

**Joint Visit of AOM Mission in Immigration and Asylum Centres in FYROM  
with the Aim of Assessing the Improvement of the Legal Protection System  
Relating to Asylum**

**14 mars 2017**

**Background information**

The aim of this visit was to identify the developments and the conditions in the Asylum Seekers and Refugee Centres in Tabanovce and Vizbegovo. The focus was to the right of asylum and formal/informal return of immigrants/refugees. Particular attention was paid to the access of asylum, the issue of non-refoulement and the protection of vulnerable groups: unaccompanied minors, women and elderly persons.

During 2015-2016 migration crisis, FYROM was part of the so-called “Balkan Route” and was face with difficulties handling thousands of refugees and illegal immigrants.

The Mediterranean region has faced mixed migratory flows and asylum seekers fleeing war as well as economic migrants, victims of trafficking and unaccompanied children. The presence of categories of vulnerable persons requires specific protection which obliges Ombudsmen and Ombudsmen institutions in all countries to work with their governments to better address the challenges of identifying and protecting these individuals.

The aim of AOM is to strengthen partnership among members of the organization who are countries of origin, transit and destination of this migratory flux. Partnerships multiply the effectiveness and impact of the various planned activities by sharing expertise, enhancing resources and increasing political awareness of the crisis.

Gathering accurate and up-to-date information on the ground is key to being able to jointly identify critical areas and plan effective joined interventions.

According to FYROM NPM information, the main concern was the treatment of persons intercepted in the territory of FYROM and placed in temporary transit centres. It was found that these people were staying for a longer period of time with no legal status or being able to move freely at the same time. The treatment of these persons was different depending on which transit centre they were placed in.

#### **Visiting team:**

- ***Igli Totozani*** – *President of AOM, Ombudsman of Albania*
- ***Charlotte Clavreul*** - *AOM Secretariat general*
- ***Alfred Kocobashi*** - *Head on duty of Albanian NPM*
- ***Slavica Dimitrievska*** –*State Counselor of FYROM Ombudsman*
- ***Snezana Teodosieska-Jordanoska*** – *State Counselor*
- ***Irina Aceska*** - *Legal officer at the Macedonian NPM Unit*
- ***Martin Duvnjak***- *Legal officer at the Macedonian NPM Unit*
- ***Aleksandar Trenkoski***- *Legal officer at the Macedonian NPM Unit*
- ***Milton Nushi*** – *Advisor, member of Cabinet, Ombudsman of Albania*

#### **Visit to transit centre of refugees in Tabanovce**

This centre is situated on the border between FYROM and Serbia. Tabanovce refugee-camp is located around 10 kilometers from the town of Kumanovo, on the Serbian border, by the village of Tabanovce. The official number of persons in the camp is considered to be around 60, of which almost half are children, but on top of that there is a constantly evolving number of migrants staying in outskirts of the camp who, depending on day, are or are not allowed to enter the camp to receive food and other humanitarian aid. The

majority of the people in the camp are from Syria, Afghanistan and Iraq. Lots of them are families, but there are also some unaccompanied minors. Alongside LEGIS, many other NGOs work in the camp daily (Red Cross, UNHCR, UNICEF, MYLA, IOM, Helsinki Committee, La Strada...). The entries and exits are strictly controlled and only persons holding a permit can entry the camp.

The migrants in the camp live in containers and many NGOs have their own in which they organize activities. Currently, the camp is quite empty compared to how it used to be and the facilities seem to be quite all right.

The official capacity of this centre is about 1000 people. At the moment of our visit, the total number of sheltered persons was 40.

At the beginning, the visiting team met the Director of the Temporary Admission Center and the Regional Crisis Management Centre in Kumanovo, Mr. Goran Stojanovski, who accompanied us in our tour of this centre.

We visited the centre's kitchen and storage space where the food was kept. We also talked to the representative of Red Cross responsible for delivering food in that centre.

During the visit, we met the representatives of Red Cross that provides professional health care to the refugees. They shared that they provide psycho-social care and there was also an emergency mobile team, which offered emergency medical aid to the refugees attempting to cross the border in the surrounding area outside Tabanovce. The Red Cross team is made up of 17 staff providing also food and other kitchen service.

The facilities of cooking, storage and serving of the meals were accurate and within the standards.

Toilets, water-system and sewage were handled properly, considering the large hosting facility of 1000 people.

A semi-industrial water purifying system was built to serve the facility.

Also we visited the Recreational Activities Centre in the facility, run by the NGO “La Strada” who offered the services with social workers, psychologist etc. These activities included: education, paintings, photography and other learning programmes for adults and children.

In cooperation with UNICEF, the centre has also a learning programmes in Arabic, Macedonian, maths, IT and natural science upon the request of refugees. The SOS village NGO has also opened a school for children in cooperation with UNICEF.

In this phase, as we mentioned before, there were 40 people in the centre, out of them four families, six children, and four unaccompanied children.

This centre was preparing for a flux of 500 refugees who were planned to be returned from Serbia, in line with the agreement of re-admission between the two States. They are returned as they had entered Serbia through FYROM and have refugee claims in FYROM.

This information was officially submitted by the Ministry of Interior of Serbia.









**MKD** Народниот правобранител - Национален preventivni mehanizam vrshi monitoring na uslovite vo mestata kade slobodata na druzhenje e ogranicena i gi agiti pravata na rabotante i na site drugi lica koga im se povredeni od drzavnite organa i institucijite so javni ovlastuvanja.



**SQ** Avokati i popullit - Mekanizmi preventiv nacional bën monitoring të kushteve në vendet ku liria e lëvizjes është e kufizuar dhe i mbron të drejtat e qytetarëve dhe të gjithë të tjerëve kur të njejtat shkakohen nga organet shtetërore dhe institucionet me autorizime publike.

**AR** أمن المظالم - عبارة عن اليوقايب الوطنية تراق بالأوضاع على الاماكن التي يتقيدها حرية الحركة، ويحميوقالتمو اطينو جميعا الأشخاص رينقي حال التهمكتمقالبيناتو مؤسساتالدولة أو السلطات العامة.

**FA** وکیل تسخیری - مکانیزم میارزه من شرایط را در جاهایی که آزادی رفت و آمد محدود بوده تحت نظارت دارد. وی از حقوق افراد و دیگر اشخاص در صورت نقض آن از سوی ادارات دولتی و عمومی حمایت می نماید.

**EN** The Ombudsman - his National Preventive Mechanism - monitors the conditions at places where the freedom of movement is restricted and protects the rights of citizens and of all other persons when their rights have been violated by state bodies and institutions who exercise official powers.

**FR** Le Médiateur de la République - Le mécanisme national de prévention surveille les conditions dans les lieux où la liberté de mouvement est limitée et protège les droits des citoyens et de toutes les autres personnes en cas de violation par les organes et institutions de l'Etat avec les pouvoirs publics.

WWW.OMBUDSMAN.MK























## Reception Asylum Seeker's Centre, Vizbegovo

There is only one Reception Centre for Asylum Seekers in Macedonia. It is located in Vizbegovo, 3 km from the center of Skopje. The center has a capacity to accommodate 150 people, but usual number of persons accommodated there was about 80-90 people. All the migrants in this center undergo an evaluation process for the refugee status. The process lasts up to seven months for the three levels of decisions from the relevant institutions.

Nearly all people coming from third countries are undocumented and their identity is based on their statement when completing the application for asylum. Furthermore, they are registered under the personal data listed. If, however, they possess a document, it must be attached to the application for asylum and submitted to the Asylum Department in the Ministry of Interior, but it is possible to keep a copy of all documents they submit. On the basis of the application, an identity document shall be issued for asylum seekers so that they can move freely in the country and have the right to possess it until it is decided upon their asylum claims. Many of them keep scanned copies of documents they had in their e-mail addresses and use them to prove their origin where they are.

The total number of sheltered people at the moment of our visit was 8 persons. We met with the institution's Vice Director and after the initial talks, we continued with the inspection of the administrative part of the centre, the kitchen, the recreation and education spaces etc. The living conditions and facilities were good and within required standards.

The Reception Center for asylum seekers, provided accommodation and food, cultural-entertainment, recreational activities, social, healthcare and other services for asylum seekers.

The Reception Centre provided migrants with three meals (breakfast, lunch and dinner) on a daily basis.

The Reception Centre is of open character, so they have the right to move freely outside the building. However, according to the house rules, if migrants leave the Reception



Centre unannounced and fail to come back within 72 hours, they will be issued a decision for termination of accommodation at the Reception Centre, thus losing the right to accommodation at the Centre.

Asylum seekers have the right to stay in this facility from the day of submitting of the application for asylum until the final decision adopted in the asylum procedure.

Beside the Reception Center for asylum seekers in Vizbegovo, migrants in the process of being granted asylum refugee status can request accommodation in other place than the Center in cases when they can fund their own stay but can only leave the Center with permission from the authorities.

While sheltered in the Vizbegovo centre, their application procedure for asylum is processed by the relevant authorities. There are three levels of processing: administrative, administrative appeal and court appeal. In case of rejection of the claim, the residents of this centre have fifty days at their disposal to leave the centre and prepare to leave the country.

In this centre, there were many NGOs offering information and services for migrants. The most visible/active was Jesuit Refugee Centre which had an office in the premises providing information, education and cultural support for migrants.





### **“Safe House” run by the Jesuit Refugee Centre**

Apart from the state run centres of Tabanovce and Vizbegovo, we also visited a “safe house’ run by the Jesuit Refugee Centre in collaboration with the Ministry of Labour and social Policy. This centre was specialized to shelter vulnerable categories of refugees, like women, children and unaccompanied children, potential victims of trafficking.

The capacity of the house was 35 people. At the moment of our visit, there were two families, 7 people residing in the safe house.

The material/living conditions were excellent and and they were served by a group of volunteers who helped them with the practicality of all the aspects of safe and comfortable living.

Another asset of this centre was the location in the neighbourhood, which enables contacts and integration into the town's community. This was a good model for complementary service to refugees.



















### ***Suggestions and recommendations for improving the situation of migrants***

Macedonian authorities, NGOs and UN agencies should:

- Improve dissemination of information to asylum seekers and migrants and ensure that also vulnerable groups have access to information about protection and assistance;
- Take measures to improve the identification of vulnerable persons and referral systems, building on successful existing initiatives such as multi-disciplinary mobile teams;
- Strengthen regional cooperation between governments, relevant authorities, Ombudsmen Offices and NGOs networking in order to enhance information sharing;

- The regional meetings especially of police chiefs should not focus just on border security but also on how to provide protection to vulnerable groups of refugees such as women, children and trafficking victims;
- Develop and support occupational and more recreational activities for asylum seekers and migrants in transit and asylum centers.