abuse was published.

Complaint mechanism in each center is two folded. There is visible box for the complaint notes in center with visible e-mail address of the central office dedicated to the beneficiary complains. In parallel, appropriate info material is shared among migrants (leaflets and posters) with information on possibility to file complaint in front of national or province Ombudsperson.

In five-year period, 119 complaints were filed. The majority was related to catering service and accommodation conditions, but there were eleven on security problems with other migrants in the center, eight on staff behavior and performance and two on pushbacks from neighboring countries. Each complaint was proceeded and adequate measures were undertaken.

Urgent shelter and provision of basic service for all migrants

Along with the increase of migrant flows along the so called Western Balkan migration route, Republic of Serbia established system of support for all migrants in vulnerable position regardless of their migratory status, reasons for migration, way of entry into the country or personal documentation. All persons in need for urgent support could receive shelter and basic services including food, health and social protection, translation and what is most important accurate and credible information in one of reception centers run by the Commissariat for Refugees and Migration. Key consideration in all reception centers is identification of persons with special protection needs (i.e. minors, unaccompanied minors, single parents, victims of torture, victims of gender-based violence, potential victims of trafficking, disabled and persons with serious physical or mental condition) and immediate referral to competent authority or institution in order to provide protection and support.

Adequate information on possibility to seek asylum, assisted voluntary return programs or regularize residence in Serbia are provided by reception officers and NGOs working in governmental reception facilities. In addition, presence of UNHCR and IOM is regular in all centers.

Best interest of the child

Apart to the general legal framework, special guarantees for minors and unaccompanied minors are established by the Law on Asylum and Temporary Protection. Commissariat for Refugees and Migration, in its everyday work, applies all provisions relevant to the children in the same manner both for the children in asylum procedure and those in irregular migratory status. The law mandates special care and obligatory appointment of guardian for unaccompanied minors and children. Therefore, the identification of special needs is a continuous process, from admission to the center throughout the whole stay. Standard Operating Procedures (SOP) for dealing with unaccompanied minor migrants are applied in all asylum and reception centers.

In the context of reception conditions, same standards are provided both for children in regular and irregular status. This includes appropriate accommodation standards where special attention is given to safety and family unity, food adjusted to their age, health protection and immunization, obligatory enrolment in primary school system, as well as other measures within social protection system such is counseling, protection against domestic violence, representation etc.

Coordination with international organizations

In addition to the compliance to provide unimpeded access to UNHCR to all places where persons in need (or may be in need) for international protection are accommodated, there is established practice to organize structured coordination with lead UN agencies in different sectors during the emergency or otherwise imposed crisis situation. In addition to the compliance with obligation to provide unimpeded access to UNHCR to all places where persons in need (or may be in need) for international protection are accommodated, there is established practice to organize structured coordination with lead UN agencies in different sectors during the emergency or otherwise imposed crisis situation. With increased migratory pressure to Serbian territory coordination forums were established and co-chaired by responsible national institutions and relevant UN agencies. The main coordination was established for: protection with UNHCR, shelter with IOM, child protection with UNICEF, gender with UNFPA, mental health with WHO and community resilience with UNDP. Such approach enables more effective response to crisis situation, more efficient use of limited resources and more sustainable solutions. Gain knowledge and experience in such model is additional value, as well as greater participation of different actors.

Informal Aid Points

Since the beginning of the migration crisis along the Western Balkan route in 2015, the provision of accurate information to all migrants, especially those in informal makeshift camps near the border or at other migrant gathering points, has been identified as of utmost importance for the safety and protection of people on the move. Because of this, Commissariat for Refugees and Migration is present in such locations in cooperation with international organizations, NGOs or by its own. In direct contact with migrants, the Commissariat's staff provide relevant information on the possibility to seek asylum, apply for the voluntary return program or receive emergency support. What is even more important, such practice enables identification of migrants in a particularly vulnerable position and their referral to the competent service.