

People on the Move in BiH 2019-2021

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IN BETWEEN: (UN)WELCOME TO NO MAN'S LAND



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Abbreviations

- AFIS** - Automated Fingerprint Identification System
- AVRR** - Assisted Voluntary Returns and Repatriation
- BiH** - Bosnia and Herzegovina
- BHWI** - BiH Women Initiative
- BPBiH** - Border Police BiH
- BVMN** - Border Violence Monitoring Network
- CC** - Constitutional Court of BiH
- CCCM** - Camp coordination and camp management
- CoM** - Council of Ministers
- DRC** - Danish Refugee Council
- EC** - European Commission
- ECHR** - European Convention on Human Rights
- EU** - European Union
- EUSR** - EU Special Representative
- FRONTEX** - European Border and Coast Guard Agency
- IOM** - International Organisation for Migration
- IPA** - Instrument for Pre-Accession
- LGBTQ** - Lesbian, gay, bisexual, transgender and queer
- MdM** - Mediciens du Monde
- MoS** - Ministry of Security
- MHRR** - Ministry of Human Rights and Refugees
- NFI** - Non-food items
- OHCHR** - The Office of the High Commissioner for Human Rights
- RC** - Red Cross
- RS** - Republika Srpska
- SC** - Canton Sarajevo
- SFA** - Service for Foreigners
- TC** - Tuzla Canton
- TRC** - Temporary reception centre
- UNDSS** - UN Department of Safety and Security
- UNHCR** - UN Refugee Agency
- UNFPA** - UN Population Fund
- USC** - Una-Sana Canton

Researchers and Authors

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1. Introduction

This report is a follow up to Heinrich Boll Stiftung's 2019 report [People on the Move](#) in Bosnia and Herzegovina in 2018: Stuck in the corridors to the EU. In the first report, we covered the situation in BiH during 2018, and how it carried on in 2019. Since we wrote the report nothing much, but at the same time a lot has changed and happened with relation to the people on the move who have continued to come to the country to this day. Unlike previous years, the majority of people arriving are from Afghanistan. Volunteers and activists are also noticing an increase in the number of people who are arriving from different parts of Africa, including Eritrea, South Sudan, Ethiopia, Nigeria, but also from Cuba.

In March 2022, with the beginning of the war in Ukraine, a significant number of people arrived from this country, [mostly to Međugorje](#). Like in the rest of Europe, their treatment is very different at the moment. In March, the authorities in the Federation of BiH, issued the decision [promising the accommodation](#) for several thousand people. The majority of people from Ukraine arrived as an organised group through the Catholic organisation from Međugorje and it seems that they entered under the tourist visa conditions, i.e. 30 days visa-free stay for Ukrainian citizens. Like in 2018, the local people, the local Red Cross and religious institutions provided them with emergency help upon their arrival. It remains to

be seen how they will be treated in the future, and how the local authorities will regulate their stay.

Returning to the people who are in the mixed movement or are present in the country, the institutions, both local and international, still refer to them as either “economic migrants” or “illegal migrants”. The majority of the movement and concentration has remained in the areas of Bihać (USC), Tuzla (TC) and Sarajevo (SC). However, people are finding their ways and ending up in other places too (we have been in contact with people in Zenica, Visoko, Tešanj, Modriča, Mostar, Trebinje, Goražde, Srebrenica, Foča, Bijeljina, Brčko, Banja Luka, etc).

While there have been some incidents of animosity expressed by the local population (usually stirred up by the local politicians and media, especially in reporting in pre-election periods), far more people have still continued with the provision of humanitarian aid, either on individual or informal groups level. This has been recognized by the people who have passed through BiH and who often express their gratitude publicly once they reach their final destination. Once they regulated their status in the EU, some even returned to visit their friends in BiH.

As compared to the previous report, the problems behind the creation of the TRCs remained. The deployed solutions for the lack of accommodation are based on the establishment of the collective centres where only basic needs are met, and people are often treated in a dehumanising way.



Bus Station Tuzla

They live in improvised spaces, with only bunk beds and portable toilets. Privacy is non-existent. Wired fences and cameras are surrounding these spaces as well as uniformed security personnel whose task is to protect the staff from the residents, who are seen as a potential threat rather than people who need care. Yet, those who are running the centres, have engaged since 2021 in various activities that are requiring work from the residents of the TRC. This work is [not paid](#), while their activities are often used for PR purposes by different organisations. TRCs are supported by the EU and some Member States but also by the USAID and Vatican.

As an improvement since 2018, we see the IOM's (which remains in charge of the entire process of the "[migration management](#)" instead of the state, and is the primary receiver of funds) approach when it comes to the establishment of the TRCs. Instead of using and paying for private property, as was the case with BIRA

or Sedra centres¹ in Bihać, or Miral in Velika Kladuša, areas approved by the government are used now. Yet, the shift from privately owned buildings located in urban zones to state or municipality-owned spaces was marked with locating the reception centres in inaccessible and out of sight places, as is the case with Lipa reception centre².

Research conducted for this report leads us to the conclusion that places like Lipa could in the near future become instrumental for the [new approach](#) in "migration management" promoted by the EU. This approach demands the states in the region to improve their asylum systems, while making repatriation agreements with the countries of origin³. It insists on the asylum to be the only solution for regulating irregular migrations. In such a way, the sped-up asylum proceedings and readmission agreements secure that people get deported as fast as possible, leaving them less space and time to reach the EU. Furthermore, this approach considers the possibility that people who do not get asylum in the EU can be sent back to the region, and from there, deported⁴.

What also did not change is that significant amounts of funds are still

1 According to the available documents and sources, the owners of both facilities were also paid directly to their private bank accounts by the IOM.

2 In the off-the-record interview conducted in 2020, a high EU official in BiH stated that camps should not be located close to the EU border but rather at the entry points to BiH.

3 As the first step in this direction, we see the construction of the Lipa camp in BiH. The second could be the decision of the Danish Government [to send several hundred asylum seekers](#), imprisoned in this country, to Kosovo.

4 High ranking EU officials in an interview in 2020 told that, in order to enable BiH to start deportation, the asylum capacities have to be boosted, and the EU has that as a goal.

spent for the militarised “migration management” response. Regular meetings between representatives of different security agencies in the region are organised and funded from the EU and individual countries, while at the same time, more equipment is bought for different police agencies that are encouraged to be where people on the move are accommodated. Part of this approach is that some TRCs have more security personnel than social or medical workers⁵. Violence toward the people on the move in this approach remains unaddressed or even ignored, especially when it is happening inside the places of accommodation.

Furthermore, the access to reliable information (sometimes any whatsoever) about the “migration management” has been unchanged since 2018. Both international and local actors use social media or media they support for their self-promotion rather than answering questions from journalists or researchers. The way it is done can be described as propaganda that aims to shape the public attitude towards migrations. Moreover, it contributes to further criminalisation and alienation of migrations and people on the move. Just one of the examples is the IOM's treatment of information about violence inside the TRCs in comparison to the information about their program of AVR. The first topic gets little to no attention, while the second has almost daily posts on their social networks. In the same manner, local authorities provide space to issues

related to security and the return of “illegal migrants,” the term they are using even in public documents or statements. The state regularly publishes the numbers of people who were “deterred from entering” (another way to describe [push-backs](#)) performed by the BP.

During this research, we realised that it became even more difficult than in 2018 to get the information that would actually allow for qualitative and substantive analysis. Access to the TRCs remains restricted, and even if allowed, it is highly controlled; there is no neutral monitoring body that oversees any aspect of the “migration management” in any context, and especially in the context of respect of human rights of the people on the move; the majority of “migration management” is funded by the EU and individual states, while the donors make the final decision on how the money will be used. This has created a reversed situation where instead of being the monitoring bodies of the state's implementation of human rights standards, the international organisations are the ones to create policies. And these are just some of the issues that remain in the dark for the public in BiH. Such a dynamic relegates civil society to the role of service providers either to the affected people or to the donors' interests. The worry in this direction was expressed by the Ombudsman, Mr Ljubinko Mitrović, who said that many of the complications regarding the conditions of accommodation and human rights access to the people on the move arise because the responsible state institutions are not engaged the way they are supposed

⁵ “Social Work with Migrants - Illusion or Reality, (The case of Sarajevo Canton)”, by prof. Dr Sabira Gadžo-Šaćić and Prof Dr Valida Repovac Nikšić, unpublished research, 2020



Segregation at the Train Station Sarajevo

to be, while international organisations take upon themselves or fund the civil society to do that job.

In some cases, the civil society and media allowed to engage in the issue are direct recipients of these funds and as such are also not able to be neutral monitors. Since the previous report, the IOM became one of the most important donors in the country, working in various areas of civil society. Organisations that are receiving the funds are obliged to follow the instructions and requirements of the donors. This approach has led the civil society close to disappearance in the past. Results are still visible, and at the moment, BiH hardly has independent and professional media or organisations dealing with human rights; the entire society is extremely vulnerable. This fragility of civil society became more than visible with the deepening of the political and economic crisis in the country over the last several years.

When it comes to the state institutions and funding, the funding is mainly channeled for the border protection and its subsequent militarisation⁶. This approach, in combination with the fact that due to the [ineptness of the peace agreement](#) the state institutions have been made weak after the 1990s war, allowed space for the local governments to intervene outside of the scope of their constitutional mandate. This is mainly reflected in the local governments' decisions concerning violations of human rights of people on the move, such as freedom of movement. In this report, we look again at the police checkpoints at the entrance to the USC in Velečevo, Ključ Municipality, where people were ID-ed based on racial profiling and taken out of busses. This practice continued not only in the USC but also by the RS authorities who would not allow people to get off the train on their territory. In Tuzla and Sarajevo people who were boarding trains and buses were forced to sit separately from other passengers in 2019 and 2020. Furthermore, the new practices of racial profiling have been established on the streets across the country, whereas police pick up people and take them either outside of the cantons, to the makeshift camps or to overcrowded reception centres.

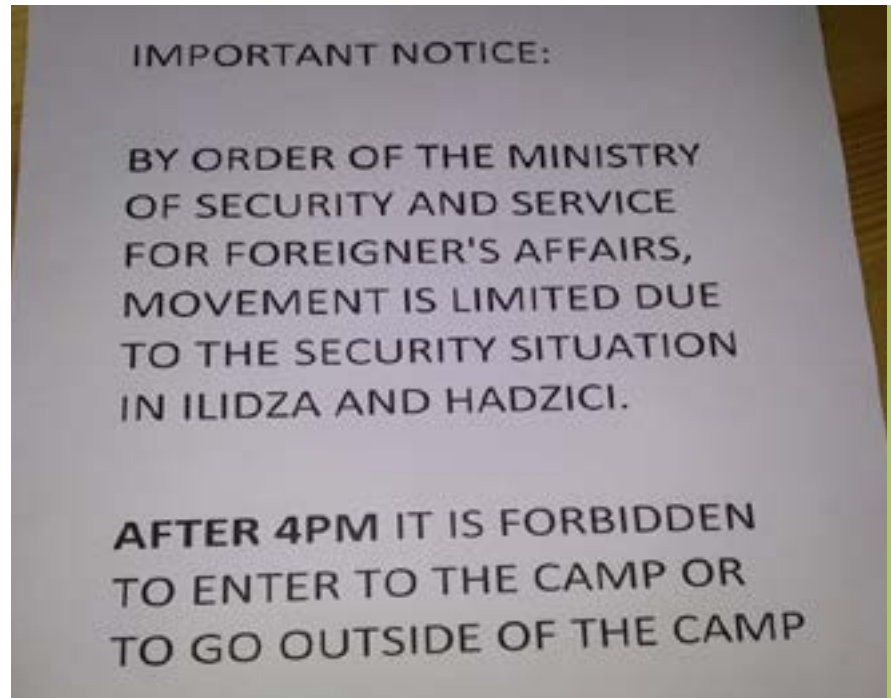
The violation of the freedom of movement of the people on the move was particularly blatant during the

⁶ In the off-the-record interview, a high EU official said in 2020 that he has been advising the authorities to take more advantage of the pandemic and the low inflow of the people, to improve their long-term migration management capacities. He stated that the advice was given to divert all the attention toward the security related issues, rather than humanitarian.

COVID-19 pandemic. While certain restrictions of the movement were justified with the response to the pandemic, the entire situation was used as an excuse for far more than was necessary. [During spring 2020](#), people were practically detained in the reception centres, which were at the time overcrowded, and where they had to deal with the lack of health support, in conditions far from meeting adequate standards of human dignity. The conditions in the TRCs simply could not keep them safe. A number of organisations [expressed their concern](#) for the mental health of the people in the TRCs back in 2020 and 2021, noticing an increase in different forms of violence as a consequence.

What seems to potentially be a lesson learned from the 2020 COVID-19 pandemic is that at least the response to the access to healthcare was finally given some thought in the reception centres. The DRC, which took upon itself to provide health services in the reception centres with the EU and individual countries' funds, realised the importance of the public health system and started to negotiate and sign the agreements with the public health institutions.

In the second half of 2021, with a visible decrease in new arrivals, at least the situation regarding the overcrowdedness of the reception centres improved. In February 2022, the existing TRCs with the maximum capacity of over 5000 individuals, for the first time since their establishment, were half empty. However, many people, the majority from Afghanistan, including many families,



Notice in the TRC Blažuj

chose not to stay in reception centres, among other things, due to the restriction of movement that is still imposed in the TRCs.

Since the summer of 2021, a significant number of people from Afghanistan have arrived. Unlike some other countries in the region, or in Europe, BiH did not even accept the people who were coordinately evacuated from Afghanistan in August and September 2021. Furthermore, the state government did not change the way those who arrive to the country are treated, hence they are still considered either “illegal migrants” or “economic migrants”.

This report, written by two researchers, scholars and activists attempts to portray the situation regarding access to human rights by the people on the move who have been stuck in the corridor between the EU countries. It covers the period from January 2019 to March 2022. While trying not to repeat what was already

addressed in our previous report and has not changed since, we focus on the following issues: the overview of the ever-changing situation regarding people on the move; the access to human rights such as freedom of movement; access to healthcare; access to accommodation; and access to asylum.

While we are aware that this report cannot cover all the issues that appeared throughout these 3 years, we intend to highlight the trends that are the most worrisome when it comes to respecting the human rights of this specific population. Some of the issues we open here require further scrutiny in order to present the fullest possible picture.

1.1 Methodology

As the researchers engaged directly in the field in addressing the human rights issues in relation to people on the move on the Balkan route since 2015, we have been following the situation on a daily basis. When it comes to BiH specifically, we have been following the development of the situation since 2018. Therefore, we have been in contact with many people who have been at some point of time either stuck in BiH (in their transit between the EU countries) or have applied for asylum status hoping to find shelter and security from persecution. Over that period of

time, we have been communicating with many activists, human rights defenders, people who provide humanitarian aid on an irregular and regular basis to people on the move, and have received much information from them. Given that both researchers are from Sarajevo, on several occasions during the last three years we visited Tuzla, Bihać, Velika Kladuša and other places across the country to conduct field research. Thus, much of the information we present in this report has been collected over time.

Specifically for this research, we have conducted several interviews with representatives of the Ombudspersons, the UNHCR, the IOM, and the DRC. However, the silence from the responsible institutions and organisations is a constant obstacle for any type of research about mixed migration in BiH, now more than in 2018. Neither the MoS nor MHRR responded to the interview request for this research. Our request to visit the Delijaš Asylum Centre was rejected by the MoS. In their reply to the Ombudsman's office, which was forwarded to us, the MoS stated the protection of the identities of the people who are accommodated in the centre (asylum seekers) as the reason for the rejection⁷. In addition, the MoS stated that recording or entrance of people who are accommodated in the Delijaš Asylum Centre is prohibited to anyone except the employees of the Center. They also stated that any contact with the people accommodated in the Center is prohibited except when approved by the management of the Centre⁸. In fact, the

⁷ Email correspondence, 18 January 2022
⁸ In the explanation of their prohibition to

reply treated the asylum seekers as if they were under direct guardianship of the Ministry that decides who they can communicate with.

When it came to our request to visit the reception centres (Lipa, Borići, Ušivak, Blažuj, Miral) which at least are presented as being officially under the authority of the SFA and the IOM, partially or fully, we faced the wall of silence. We did not receive any reply and the only information we received was via the Office of Ombudsman to which the SFA replied, also on 18 January 2022, noting that due to the epidemiological conditions the requested visit was prolonged and that it would be reconsidered once the

epidemiological situation improves. We never received any information from the SFA about this decision on the prolongation of the visit or the epidemiological situation. Nor did they contact us after all epidemiological measures were removed by the relevant health authorities. Furthermore, in their reply to the Office of the Ombudsman, the SFA stated that they were not clear about the reasons why we wanted to visit the reception centres, or if we were who we stated we were in our request, again without even trying to clarify that with us. Finally, the SFA stated that the UN agencies, international organisations and non-governmental organisations work within the centres and are in

charge of certain aspects of the functioning of the centres. This, accord-

enter Delijaš, the MoS cited Article 17 of the Law on Asylum that provides for exclusion of the public in the asylum process as well as Articles 9 and 10 of the Rulebook on the Standards of Functioning and Other Issues Relevant for the Work of Asylum Centre, stating that the access to the asylum centre and access to media is restricted.

ing to the SFA, suffices as proof that those tasks are performed in accordance with the international human rights standards.

However, as we have already mentioned above and in the previous report, there remains the issue of who monitors if human rights are respected by the international organisations when they are actually involved in the state operations instead of the state. To this, we need to add that in November 2021 the request for the researchers to enter the reception centres was also sent from the HBS office in Sarajevo to the IOM. No reply was received to this request either⁹.

Thus, for the information regarding the conditions in the reception centres,

we were forced to rely on accounts of their residents, who have contacted us throughout these 3 years, complaining about the conditions. Usually, the information they provided came with a video or photo, which we always verified and double-checked with other people who did have access to the same places at the same time, being people on the move, volunteers or employees of different organisations who speak with us under the conditions of anonymity. In addition, we rely on the information provided in the Minutes of the Monthly Interagen-

cy Coordination Meeting that we used to receive regularly by email

⁹ In the last 4 years we have sent several requests to the IOM to be allowed entry into the TRCs. We received no reply to any of our requests. We noticed the same practice with other researchers and the media, being local or international.

until November 2021. This information is complemented with the reports produced by the relevant actors (MoS, IOM, UNHCR, DRC, UNFPA) which are publicly available.

What we have noticed during our research since 2018, is that the authorities, as well as international organisations, have responded to mixed migrations as if it was only a security issue, with little transparency, willingness for dialogue, flexibility or sensitivity in relation to human rights. This approach led to a lack of trust among the public, and helped the criminalisation of migration and solidarity with people on the move.

For some information, we also asked the institutions for clarification using the Law on the Freedom to Access the Information. Some of the institutions replied on time and before this report was finalised, including the SFA and the MHRR. However, some institutions still have not replied, such as the Clinical Centres in Sarajevo and Tuzla, and the Cantonal Hospital in Bihać when asked about the number of patients from the TRCs or registered death cases of people with a migrant background.

To supplement all the information we had, we also reached out to fellow researchers who had been working on the same topic in the past. We heard from them as well about the issues related to access to information or the TRCs in some cases. Some of them gave us their research reports and materials from their research.

We use this opportunity to thank Sophie-Anne Bisiaux, Jasmin Has-

anović, Ermin Zatega, Valida Repovac Nikšić, Sabira Gadžo-Šašić, Mirela Dedić, Nihad Suljić, Zahida Bihorac-Odobašić, Azra Velagić-Macić, and many others for their cooperation, and a number of people who under the conditions of anonymity agreed to help and provide information about the life of people on the move in BiH, understanding how important it is for the public to be informed.

We want to express our support to all human rights defenders and volunteers in BiH who tirelessly continue showing solidarity and love, fighting the madness that surrounds us, and fighting, together with people on the move, for a better future. Finally, we express admiration for all the people who despite the obstacles, violence, violations of human rights, keep fighting for the world in which borders will not define our lives, believing that all people are equal and should have the same access to basic human rights, including the right to freedom of movement and the right to dream of a better future.

2. Overview of the situation

At the [beginning of March](#), the total number of arrivals registered with the MoS since January 2017, was 87,070, including 1162 registered in 2022. Within that period, the number of arrivals was the highest in 2019 - 29,196 persons. The years after have been marked with significantly lower numbers: in 2020 - 16,150 persons and in 2021 - 15,740 persons.



People on the move in Tuzla

2.1. Reporting on the situation

The exact numbers of people present in BiH at any moment are hard to establish due to the fact that some of them stay unregistered, while others enter the country more than once, due to the attempts to find other routes, or due to push-backs from Croatia. IOM finds this mismatch and the lack of communication between the state institutions troubling since they lead to double-counting of the same people.

Until January 2021, the [monthly reports](#) with numbers and a brief overview of the situation were produced jointly by the different UN organisations, but since then each organisation has been providing its separate

reports and its separate estimated numbers. The IOM publishes its [weekly situation reports](#) where they reference the MoS for the number of arrivals. In these reports, IOM also shows the numbers of people accommodated in each TRC, information on services provided, as well as the total number of so-called assisted voluntary returns. In the November 2021 [report](#), the IOM also presented gender-disaggregated data concerning the persons present in the TRCs, as well as the data segregated based on the country of origin (so-called top 5 nationalities in the TRCs). In 2021, the IOM formed a team to collect data about migrant presence outside the TRC which estimated that only in [February 2022](#) 385 persons were not in formal accommodation.

The UNHCR publishes their [reports on a monthly basis](#), not stating the sources. Their focus is more on the numbers of asylum claims and asylum decisions. The UNFPA also [publishes reports](#) with the estimated

number of people in the TRCs, while they focus on the number of services provided to the vulnerable groups. In addition, international non-governmental organisations such as [DRC](#) and [IRC](#) also have their estimates.

In addition, the MoS has published an annual Migration Profile where it compiled information from various state institutions (the [last available](#) is for 2020.)

Since 2018, IOM has established and controlled a registration system for each TRC called “a Smart camp”. In the future, the system should be managed by the state authorities. In the [Situation report](#), the IOM referred to the Smart camp application stating: “Once operational, the Smart Camp Application will generate daily automatic reports to the SFA on key CCCM indicators, including full lists of beneficiaries with unique IDs by gender, category (when vulnerable), country of origin, rooms.”¹⁰ Beside this application, the EU has equipped the TRCs with the AFIS technology, for identification and registration. To access the TRC, as well as services, [each person needs](#) to leave ten fingerprints, not knowing how the data will be used¹¹.

Up until now the “migration man-

¹⁰ For more about CCCM please see <https://cms.emergency.unhcr.org/documents/11982/47942/CCCM+brief/57ee9504-66e5-408c-a9a4-880c19e5c3a6>

¹¹ Speaking off-the-record, a high EU official in BiH told researchers that no coordination exists between various security agencies when it comes to the exchange of data that are gathered about people on the move, saying that the coordination centre in Trebinje does exchange data with Frontex once a week, the Border Police and the SFA.” In her interview, Ms Lungarotti spoke about mixed migration primarily in the context of security issues: “As I’m looking at migration from all dimensions, of course, we are continuing to focus on mixed migratory flows because they have a security implication”.

agement” interventions have been far more connected to militarisation and border “protection” than to the protection of human rights. Furthermore, in the context of BiH, the country has a [bilateral agreement with the EU on readmission](#) that provides for all the persons for whom can be proved that they passed BiH on their way to the other EU countries, to be returned to BiH¹². At the same time, the [EC has “encouraged”](#) BiH to sign bilateral agreements on readmission with the countries from which it has been estimated the majority of irregular migrants originate¹³. BiH has recently signed and ratified such an agreement with [Pakistan](#)¹⁴.

2.2 Main actors and their roles

Immigration, refugee, and asylum policy and regulation are the responsibility of the state institutions¹⁵. Following this logic, the relevant laws determine that the MoS is in charge of the entire asylum process, while the MHRR is in charge of providing support after the refugee status determination. However, given the dynamic of the post-war BiH, where the Peace Agreement assigned [significant state-building](#) roles to the inter-

¹² See Article 5

¹³ In the off-the-record interview, a high EU official in BiH explained that the priority for the international actors is not the asylum, but rather the improvement of the BP capacity, and the cooperation among various state agencies, plus building capacity for readmission.

¹⁴ Official Gazette of BiH 61/21

¹⁵ [The Constitution of BiH](#), Article 3 (1) (f)

national organisations and where the international organisations participated in the drafting of the laws, the UNHCR was directly assigned the role of the supervisor (and not only passive supervisor) of the asylum process in the Law on Asylum. In recent years, the IOM was added to this mix of international and state actors, following the EU's decision to use the organisation internationally as the leader in the implementation of its "migration management" strategy.

While BiH is not one of the member countries, its aspiration to become one gives the EU a significant role in the country's complicated post-war semi-protectorate administration. In the case of mixed migrations, where BiH is a corridor for people to cross between the EU countries, the country has become an ideal place for the further [fortification of the Schengen Area](#) and turned into a buffer zone to prevent people from entering it. Consequently, the EU has used the formal and informal decision-making powers it has in BiH, deciding on the engagement of actors in the field and distribution of significant funds that have kept coming since 2018, through various programs related to "migration management". Thus, in order to understand the complexity of the shifting of responsibilities for the protection of human rights of people on the move in the field, we engage in a short overview of the main actors when it comes to the supposed humanitarian response that arose out of the increase in people forced to use BiH as the transit country.

2.2.1 Ministry of Security

In accordance with the EU requirements related to the possible membership, all the issues related to foreigners, being migrants or tourists, and asylum, are the responsibility of the MoS and its services.

People who intend to apply for asylum in BiH, upon entering the country, are obliged to register with the SFA, and after 8 to a maximum of 14 days, they have to register asylum claims with the Sector for Asylum, which decides on asylum claims. The MoS is obliged to provide asylum seekers with human and dignified accommodation, and basic needs¹⁶. The SFA is in charge of the asylum and immigration centres, in coordination with the IOM of TRCs. They are in charge of the registration, identification and biometric data, too. The SFA, together with the local police and other security agencies, participates in the [involuntary removal of people](#) from public places and private accommodation, taking them to the official facilities, including detention centres in Lukavica.

In the summer of 2021, the MoS started registering NGOs working in the field of mixed migrations, asking them to submit a letter of intent and to sign a contract that will define the conditions of their work. As explained at the Coordination Meeting in July 2021, the intention is to have the MoS, with the RC, lead "outreach

¹⁶ Article 76 of the [Law on Asylum](#)

An example of the IOM Vacancy taken over from the IOM social networks

activities”. The participants were informed that “information management system, a database developed by the UNHCR, is going to be established by the RC”.

Officially, the SFA is in charge of the Lipa Centre. However, most of the employees working in the Lipa Centre are hired and contracted by the IOM, while the EU is covering their salaries, considering this as a part of the efforts in the process of “migration management”¹⁷. They do

¹⁷ During the year, vacancies were advertised through the IOM with descriptions: SVN 62 - 10/21 Field assistant in the service for foreign affairs Bihać, Field Office, or SVN 64 - 11/21 Administrative assistant

not have the status or rights of state employees, but a short-term contract with the IOM for the job placement in Lipa. We spoke with some of them (off the record), only to learn that their status is not clear. Even though publicly working for the SFA, they applied for the position through the IOM advertisement and were interviewed by the IOM members, among others. Most of them who previously worked for various organisations, including the IOM, were let go and then urged to apply again. Our interlocutors told us that, unlike civil servants, they have short-term contracts according to which they are paid only for working hours, with no health or other benefits, which are required by the law for all civil servants. They also claimed that they have no adequate working conditions, no clear supervision or a set of rules. “This allows various wrongdoings, including violence and mistreatment of people in the camp. However, we feel powerless,” one of the people working in Lipa told us in November 2021.

The Border Police is one of the departments of the MoS, but operationally independent.

Since 2018, three ministers have changed in office. At the moment, when this report was in preparation, the current acting minister Selmo Cikotić was facing [charges](#) before the State Court for abuse of office.

in the service for foreign affairs, Bihać field office. The salary is covered by the EU.

2.2.2 Ministry of Human Rights and Refugees

The MHRR is the institution tasked to take care of people who have recognised statuses¹⁸. Yet, in a brief email communication for the purpose of this research, the MHRR denied any role with regards to mixed migrations, claiming that by the Law

they do not work with “illegal migrants”¹⁹. They explained that their involvement was related only to people who were staying in Salakovac Centre near Mostar, which is under their jurisdiction, and where no asylum seekers have stayed since 2021²⁰.

Officially, the MHRR is a part of the Coordination Body for Migrations Issues in BiH, too. Since 2018, two ministers have changed, but the approach remains the same.

2.2.3 The European Union and the Office of the EU Special Representative

In February 2016, BiH formally applied for EU membership. In 2019, the [EU Council defined](#) 14 key priorities the country needs to fulfil. One of the key priorities remains a “need to ensure the effective functioning of border management, migration and asylum systems”. In 2017, the [EC approved the beginning of the negotiations](#) about the active presence of FRONTEX, which has not been signed yet.²¹ Nevertheless, “observers” from BiH security forces [took part in the deportation](#) of some people from other countries in 2021.

By large, funding aimed for different projects involving mixed migrations is coming from the IPA funds. Since 2018, the EU, through the IOM, has focused on strengthening the capacities of the countries in the region, including BiH, to collect and exchange data about migrants, as one of the methods to [combat irregular migrations](#). The database built up in the region is planned to be part of the Eurodac [database and contains](#) fingerprints of people who applied for asylum after crossing the borders irregularly.

¹⁸ i.e. refugee status, subsidiary protection or temporary protection as in accordance with the Law on Asylum

¹⁹ email from 31st January, 2022

²⁰ email from 6th January 2022

²¹ A high-ranking EU official in BiH, interview conducted in 2020, said that the EU considers that the border from the Croatian side is well protected, while more has to be done on BiH side, including the Frontex involvement.

[From June 2018 until the end of 2021](#), the EU donated over 80 million euros to the IOM which took care of about 59,100 people accommodated in seven TRCs. IOM and other organisations are reporting directly to the EU Delegation in Sarajevo about the expenses, while the broader public and the state institutions are receiving only partial information, if any. Officially, the money coming from the EU is distributed based on the priorities set by the EUSR, MoS, IOM, UN partners, and DRC. The final decision is on the donor.

The part of the funding is regularly directed for the help (officially 7 percent) to the institutions in the state. Those donations are managed by the IOM. In this way, since 2018, the EU has provided the SFA, Border Police and the USC police with vehicles, paid salaries of 25 people employed with the SFA, covered accommodation for the police from the RS and the Border Police in the border areas, provided Border Police with drone, thermal cameras, cameras and other border monitoring equipment, provided the USC police with boots, bulletproof jackets, and helmets, uniforms for the SFA personnel, provided funding for the protection of the SFA office in Sarajevo, and rent for the SFA in Bihać, provided equipment for the SFA offices, donated emergency car to the USC.

The IOM, officially, employs over 200 people as security personnel in the TRCs.

In January 2020, the EU appointed Nino Hartl, an Austrian citizen, as an expert for migrations working

in the MoS²², to advise and support the government, while cooperating closely with the EUSR. Hartl previously worked with the Austrian Federal Office for Migration and Asylum and is an expert in [Dublin regulation](#).

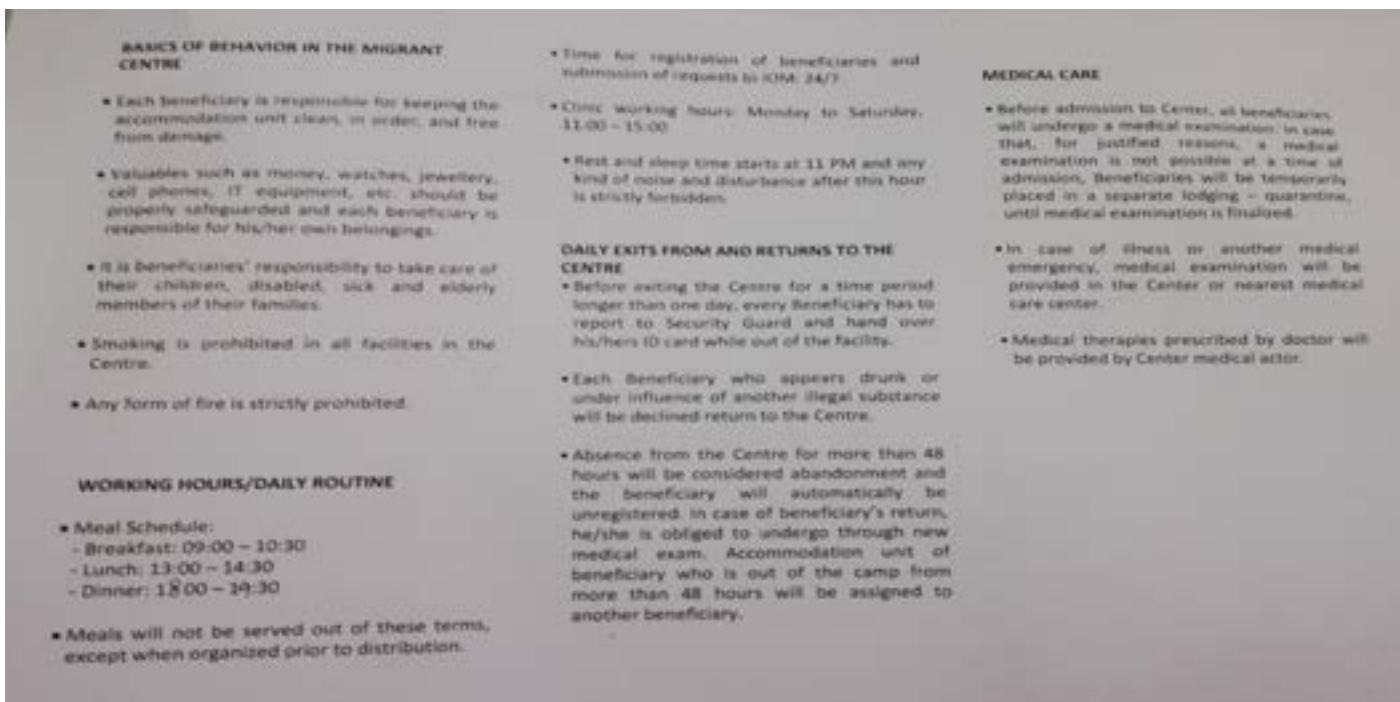
2.2.4 Coordination Body for Migrations Issues

The [Body has existed since 2013](#) as a permanent body with the task “to coordinate activities between different institutions working on issues related to migrations and asylum”. Members of the Body meet once a month, and they should submit reports to the Parliamentary Assembly and the Council of Ministers. The last available report is from April 2021. Their task is to follow the implementation of the Migration Strategy which has to be updated periodically, and the IOM, OHR, UNHCR, and EUSR are consulted in this process²³.

Members of the Body are state officials from the MoS (including SFA, Border Police, SIPA, Sector for Migrations and Sector for Asylum),

²² It is the first time ever the EU appointed an advisor at the ministerial level in a third country, one high-ranking EU official in BiH told us off-the-record.

²³ The last one that is available to the public covers the period until 2020. In June 2021, MoS informed the public that they are working on a new strategy for the period 2021 - 2025.



Rules for TRC Miral

MHRR, BiH Ministry of Foreign Affairs, IOM, DRC, UNHCR, EUSR, while the head of the Body is the Deputy Head of the Council of Ministers.

2.2.5 International Organisation for Migration

The IOM has worked in BiH since the 1990s. In 2018 they emerged as a leading organisation for “migration management”. Within this scope they manage donor funds, usually states, allocated for the “management” of mixed migrations. They do not act as decision makers but implementers of the donor policies. Over the last few years, they also got involved with the media, youth, and different other as-

pects of civil society in the country. In their “mission statement, the IOM BiH claims they act with “the partners in the international community” in order to: “assist in meeting the growing operational challenges of migration management; advance understanding of migration issues; encourage social and economic development through migration, and uphold the human dignity and well-being of migrants”.

In 2013 they issued [the study](#) providing a recommendation for more effective ways to return people to the countries of their origin. The same year, they became more active and present across the Balkan Route (Greece, Albania, and Kosovo), in a similar capacity like in BiH. The organisation is highly influential in the [region](#)²⁴.

²⁴ The IOM is an associate UN agency. In BiH, the IOM and UNHCR co-chair monthly Refugee and Migrant Response Coordination Meetings. Since mid-2018, the IOM has overseen the implementation of projects by the Directorate-General for Neighbourhood and Enlargement Negotiations, the Directorate-General for European Civil Protection and Humanitarian Aid Operations, the Council of Europe Development Bank, the United States Agency of International Development.



Entrance to the TRC Miral

Since 2018 the IOM has been in charge of: centre coordination and centre management, provision of food, shelter and non-food items like clothes and shoes, as well as infrastructure in the TRCs, and transportation and logistics. They claim to provide “safe, dignified and secure shelter.”²⁵ In addition, the IOM works with the authorities on “strengthening of the overall migration and asylum management in the country”. In practice, it means that they participate in the training of staff, as well as providing material support, and

opment, the German Federal Civil Protection Agency, among others.

²⁵ In 2021, the Refugee Rights organisation described TRCs in BiH run by the IOM as being “characterised by poor and overcrowded reception conditions”.

distributing equipment for various security agencies. The IOM is active in the process of drafting legislation related to migrations and other documents, including migration strategy, and supporting the efforts in the fight against smuggling and trafficking human beings. An important part of their activities is related to the so-called program of voluntary return and repatriation²⁶.

With their partners, the IOM has developed several other projects not directly related to the process of managing migrations, including the [BiH Resilience Initiative](#). Through this project, the IOM established partnership with at least 20 local media producing the content which should “challenge extremism, counter hate speech, promote political accountability, and amplify positive stories and narratives”. One of the parts of the project is the “school of journalism”. According to their website, this program produces on average “850 stories on social media and web posts per month with a reach of 3.5 million and engagement of 100,000”.

Another program run by the IOM in the region is “[Integrated Border Management Capacity Building](#) aimed at supporting governments of the region to “effectively manage their borders and respond to border security challenges mindful of migrant protection principles”. In addition, with the pandemic, the IOM received funds and implemented

²⁶ The Voluntary notion of this program is often questioned in academia and by activists who claim that people who become part of the program are making the decision while living in undignified conditions and deprived of their basic rights. People in BiH testified about being approached by the IOM AVVR teams while living in makeshift camps, or inside of the TRC where their freedoms are limited, or after push backs.

the project “[Addressing COVID-19 Challenges Within the Migrant and Refugee Response](#)”.

Globally, the [IOM's funding is decentralised](#). The IOM works on various projects, with various donors, mostly governments. For the EU, the IOM remains the key organisation when it comes to “migration management”.

Since 2021, the IOM BiH has also been responsible for implementing the [Western Balkans Integrated Border Management Capacity Building Facility](#) project in the region, funded by the Danish Ministry of Foreign Affairs.

2.2.6 United Nations High Commissioner for Refugees

The organisation has been present in BiH since 1992. Besides the tasks defined by its general mandate, it has been actively involved in advising the local authorities on different aspects of issues related to refugees and displaced people. Since 2018, in the context of the increased mixed movements through BiH, the UNHCR has had a partner relationship

with the MoS, the MHRR, as well as three local NGOs - BHWI, tasked to provide psycho-social support, Vaša prava - free legal aid, and Catholic Relief Service - humanitarian aid. They have also worked with the NGO Žene s Une in Bihać in their safe house, and Puž organisation in Tuzla.

The UNHCR is present in all of the TRCs, and has info centres in Sarajevo, Tuzla and Bihać. They see their role in helping people get access to the asylum system and making sure all their rights are respected. In this sense, they work closely with the government, providing different types of assistance, including education and staffing. In addition, they claim to monitor the situation in the centres, as well as country's entry and exit points, identifying people who may be vulnerable and wish to apply for asylum²⁷.

The UNHCR is also involved in the consultation process with the institutions working on the migration strategy and different other legal documents related to migrants, refugees and internally displaced people.

Besides the UNHCR, other UN agencies are present and working with mixed migrations, including the UNFPA and UNICEF. In 2021 the Senior Human Rights Adviser at the Office of the United Nations Resident Coordinator was appointed by the OHCHR.

²⁷ In the interview conducted in 2020, the high EU official connected the work of the UNHCR and the process of “sorting/screening” people who are for asylum protection and finally deportation. He stated that the “assessment process” is starting to be carried out in the Blažuj and Ušivak centres by the UNHCR. “The UNHCR will detect people who are likely to obtain protection and refer them to the authorities.”



Vučjak, the UNHCR was not there to provide needed protection

2.2.7 Danish Refugee Council

The DRC was present in BiH during the war in the 90s until 2010, and they reactivated their activities in July 2018. The organisation is present in many countries on the migrant route, working on issues related to healthcare and access to healthcare, besides providing basic humanitarian assistance. DRC, largely funded by the EU, is present in reception centres across the country and works closely with the RC outside the centres. They established ambulances inside of the centre, as well as dental care stations (two), and networks with the healthcare institutions in order to provide secondary and tertiary healthcare for people on the move.

They partner with the [MdM](#) to provide psychological support.

The DRC also established a system for documenting push-backs at the border with Croatia.

In addition to UN agencies and their partners, the DRC's local partners are the MoS and its sectors, as well as the MHRR, ministries of health in the Federation of BiH and cantonal ministries of health in Sarajevo and the USC, and the Red Cross.

3. Access to accommodation/ food and NFI

At the beginning of March 2022, [2030 people were present](#) in 5 TRCs. The highest number of people was placed in Blažuj - 846. However, due to the constant movements, the numbers of people in the TRCs vary on a daily basis. In general, the situation with the accommodation has improved since 2018, but it hardly fulfils the legal requirements of human and dignified accommodation. Given the collective nature of centres, they ghettoise people and exercise control over people's freedoms. The centres are [segregated](#) and located either on the outskirts of the urban areas or completely outside of the urban areas making the contacts with the local people very limited. Segregation by wire, cameras and security personnel in uniforms (whether private or police) presents people placed in the TRCs as a threat to the outside world.

The 5 TRCs are placed in two cantons: CS (Blažuj and Ušivak) and USC (Borići, Miral and Lipa). From 2018 until the end of 2021, a significant number of people preferred to stay outside of the TRCs, due to the poor living conditions, and limited freedoms (especially in the USC where restrictions on freedom of movement, such as curfew, prohibition to walk in the central parts of the city etc., have been imposed since October 2018; in the rest of the

country the restrictions have been imposed as part of the COVID-19 measures), and due to the fact that most of the TRCs are away from the border crossings.

In 2020 and 2021, Sedra, a family camp improvised in July 2018 in the old hotel, and Bira, an old factory that accommodated up to 2000 people, were closed. Both places were privately owned, and the IOM was paying monthly rent to the owners' private bank accounts. Miral, an old PVC factory turned into a TRC for minors and single men, and Borići, a family centre, are still open.

In addition to the aforementioned TRCs, BiH has one official asylum centre, Delijaš, which was [built in 2014 with EU donations](#) with a capacity of 150 to 200 beds, and is run by the SFA. The centre is placed in a remote mountain area, with no access to phone or internet, and no transportation lines. Due to its remoteness, people are left without any interaction with the outside world. There are no regular updates about the number of people placed in Delijaš. The last information on numbers is available in the annual [Migration Profile](#) for 2020 stating that on average 34 people stayed in the Asylum Centre per month.

In 2018, due to an increase in the number of people arriving to the country, the Salakovac Refugee Reception Centre, run by the MHRR, adapted primarily for the purpose of repatriation of BiH citizens deported from EU countries, opened its doors for people on the move. In their reply to our request to visit the Salak-



Inside TRC Blažuj

ovac centre from 6 January 2022, the MHRR stated that the Center is open for visits announced in advance, but that at the time there were no beneficiaries from the foreigner/asylum seeker category staying there. They said that this was the consequence of the decreasing numbers of persons from this category in BiH.

In addition to the TRCs, some places that are run by NGOs in cooperation with the IOM, UNHCR, UNICEF and UNFPA, are available. Those are marked by the UNHCR as shelters or safe houses. One safe house is in Bihać, run by women's NGO Žene s Une²⁸, with Vaša Prava and the UNHCR. The other one Duje is in Doboju Jug run by the NGO Emmaus²⁹, and

²⁸ People who stayed in this safe house complained about hygiene, but more than anything they were not properly informed about the place or protection they can get while inside. We were in touch with some of the people while staying in the safe house who were, due to lack of information, not clear where they were placed and, given that they were locked inside, expressed their fear of what was happening to them.

²⁹ In 2018 and 2019, different categories of people were accommodated in this centre. In 2021 this became the place where only unaccompanied minors were staying. No media or independent researchers are allowed to enter, and the public does not have any information about the treatment or conditions inside this

one is in Tuzla run by the NGO Puž³⁰. The updated information on the number of people that were placed in these shelters is not available. While a safe house in Bihać is registered as a safe house for women victims of domestic violence, and Duje as a shelter for women victims of trafficking, Puž is not officially registered as such. The process through which the NGOs were selected to provide the protection to the vulnerable groups is not clear, just like it is not clear what type of training their staff has, if any, what conditions inside the accommodation units are, what services those NGOs can provide and in what languages.

Since summer 2021, the UNDSS has been present inside the TRCs. At every coordination meeting, they report on security incidents, often referring only to incidents towards the TRCs staff. (Info about security incidents is published in the IOM periodical short reports as well.) In December 2020, UNDSS reported about 11 incidents: “3 of them related to security awareness, 2 incidents related to unpleasant statements on social media”. It is also visible from these brief reports that UNDSS cooperated with the police at different levels, and that they trained staff at Lipa.

centre. Based on the minutes of monthly reports it is visible that the children brought to this place stay only for a very short time. It is remote, away from the Route, does not give any possibility for the interaction with the outside world, and it is not adjusted to the needs of people on the move

³⁰ In mid-2021, the Integration centre was opened in Sarajevo, run as an NGO, with limited accommodation capacity, and not very clear mission and ownership.



The local Red Cross was the only one providing food for people at Vučjak

3.1 Vučjak

Increased and brutal violence at the EU borders marked 2019. That same year, police in BiH became more violent towards people on the move, and criminalisation of migration became normalised in public discourse and actions by local authorities. An improvised camp Vučjak, at the landfill near Bihać, established by the local authorities, remains the image of that period.

In June that year, the authorities in Bihać imposed a curfew from 10 pm to 6 am for all people on the move, explaining it as a “[preventive measure](#)” aimed at preventing the migrants from committing crimes, claiming the crimes were on the rise. These claims were amplified in the local media throughout 2019 and 2020. Nevertheless, in 2020, fact-checker portal Raskrinkavanja published an analysis stating that some [media](#)

[published disinformation](#) with respect to the number of crimes committed by people on the move.

Vučjak was created at a time when all TRC camps in the USC [were overcrowded](#). The police established its checkpoint at the entrance of the camp, where usually two to four policemen were present. The [violence was the reality](#) of this place, as well as in the USC, and was [directed towards](#) people on the move and those who are helping them. The food was provided twice a day by the local RC, and volunteers. In the several months the camp existed, the organisation Save the Children identified and evacuated [over 250 children](#). Local doctors who were sent to Vučjak [refused to work](#) claiming that the conditions were unbearable and that they could not take responsibility for people's lives under such conditions. The EU and its partners in BiH refused to fund Vučjak, demanding its immediate closure.

Nevertheless, the authorities in the USC ignored all the calls until mid-December when the authorities in the SC gave permission for the new TRC to be opened in the former military barracks area in Blažuj. Most of the people from [Vučjak were moved](#) to the new TRC in Blažuj over the next couple of days. Blažuj has remained the biggest centre in the country with a capacity of 2,400 places for single men, who resided in a few old army barrack buildings, containers and big tents. During winter 2021, in order [to increase security](#), the fence and more video surveillance around TRC Blažuj was put in place.

Even though it is an official TRC, Blažuj is not recognised by the Sector for Asylum of MoS as a temporary centre for asylum seekers, and consequently does not recognize the asylum claims of the people residing in the centre. The explanation for this, according to the Ombudsman, is that the TRC Blažuj was not established by the CoM as such.

3.2 Lipa - case study

On 3rd March 2022 the IOM and its partners celebrated 100 days since the opening of Lipa centre. On that occasion, they brought a big blue cake for about 400 people who were living in containers in these remote areas, and those who were working there. Just two months before this anniversary, in January 2022, a member of the EP [Cornelia Ernst](#) visited Lipa camp and tweeted the video saying that these types of camps “should be abolished, and alternative types of accommodation should be introduced”.

Village Lipa, some 22 km away from Bihać, was [proposed as the solution](#) by the Mayor of Bihać. The IOM and the UNHCR experts concluded there was a possibility to quickly provide water, drainage and electricity connection at the location, and as such, it fitted for the new TRC lo-



Celebratory cake for 100 days of Lipa, taken over from the IOM social networks



Makeshift camp near
Velika Kladuša

cation. Since its establishment, Lipa has been presented by both local and international actors as the “solution” for the accommodation “crisis”. The first Lipa camp was officially opened in March 2020 as COVID-19 emergency tent camp, [funded by the EU](#)³¹. More than a year later, filled with pressure, tensions and misery, a new Lipa has been constructed with the capacity for up to 1.500 single men, families and unaccompanied children³².

There is no public transport to connect Lipa with urban areas, and residents who want to leave the area have to walk for about 6 hours. The only place where people can buy something for themselves in close proximity to the Lipa centre is small shops improvised in container-like facilities. People are forced to pay far higher prices for basic items than in

the city. Some of the shops provide the items necessary for the game³³, such as backpacks, power chargers, and energy drinks.

3.2.1 Lipa 2020: Place of misery and political tensions

Even though it was put up as an “emergency shelter”, people who were there during 2020 claimed that it was not possible to protect against the spread of the virus. They had no possibility to keep social distance, no conditions to maintain hygiene, it was too cold, there was no electricity, or [enough food](#). In 2020,

³¹ Informacija o stanju u oblasti migracija za 2020. godinu. (Information on the Migration Situation for 2020)

³² Izvještaj o Bosni i Hercegovini za 2021. Radni dokument osoblja komisije. Strasbourg, 19.10.2021. (2021 report on Bosnia and Herzegovina. Commission Staff Working Document. Strasbourg, 19 October 2021)

³³ Term used by people on the move for every attempt to cross borders in an irregular way.



Screen shot from the Facebook group that was recently deactivated by the Facebook because it promoted hate speech

Lipa became a place of misery, with tensions rising due to the presence of too many people in poor living conditions. Even though aware of the conditions, the USC police continued with raids, picking up people who were living outside the official accommodation, and taking them to Lipa. People were picked up whether they lived in squats, abandoned buildings, or private accommodation (while the owners were sanctioned).

The local government kept insisting that no “migrants” could live in the urban areas and that all the centres placed in the cities had to be closed. Closure of Bira, placed close to the city centre in Bihać, became the most important for the local government and they mobilised supporters in [organising protests](#) against bringing people there. Finally, the place was [closed](#) in September 2020, while the

Prime Minister of the [USC claimed](#) that Bira and Miral became the “clusters for spreading the COVID-19”. All this was happening [just before](#) and [during](#) the local elections that were held on 15 November 2020.

The atmosphere of fear, constant raids, attacks against people, forced many to search for shelter in forests and remote areas. By the end of the year, in December 2020, the [DRC estimated](#) that there were about 250 improvised camps with around 3000 people, while about 1000 people stayed in Lipa.

Faced with the conditions in Lipa, upcoming winter and not being able to provide a more secure place, the IOM and their partners requested that people be moved back to Bira. The idea was [strongly rejected](#) by the authorities in Bihać, no matter the pressure from the international actors, including the EU.³⁴ To exert pressure on the authorities, the IOM and UN agencies announced they would [abandon Lipa](#) due to the lack of cooperation. This pressure forced the Council of Ministers to adopt a decision about the establishment of a formal accommodation centre at Lipa. In the meantime, people who were at the emergency centre at Lipa were supposed to be temporarily moved to Bira, which was [blocked by the local government](#)³⁵. In response, the IOM and its partners left the [camp stopping all the services in-](#)

³⁴ Izvještaj o Bosni i Hercegovini za 2021. Radni dokument osoblja komisije. Strasbourg, 19.10.2021. ((2021 report on Bosnia and Herzegovina. Commission Staff Working Document. Strasbourg, 19 October 2021)

³⁵ Informacija u oblasti migracija u BiH za 2020. Ministarstvo sigurnosti. Na uvid Parlamentarnoj skupštini BiH. 29.4.2021. (Information on the area of migrations in Bosnia and Herzegovina for 2020. Ministry of Security. Provided to the Parliamentary Assembly of BiH. 29 April 2021)

cluding food distribution and provision of healthcare services. The same day a fire started in the camp leaving about 1,300 persons out in the open, in the middle of the winter. The IOM publicly accused [migrants for the fire](#), while the USC Prime Minister [told the media](#) that “he had information” that migrants were not responsible for the fire. The cause of the fire, or the responsible ones, were never disclosed to the public even though the investigation was opened.

In the meantime, people at the burnt down Lipa, were [left completely alone](#), with no food or help. The first organised assistance came a few days after the fire from the local branch of the [Red Cross](#) providing one modest meal a day. Soon, local people, and some international volunteer-based organisations, started providing basic help in cooperation with the RC. The authorities as well as the IOM and other organisations, stayed away from the place.

Some people at Lipa [organised protests](#) at the end of December demanding the solution. The only way people could [try to keep warm](#) was by setting up open fires and using cardboard to avoid sleeping directly on the snow-covered soil. NGOs [warned](#) that “frostbite, hypothermia and other severe health problems are already being reported by those stranded on the location. Despite the efforts of humanitarian actions, their lives are at immediate risk”. Several [journalists reported](#) being prevented by the SFA or the police from their work.

Finally, the State Government react-



Entrance to the store in Velika Kladuša

ed by promising that all the people would be moved to the former military barracks in Bradina, Herzegovina area. On 29 December 2020, the [buses organised](#) by the MoS came to Lipa, and all the people were boarded. Nevertheless, they never left, and [people were held](#) inside the buses for the next 24 hours. Officially, the relocation was prevented due to the decision by the local authorities in Herzegovina, and protests in Bradina³⁶. In the meantime, the local media [visited Bradina](#) and spoke with villagers who told them that former barracks were [not liveable](#). The barracks were practically abandoned years ago, and have never been used since.

36 Dnevni list, Migrantska kriza: Cikotić: Migrantsi sa Lipe idu u objekat na Bradini. 30.12.2020. (Daily newspaper, Migrant crisis: Cikotić: Migrants from Lipa to be moved to a facility in Bradina. 30 December 2020)

3.2.2 The place of the “migration management opportunity”

At the beginning of January 2021, the [EC announced](#) additional funding for Lipa promising 3,5 million euros³⁷. Soon, the state deployed the military to install 30 tents to accommodate about 900 people. The situation remained dire, with little food, no drinking water or water for hygiene, or any services provided. COVID-19 measures did not exist at all. The DRC returned three weeks after they left, reporting later that they had provided emergency services for 147 persons in one day, plus 80 more people with various health issues.

The [construction at Lipa started](#) mid-January 2021. Over the next couple of months, the situation was dire: people lived in tents with limited support, while the construction work was ongoing. Various international officials visited the site, [expressing support](#) of the states or institutions they represent for the establishment of the new centre.

The media reports focused on dehumanising conditions for people in Lipa. “We are human beings,” [one of the residents told the media](#). “They do not treat us like we are human,” he concluded while others

³⁷ This funding comes on top of €4.5 million allocated in April 2020, bringing EU humanitarian assistance for refugees and migrants in Bosnia and Herzegovina to €13.8 million since 2018.

were telling that people were forced to go to the nearby forest instead of the toilet, also mentioning issues with security officers who were beating people. However, this was one of the rare cases the media managed to come close the Lipa centre.

The new Lipa reception facility was constructed from the ground up with the financial support of the EU as the main contributor, and with additional support by the German Federal Agency for Technical Relief (Technisches Hilfswerk), the Austrian Federal Ministry of Interior, the Austrian Development Agency, the Swiss Government, Vatican, the Italian Ministry of Foreign Affairs and International Cooperation and the Council of Europe Development Bank. The opening was prolonged several times due to the difficulties related to the construction. Finally, the opening ceremony took place on 19 November 2021. The [IOM described the new Lipa](#) as the place where “humane accommodation” will be offered, while the EU special representative [described it as](#) “a success story of BiH”.

People working and living in Lipa, even at the end of 2021 claimed the conditions are dire. People are living in containers, six of them usually in one, while toilets are portable, and water is brought to them with cisterns. The last 5 km to the camp remained as a gravel road even after the opening. It takes about 5 to 6 hours for people on the move to reach the city from Lipa.



Aerial Shot of the TRC Lipa, taken over from the IOM press release

3.3 Detention

Some people for different reasons end up in the Immigration Centre Lukavica, which is the [detention centre](#). Given that this is a closed system and no one monitors it, it is impossible to determine whether the people people are treated in accordance with human rights standards and whether they are even allowed fully informed access to asylum. In 2019, the UN Special Rapporteur on the human rights of migrants [visited the centre](#), expressing serious concerns about the conditions, treatment, and [detention of migrants](#)³⁸.

38 For the purpose of this research, we received the testimony of one person who was held in Lukavica. The interview with him and his lawyer was conducted for another research, but not published, and was given to us by the researcher. "At the end of 2019, I arrived in Bosnia and Herzegovina. One day in December, while I was in Sarajevo praying in a mosque, the Bos-

nian police arrested me for no reason and took me to the Centre in Lukavica after stealing my money and phone. I never knew why I was arrested. In the Centre, I met other people who were in the same situation as me, including two Pakistanis who had been there for 8 months after being arrested by the police in a bar. There was also a young Afghan boy. One day he had a very bad stomach ache, called an ambulance, but it was the police who came to get him, and that's how he got into this hell. You don't know why you're going in, and you especially don't know when you're going to be able to leave. If you have a document that proves your nationality, the police will try to send you home. They don't care if you are a refugee. They threatened to hand me over to the Turkish embassy, even though they know very well that it is very risky for me. If you have a paper proving that you have passed through a neighbouring country, then the police send you back there. That was my case: I had a registration card in a camp in Serbia. That's why I was able to be released quite quickly, after a month, after being deported to Serbia. But if you don't have any papers on you, then it's complicated: you can stay locked up for a really long time. There were two IOM people who regularly came to visit us in the visiting rooms to encourage us to accept "voluntary return". The police also pressured us to accept the IOM offer. Sometimes they left us in the cold. But for many of us, it was just not possible to go home, we risked prison, torture or even death. At the same time, the police do everything to make you want to leave. They insult you, hit you, humiliate you... We felt like criminals when we hadn't done anything. The worst was not the policemen but the employees of the private security company that worked in the Centre... a real mafia. They take your money, mistreat you... The food they gave us was inedible, not even a dog would eat it. The rooms were very cold, without heating in the middle of winter. We were given tranquilisers so that we wouldn't rebel too much. I saw people become completely addicted. Really, it was like being in Guantanamo" - (Testimony of B. collected during an online interview on 14 February 2021) B.'s

According to the SFA, [in the last three months](#) of 2021, 189 persons were “voluntarily repatriated” from Lukavica. Also, 567 people were held in Lukavica in 2021. They were from Turkey, Pakistan, Afghanistan, Bangladesh, Algeria, Morocco, Syria, Palestine among other countries³⁹. In the same period, 665 were “removed” from the country “either to the country of origin or the country they entered BiH from”. The SFA, as stated in the email, does not have any data about the length of stay of people in the Centre⁴⁰.

Several cases that became public have led us to express our concern of how the SFA determines who to detain in Lukavica. In November 2019 [two students from Nigeria](#) who were legally in Croatia were arrested on the streets of Zagreb and illegally transferred to BiH by the police, ending up in the Miral TRC and then Lukavica. Both the deportation order and the ruling on detention were issued in Bosnian. Nigerians did not know what was going on and why they were arrested. Only after the activists reached out to them, they got a lawyer, but that was after the deadline to lodge a complaint against the order

case is not isolated. A lawyer who regularly intervenes in this Centre confirmed the catastrophic conditions of detention and the totally arbitrary nature of the deprivation of liberty: “We don’t really know who is locked up in this Centre. There are people who were intercepted while trying to enter Croatia. There are others who were arrested, having done absolutely nothing. Foreigners who have committed an offence are usually sent to ordinary prisons: they go before a judge and the state provides them with a lawyer. In Lukavica it is different. People are not brought before the judge and usually, if they want a lawyer, they have to pay. The Vaša Prava organisation is supposed to provide free assistance, but in fact, detainees do not have access to it. “(Interview with a lawyer in Sarajevo, 16 February 2021)

39 Email correspondence with the SFA from 7 January 2022

40 In the email, the SFA claims they conduct interviews with each individual in his/her native language, explaining the procedures, including asylum. In addition, leaflets with information and phone numbers for free legal aid are available in the Centre.

and the ruling had passed. The Nigerians spent over two weeks in detention, and were only allowed to leave after the Nigerian Embassy paid for their tickets.

In addition to the people held in Lukavica, unknown numbers are held in detention and prisons around the country. No one is monitoring the judicial or detention procedures concerning people on the move, nor conditions in prisons. It is not clear if people have access to information in the language they understand. Yet, police records are showing significant numbers of people who were arrested. In 2021, in the CS, 62 people described [by the police as “migrants”](#) were arrested in BiH, and 43 were transferred for prosecution, meaning that they were detained for at least some time, while 4 were placed under the supervision of the SFA in Lukavica. A year before, [in 2020](#), the CS police arrested 73 “migrants” and 42 were transferred for prosecution, and 29 to the SFA.

It seems that formal detention and trial procedures are respected as in other criminal cases⁴¹. However, some substantial aspects of detention and trial procedures, especially in the context of identification where the existence of racial biases could exist, remain an open issue, especially given that there is no independent monitoring of the trials. In one of the cases, two young men were found guilty of a robbery even though the victim of the robbery could not identify them with certainty, given that she stated that the attackers wore caps, face masks and that the attack

41 Interview with the lawyer who represented several asylum seekers

happened in the evening in an unlit part of the street. The court rejected to consider the evidence the two defendants possessed to potentially prove that they were not at the place of the alleged crime. The appeal was filed, but the men had already spent close to two years in detention, which for one of them is longer than the prison sentence imposed by the court in the first instance.

4. Freedom of movement

Asylum seekers have freedom of movement guaranteed by the Law⁴². Furthermore, the Constitution⁴³ guarantees human rights and freedoms, that include freedom of movement, to all persons within the territory of BiH⁴⁴. However, freedom of movement can be limited in certain circumstances, which are clearly defined. These preconditions⁴⁵, among others, are that the asylum claim was rejected, that the identity of a certain individual is not established, or if the sanction for a crime committed was imposed. In the case of minors, this measure can be introduced “only as an ultimate measure”, and after the MoS establishes that no other measure is available⁴⁶. The law puts an obligation on the MoS to individually consider each case of the restriction of freedom of movement. If the restriction is imposed, each individual has the right to receive a written explanation, and the right to appeal which has to be urgently considered by the courts.

However, numerous examples [of the restrictions of freedom of the movement](#) have been imposed by different authorities in the context of the people on the move. The restrictions on freedom of movement were first im-

42 Article 10 of the Law on Asylum

43 Article II.3 of the Constitution

44 See letter by COE High Commissioner on HR from 2018 <https://rm.coe.int/commdh-2018-12-letter-to-the-authorities-regarding-the-migration-situation/1680870e4d>

45 Article 66 of the Law on Asylum

46 Article 66 paragraph 7 of the Law on Asylum



Police raids in the USC, taken over from the SFA press release

posed in the USC in a decision issued by the local government in October 2018. This decision was used as an explanation for the establishment of at least two checkpoints over the last 4 years. In 2020, at the checkpoint Velečevo alone, [over 34,600 people](#), including at least 500 minors, were stopped and prevented from continuing further. In a similar way, people were forced to get off the trains during 2020 in [Bosanska Otoka](#) where some of them were left for days with no food or water, access to toilet or shelter.

While the IOM, UNHCR and their partner organisations acknowledge issues with freedom of movement, and while they did report about the issues to the Ombudsman office, even to the court, they have [avoided talking](#) about it in the public, contributing to the normalisation of violations of the laws and international conventions. NGO Vaša prava requested in May 2020 the CoM to annul their decision on the restriction

of movement for persons of concern. They also appealed to the CC claiming violation of Art. 5 of the ECHR. Vaša prava has never published if the CoM or Constitutional Court decided on their request or appeal.

Following the USC example, in July 2020 the authorities in the TC tried to establish a checkpoint in Kalesija to divert people from entering Tuzla and send them directly to Sarajevo. At the same time, they tried to impose a ban on the use of transportation, as well as prevent local volunteers from providing any kind of help. However, this was never successfully imposed.

In the CS, the authorities initiated the process of “cleaning the streets” from migrants in 2019, often using force. Their aim was to push all the people toward existing TRCs. Restrictions became even more severe after the incident which occurred in the TRC Blažuj in winter 2021, when the police intervened, and the entire situation escalated in the conflict

between residents and the police. After the incident, the Cantonal Assembly met to discuss the “security situation” [concluding](#) that no new centres can be established in CS in the future. They also appointed the [rapporteur tasked to report monthly](#) about the situation related to migrations to the government. In addition, the assembly decided to have video surveillance around camps. The IOM and UNHCR openly blamed the incident on the residents of the TRC. The police informed the public that [17 people](#) would be “expelled from the country”, even before any investigation was done or a court decision was made. There was no information on how this measure would be implemented considering the procedural requirements and the questions regarding logistics to implement this.

Police in different parts of the country, often in cooperation with the SFA, conducted throughout 2019, 2020 and 2021 massive public raids in public spaces targeted at people on the move staying outside official TRCs, presented by the IOM and imposed on the local authorities, as the solution for the migrations in general.

5. Access to healthcare and COVID-19

The Law on Asylum provides the asylum seekers with the access to the public health system, but only primary care⁴⁷. The people who are granted status of refugees or subsidiary protection are granted full health protection⁴⁸. The Law does not define the rights of the people in transit. The authorities did nothing to change this even when a significant number of people with no legal status were present in the country.

The system established under the IOM supervision gives the DRC the main role concerning the healthcare of people on the move. In this role, the DRC and its partners - primarily the RC - are present in all TRCs, where they have established provisional ambulances employing medical technical personnel. They also have mobile teams in various locations across the country. Instead of having doctors present in the TRCs, the organisation provides referrals, based on their assessment of people who need secondary or tertiary care to be provided in public hospitals. For those who are not referred, only basic assistance is provided, often not adequate⁴⁹.

47 Article 76 of the Law on Asylum

48 Article 78 of the Law on Asylum

49 We encountered people with serious medical conditions, including diabetes, who were not given proper healthcare and were not referred to any institution. Residents in centres often complain that the only treatment they get, without being diagnosed properly, is to receive paracetamol. Just as an example, one of the cases from April 2020 was when a young man was diagnosed by the DRC staff to have a simple flu and got paracetamol. However, his problems persisted and he

The system DRC created is often complicated and does not meet the needs of the people, especially those outside the centres. Those who live outside of the centres are in fact required to seek assistance in the TRCs as a first step. This approach was maintained even during COVID-19 pandemic when no effort had been put in place so that people on the move could seek help from any of the established COVID-19 centres across the country. The same was repeated [in September 2021](#) with the vaccination. People on the move had to go to the TRCs in order to get the vaccine, even though they were easily accessible for all (even in shopping centres) at some point.

According to the DRC, the main health issues for most of the people on the move in BiH remain scabies and other skin conditions. However, a number of cases of tuberculosis and diphtheria (a condition eradicated in BiH decades ago) have been detected, including at least two deaths due to complications related to TBC. It is not clear if the DRC has alerted the public health system about this, and if any prevention measures were considered. Consequences, physical injuries or traumas of push-backs are also not mentioned as an issue, even though the DRC monitors push-back at the border with Croatia.

sought help from a group of local people who took him to a doctor only to be diagnosed with sepsis, due to which his life was in danger.

5.1 COVID-19 and TRCs

During the COVID-19 pandemic, the authorities introduced lockdown measures that were imposed upon all the people in the country. The measures imposed restrictions, including evening curfews for all at the very beginning, compulsory use of face masks in all public places, ban on public transportation, ban on the gathering of groups of people, etc. Inside of the TRCs, [the rules were set in place](#) for residents as well as the staff. At the monthly meetings, the DRC repeated that the TRCs have a heightened risk of COVID-19 transmission due to being densely populated and with limited access to proper and regular sanitary facilities. This was confirmed by the residents of the TRCs who did not feel safe due to overcrowding, and the lack of warm water. In November 2020, UNFPA warned at the coordination meeting about the worsening of the mental health situation of women, an increase in GBV incidents and in the number of women suffering from depression in the TRCs.

The first cases of people infected with the virus inside the TRCs were reported in August 2020. Each TRC has provided isolation spaces for people with COVID-19 symptoms. People residing in camps complained on several occasions to activists in the field that the isolation area was sometimes used as detention for people who did not follow certain rules, like an imposed curfew.

The “[situation report](#)” for March and April 2021, shows that isolation areas were heavily guarded.

5.2 COVID-19 and the people outside of the TRCs

People living outside the centres, once and again, had to rely on information received by the local people, and occasional encounters with the RC, DRC or other organisations. The ones living in squats have little to no possibility to protect themselves at all. They became even more vulnerable.

The authorities in the SC continued [removing people](#) from the streets forcing them to go to overcrowded centres. Those who were taken were forced to walk back to the city for several hours, to reach the place where they were living and where local people would come and bring them food. Police often tried to prevent locals from providing help. The DRC noticed that “it would be necessary to talk to the authorities about the risk of spreading COVID-19 to the TRC residents by such relocations from the streets and people returning to the squats again and overloading the existing isolation areas in the site.” In March 2020, [Amnesty International reacted by warning](#)

that “confining people in potentially harmful conditions cannot be justified on the grounds of public health”. None of the warnings was taken into consideration by the authorities.

In 2020, [police officers in TC were ordered](#) to use “repressive measures” and to prevent migrants from staying in the streets, “with special attention on prevention of grouping of people and staying in public places”. Police continued conducting raids, taking people away from their shelters and [sending them to Sarajevo](#), while also trying to prevent bus companies from taking them in. They also asked that [self-isolation be imposed](#) on people who were in contact with migrants “excluding officials and RC volunteers who are taking preventive measures and who are constantly monitored”. This measure imposed prohibition of any distribution in public places.

This approach [triggered a reaction](#) by the local volunteers and NGOs, including Zemlja djece, an organisation working with children and involved in assisting children in Tuzla. Their employees were prevented from distributing food and water to children who arrived in Tuzla: “While being completely aware of the current situation, we have to stress that we are talking about children whom we could not give water or food to because the police did not let us, revoking the order given to them.”

The most difficult situation has remained in the USC where [police had regularly conducted raids since 2018](#). The authorities continued implementing strict policies preventing, at

a certain time during the pandemic, even the IOM, DRC and other organisations from distribution of any kind of help, excluding first aid. The ban remained in power until January 2021.

All the [measures were removed](#) in March 2022, including the ones for people on the move⁵⁰.

6. Access to asylum

The issue of regulating irregular migration in BiH is reduced only to access to asylum. Potential asylum seekers who enter BiH irregularly are often referred to by the officials, as well as the media, as “illegal”, which further contributes to the difficulties they face with respect to attempts to regulate their status. The asylum policies are very restrictive. After expressing the intent to seek asylum at the first registration point, done with the SFA offices, a person has to register the address of residence within 14 days and formally apply for asylum⁵¹. Upon the registration of the intent, the SFA directs people to the TRCs without providing them with the transport. Usually, the TRC designation is written in the Bosnian language.

6.1 Asylum claims and decisions - the numbers

Persons who cannot access the TRCs for different reasons, rarely succeed in registering residence within dead

⁵⁰ However, TRCs kept screening all the new arrivals before being accommodated. “In order to ensure emergency shelter for those in need, outside the working hours of the medical team, existing preventive isolation capacities will be used as a “pre-registration” space, until the medical screening and testing is available.”

⁵¹ See discussion in relation to the asylum claims in our previous report https://ba.boell.org/sites/default/files/people_on_the_move_in_bosnia_and_herzegovina_-_21-02-2019_-_web.pdf

line and are automatically prevented from applying for the asylum. But even those who are placed in the official accommodation centres, still face obstacles in applying for the asylum. Moreover, there are a certain number of cases of people who arrived irregularly and while staying in BiH started families with the citizens of BiH. Some of them got married, some are still struggling to get married - this depends on the municipality in which they are residing, some have already got children. Many of them have been living in BiH now for over 4 years. However, because they did not succeed, for different reasons, in registering their asylum claims within 14 days of the deadline upon arrival to BiH, they have been facing obstacles and refusal of the SFA to regulate their status. The SFA has not shown any flexibility to find a solution for such a situation, or is willing to look for other solutions outside of the asylum procedures. Vaša prava the organisation that is registered as providers of free legal aid, but are mainly sponsored by the UNHCR, are refusing to provide them with any legal support. They are constantly threatened with detention in the immigration centre and deportations, without any regards to their right to family or the right to family of their partners and/or children.

The [UNHCR noted](#) that the average time a person had to wait to register a claim for asylum in 2021 was 177 days. Even though the number of asylum claims decreased from 2018 to 2021 (from 1,572 to 167), the time between the registration and first decision, increased from 7.5 months

in 2018 to 14.8 months in 2021⁵². The average number of days asylum seekers waited between expressing their intention to seek asylum and the issuance of a decision was 20.7 months.

According to the Law⁵³, in the case of regular proceedings, the MoS is obliged to decide on the asylum within six months of the submission of the claim. However, the Law⁵⁴ allows for exceptional circumstances such as difficulties in establishing the facts the claim is based on, a large number of application claims, asylum seeker's failure to submit adequate evidence or other objective reasons. In such a case the decision on asylum has to be made within 18 months (cc. 450 days). Given that in 2021 the average time for decision was 444 days, this indicates that there were cases in which the MoS did not even meet the deadlines provided for the exceptional circumstances.

And even if the person patiently waits for the decision on asylum, no matter the insecurities caused by the extreme asylum processing time created, there is very little chance the asylum will be granted. According to the UNHCR, in the period from 2018 until 2021 only 9 refugee statuses were granted. The state authorities tend to opt for the subsidiary protection more often, granting 116 subsidiary protections in the same period of time. In addition, 185 asylum claims were rejected in the same period.

⁵² In 2020, 245 asylum claims were registered and 785 in 2019

⁵³ Article 42

⁵⁴ Paragraph 2 of the same Article

ASYLUM PROCESSING ACTIVITIES DURING 2018-2021

	2018	2019	2020	2021
Applications	1,572	785	245	167
Refugee ⁵⁵ status granted	0	3	1	5
Subsidiary protection ⁵⁶ status granted	16	41	31	28
Rejected applications ⁵⁷	45	35	54	51
Otherwise closed*	741	1,059	546	185

* Decisions are not necessarily binding and closed

The photo was taken over from the UNHCR Operational Update for December 2021

In the 2020 [Migration profile](#), the MoS states that in the 2011 - 2020 period only 11 refugee statuses were granted as follows: 4 persons from Syria, 3 persons from Iran, and one person from Cameroon, Pakistan, Montenegro and Myanmar. In the same 10-year period, there were 162 subsidiary protections granted: 82 persons from Syria, 57 from Turkey, 6 from Iraq, 6 from Yemen, 4 from Azerbaijan, 3 Eritrea, one person from Egypt, Palestine, Pakistan and Somalia. The Migration profile lacks further explanations.

6.2 Problem of different treatment: refugee status and subsidiary protection

The subsidiary protection, the option the BiH authorities prefer to grant,

creates further insecurities for the people who receive it. Legally speaking, the refugee status is awarded to the person who has a well-founded fear of persecution⁵⁵. The subsidiary protection is awarded as complementary status for the person who does not meet the requirements to be granted refugee status if there are serious grounds to believe that the person will face the real risk of serious violation of his/her human rights and fundamental freedoms upon their return to the country of origin or residence⁵⁶. Furthermore, the Law⁵⁷ considers a serious violation of human rights and fundamental freedoms such as “the death penalty or execution, torture, inhuman or degrading treatment or punishment, a serious and individual threat to life or physical integrity of civilians due to general violence in situations of international or internal armed conflict.” The UNHCR sees that the logic for the recognition of the subsidiary or complementary status recognition is, as opposed to refugees, in the fact that it provides protection to people who do not face individual forms of persecution but are fleeing from a general state of war, for example.

Even though at the end of the day both statuses recognize that a person cannot return to the country of origin or residence, the rights and obligations arising from the status are different. The table below presents the comparative analysis between different rights and obligations provided between those two statuses as provided by the [UNHCR](#).

55 Article 19 of the Law on Asylum

56 Article 22, paragraph 1 of the Law on Asylum

57 Paragraph 2 of the same Article

SUBSIDIARY PROTECTION STATUS	REFUGEE STATUS
<p>RIGHTS</p> <ul style="list-style-type: none"> · the subsidiary protection is granted for a year, when it can be extended for the period of two years · a residence permit that is valid for one year and which can be renewed. · access to a full range of educational services including schools, universities, and vocational training programmes under the same conditions as nationals of Bosnia and Herzegovina. · access to health care and social welfare benefits under the same conditions as nationals of Bosnia and Herzegovina. · Family unity: The Law on Asylum stipulates that "The same status shall be approved at request of a family member of a refugee or an alien under subsidiary protection, who is in BiH, provided that the family relationship existed in the country of origin and the applicant does not fall under the exclusion clauses of Articles 21 and 23 of this Law." (art. 14). 	<p>RIGHTS</p> <ul style="list-style-type: none"> · the refugee status lasts for 3 years before it needs to be extended. · a residence permit that is valid for three years and which can be renewed. · can apply for a travel document that allows the person to visit other countries as a tourist. · access to a full range of educational services including schools, universities, and vocational training programmes under the same conditions as nationals of Bosnia and Herzegovina. · access to health care and social welfare benefits under the same conditions as nationals of Bosnia and Herzegovina. · Family unity: The Law on Asylum stipulates that "The same status shall be approved at the request of a family member of a refugee or an alien under subsidiary protection, who is in BiH, provided that the family relationship existed in the country of origin and the applicant does not fall under the exclusion clauses of Articles 21 and 23 of this Law." (art. 14). · the right to family reunification. · can apply for citizenship of Bosnia and Herzegovina after continuously and legally living in BiH for at least 5 years.

6.3 Support for the persons who are granted status

Once a person is granted subsidiary protection or refugee status, the person is practically left to fend for themselves. In theory, they have the same rights as any other resident and citizen of BiH, but considering that there is no proper social protection provided for anyone in the country, it is even more difficult for the people without any social network. In theory, this should be under the authority of the MHRR and the relevant cantonal/entity institutions of the person's residence.

However, in interaction with persons who were granted the subsidiary protection or refugee status we learnt that some, mainly families, were supported by the UNHCR in accommodation, food packages and some funds for the clothing. According to one family we spoke to, this was done informally. They were never sure when this form of support would cease. For any aspect of integration, they had to rely on the goodwill of the people they met, including school enrollments, job hunting, language classes and so on. They did not have any support from the institutions nor did they know whom to contact.

The UNHCR sees the MHRR's as the body responsible to ensure the rights of people with a recognised status, while hoping to see them more active in the field of integration.



Makeshift camp Trnovi, Velika Kladuša, where people from Afghanistan found shelter

7. People from Afghanistan

Since 2018, no person from Afghanistan has been granted any form of protection in BiH. Moreover, in 2021 one person received a negative decision on his/her asylum after three years (1,090 days) since the initial expression of intention to seek asylum. This was noted and discussed by the UNHCR that [placed a special focus](#) on people from Afghanistan, the group that represented the largest nationality in the mixed movement throughout 2021. Noting that in 2021 a total of 5,598 arrivals of Afghans were recorded (34% overall) the UNHCR observed: “since the Taliban takeover in August 2021 and ensuing humanitarian crisis, not a single Afghan has had an RSD interview and no decisions have been issued, despite the fact that at the end of January 2022, 13 cases were pending RSD interviews, some of which

for longer than one year, and on average for 158 days.”

Those who have been arriving are mainly people who left Afghanistan prior to the Taliban takeover. Some of them arrived from Greece where they were staying for some time. They left Greece due to difficulties in obtaining legal status. Yet, among the people from Afghanistan, there are also those who left the country recently after the Taliban takeover in August this year. The majority of them are using BiH as a transit country.

Yet, some people from Afghanistan do want to seek asylum in BiH. The UNHCR noted that difficulties in accessing the procedure and lengthy processing time continue to be key challenges for them. At the same time, some EU countries [refused to grant](#) asylum and continued with the deportations to Afghanistan, even at the time when the country was falling under the Taliban regime. In 2021, the EC [recognized the efforts](#) of the government to “initiate negotiations on readmission agreements with Bangladesh, Afghanistan, Morocco and Egypt.” Thus, no matter the Taliban takeover, it subtly encouraged the government to continue its administrative preparations for enabling deportations⁵⁸.

In the IOM reports on the migrant presence outside of TRCs it can be noted that persons from Afghanistan are the largest group. Many [facing the violent Croatian borders](#) and experiencing numerous violent push-backs,

⁵⁸ In lieu of this it needs to be stated that the readmission agreement with Pakistan (Official Gazette of BiH 61/21), signed in November 2020 and entered into force in July 2021, was marked by the EC as a positive step in meeting the EU accession criteria.

did not even know of the option to ask for asylum in BiH. This, maybe for the fact that they could not register their claims, as they did not have the addresses, the requirement that remains the same no matter the repeated calls for improvement in this regard from the [Council of Europe's](#) and [UN Special Rapporteur](#).

During our field visit in November 2021 in conversations with some people living in the makeshift camp in Trnovi, Velika Kladuša, we learnt that they and their families were tired of staying in camps and that they felt imprisoned there, especially as they could not leave the camps after 4 pm due to the curfew imposed in the camps. All of them were [removed from the area](#) against their will by the SFA and the police. Local people who were helping and providing food to them, were threatened on several occasions, and finally issued fines by the police for doing so. In fact, throughout 2021 we witnessed that the local authorities made raids on the makeshift camps or in the [abandoned villages](#) the families from Afghanistan were staying in or even in the houses they rented.

The greater influx of persons from Afghanistan [continued in 2022](#). In January the UNHCR stated that they “identified 8 Afghans currently awaiting registration of their asylum claim, all in the TRCs (3 in Blažuj, 3 in Ušivak and 2 in Miral). The average time these individuals have waited thus far to register was 181 days as of 31 January, and notably, the 3 in Blažuj are effective without access to the procedure due to MoS practice not registering persons residing in this centre.”

8. Push-backs, Readmissions and Deportations

Push-backs have become the modus operandi of the EU border management practices. The [BVMN](#), an independent group operating in the region, regularly collects data and reports on push-backs from the EU towards BiH. The network was formed upon numerous testimonies of push-backs, many of which were violent, from Croatia to BiH. Since March 2021, [Reports on push-backs](#) from Croatia to BiH have also been available from the DRC on a monthly basis.

In addition to these reports, some activists and volunteers, as well as some people on the move, testify that in the border areas with Croatia BiH police also participates in deterring people from reaching the Croatian border.

In 2021, two court cases, one in [Italy](#) and [one in Austria](#), deliberated about the chain push-backs. In both cases, the victims experienced chain push-backs to BiH. Chain push-backs were also registered from [Slovenia](#).

The push-backs from BiH to Serbia and Montenegro are not as much publicly discussed, even though the head of the BPBiH already in 2018 openly talked about “deterrence” of potential asylum seekers. In 2021 he confirmed that this practice has uninterruptedly continued: “We deter the same migrants 20 times a day, they are trying to cross the state border illegally. If we find them in the border

zone within the country and if they apply for asylum, they can move freely, which is a shame for our country. It is a shame that we have such bad legislation. Border Police proposed the solutions years ago, related to the necessity to change the Law on Border Control, the Law on Foreigners and Asylum, and that these migrants must be detained or punished.”

During 2020, the BP BiH “[took measures against](#)” 22,664 foreign citizens. Out of this, 11,658 people were “registered in illegal crossing or attempt to cross the state border illegally”. The BPBiH reported that during 2020 they “deterred from attempting to cross the state border illegally” more than 11,000 people, most of which were citizens of Pakistan, Afghanistan, Morocco and Bangladesh.

From October 2020, [BPBiH confirmed](#) that “they do not return migrants, but deter them from crossing” not by force, but by “using light and sound signals on official vehicles and by their own jurisdiction on the river bank.” The BPBiH push-back practice of 100 migrants is visible in the video footage shown mid-2020.

In December, the Protecting Rights at Borders Initiative, an umbrella group of civil society organisations from six European countries (including the DRC), issued its [report](#) identifying around 6,200 cases of “potential asylum seekers being illegally forced or pushed back from Balkan countries, often to other ones”. In this report, they identify push-backs from BiH to Serbia.

9. Media reporting

In general, the media in BiH could be hardly described as independent or in some cases even professional, and their editorials are in many cases closely connected with different interest groups, being local politicians, donors or businesspeople. It all leaves a huge impact on the public who until today, almost 4 years after people on the move started coming to the country in a significant number, did not really have a chance to receive information impartially and professionally, and make their decisions based on that.

Starting in 2018, the IOM engaged proactively with the local media but also increased its presence on social networks. The IOM established connections and developed projects with various media, but also organisations including the Press Council or Balkan Investigative Regional Network, as well as numerous civil society organisations which have media as part of their work. In addition, the IOM has engaged the marketing companies to shape their public presence. In 2020, the IOM started working with youth organisations around the country and encouraged them to start podcasts. This made the IOM one of the actors in the media scene in BiH, even though they have no expertise in the field.

In 2022, the IOM initiated the propaganda project [Migrants talk to mi-](#)

[grants](#), described as “an informal campaign” aimed to “enable migrants to make informed migration decisions” before they leave home. From the first stories, it has been obvious this message is to say no to migrations.

They also work with some local media who produce propaganda programs, like the public broadcaster of the USC which publishes content to promote the IOM activities, including [promotional video](#) about Lipa. This media has access to centres in the USC, unlike most other media.

In January 2022, the IOM and the UNHCR issued [a call](#) for the creation of media content about issues related to migrations. In the call it is explained that the aim is to “create a dialogue between citizens, BiH authorities at all levels and migrant, refugee and asylum seekers communities, and to provide support to the local communities too, to contribute through the interventions to the mitigation of tensions, fears and pressure caused by the mix migrations”. The focus of the project were the CS and USC.

As we were told by some of the media workers, in more than one case, the IOM approached certain media offering donations for projects related to mixed migrations and asked not to publicly name the donors. The same interlocutors told us this practice became common among donors in BiH, not only when it comes to migration-related projects.

At the same time, local politicians are often using the media as their

[propaganda tool](#), too. In this case, the media are often used to spread hate propaganda and messages that contribute to the general criminalisation of migration. Terms like “illegal migrants” or statements about people on the move presented as a danger for the local population are hardly contested and questioned by most of the media.

The media are giving far more space to anti-migrant voices, while [uncritically](#) reporting about the role of the [authorities](#) and their attitude toward mixed migrations. Journalists often invite representatives of various organisations working with people on the move, mostly the IOM and DRC, sometimes UNHCR, or the representatives of governments at different levels. As “neutral voices” the media often present scholars. However, it is easy to notice that those invited scholars usually come from the field of security, and express anti-migrant attitudes, which are not questioned by journalists. Just one of the examples is Armin Kržalić, a professor of Security Studies from Sarajevo who expressed the idea that migrants should be locked down. “The present approach of open camps is not good. Or, better to say, it is not good to have different profiles of people, from different areas in one place,” Kržalić told Dnevni Avaz after the incident in the camp Blažuj in January 2021, when several people, including police officers, were injured in a massive fight .

The reasons behind the conflicts inside the camp, or living conditions for the people, were not topic for the media reports after the incident. In-

stead, the media focused on police reports about the incident stating that knives and bats were found inside of the camp and that 17 people were of “security interest”, with all of them to be expelled from the country. Apparently, police identified them as people who may have had connections to criminal acts in the past.

Another professor of security-related studies, Goran Kovačević, often quoted in the local media when it comes to migrations, besides opening the possibility that there may be terrorists among people on the move, gives false information, and the journalist fails to react. “If someone is illegal, and that is a category defined by the law, we have to incorporate that person into a legal framework or they have to leave the state, after the security check,” [he said](#), claiming that the law defines some people as illegal, which is not the case.

The media give a lot of space to incidents involving migrants. Often the culprits are described only as “migrants”, and the source for this type of information is always police and security agencies. Statements about “migrants as a security threat”, or “illegal migrants”, are never challenged in the local media. The question about whether they have documents or not, or how people cross borders remain unexplained to the public.

10. Instead of conclusion: open issues

There are more issues of concern when it comes to people on the move and their presence in BiH, including the issues related to missing people, or those who are deported from the country without being given proper legal assistance. However, we had to limit our research, and to leave some questions open for future work. Among issues that should be tackled more is the treatment of LGBTIQ+, but also women or children on the move, people with chronic illnesses, etc.

When it comes to the LGBTQ+ community, since 2018 activists and volunteers have encountered many people. Some are coming from the countries where their rights are not only denied, but in which they are faced with persecution and even death threats. Yet, none of them have been granted the status. What [activists and volunteers](#) noticed is that LGBTQ+ population prefer staying outside the TRCs considering them unsafe. Over the years, we registered cases of rape, but also attacks on LGBTQ+ people inside the TRCs.

More groups prefer to stay away from the TRCs not feeling safe or being afraid that the government may deport them. And those fears are not unfounded. Over the years several cases of deportations of [Uyghurus](#),

but also Kurds or other activists from Turkey have been registered or [reported by the SFA](#).

When it comes to the people who went [missing or died](#), there is nobody to record this, or to help with the burial or repatriation of bodies. Over the years, morgues across the country have reported cases of unidentified bodies that could be people on the move. Some body remains are kept in [freezers for months](#), and nobody is coming to do anything. People on the move, activists and volunteers are self-organising in an attempt to deal with these cases, and when possible, to help repatriation or burial of bodies.

Another issue that should be addressed in future research is the issue of the people who decide to stay in BiH, for different reasons, and who are prevented from regulating their status due to complicated legal procedures. Nevertheless, these cases are not related only to people who arrived since 2018, but also to people from Kosovo and some other countries, who arrived earlier and are considered undocumented until today.

Finally, many people across BiH have opened their homes, rushed to feed people on the move, take them to doctors, and support them in different ways. Such a response by the local people was found to be an obstacle for the actors involved in “migration management”. As the criminalisation of the people on the move was taking place so was the political attitude towards the ones supporting people on the move, i.e. they have been attacked, discredited, and also criminalised.



Leaving for the game

Nevertheless, people determined to reject inhuman treatment of fellow human beings have continued to find ways to help, sometimes directly opposing the authorities and their prohibitions.

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the 1990s, the number of people in the UK who are employed in the public sector has increased from 10.5 million to 13.5 million, and the number of people in the public sector who are employed in the health sector has increased from 2.5 million to 3.5 million (Department of Health 2000).

There are a number of reasons for this increase in the number of people employed in the public sector. One reason is that the public sector has become a major employer in the UK. Another reason is that the public sector has become a major employer in the health sector. A third reason is that the public sector has become a major employer in the education sector. A fourth reason is that the public sector has become a major employer in the social services sector.

The increase in the number of people employed in the public sector has led to a number of changes in the way that the public sector is organized. One change is that the public sector has become more decentralized. Another change is that the public sector has become more market-oriented. A third change is that the public sector has become more customer-oriented. A fourth change is that the public sector has become more performance-oriented.

The increase in the number of people employed in the public sector has also led to a number of changes in the way that the public sector is funded. One change is that the public sector has become more dependent on government funding. Another change is that the public sector has become more dependent on private funding. A third change is that the public sector has become more dependent on user fees. A fourth change is that the public sector has become more dependent on donations.

The increase in the number of people employed in the public sector has also led to a number of changes in the way that the public sector is managed. One change is that the public sector has become more professionalized. Another change is that the public sector has become more bureaucratic. A third change is that the public sector has become more hierarchical. A fourth change is that the public sector has become more centralized.

The increase in the number of people employed in the public sector has also led to a number of changes in the way that the public sector is regulated. One change is that the public sector has become more subject to government regulation. Another change is that the public sector has become more subject to private regulation. A third change is that the public sector has become more subject to user regulation. A fourth change is that the public sector has become more subject to donor regulation.

The increase in the number of people employed in the public sector has also led to a number of changes in the way that the public sector is evaluated. One change is that the public sector has become more subject to government evaluation. Another change is that the public sector has become more subject to private evaluation. A third change is that the public sector has become more subject to user evaluation. A fourth change is that the public sector has become more subject to donor evaluation.

The increase in the number of people employed in the public sector has also led to a number of changes in the way that the public sector is perceived. One change is that the public sector has become more respected. Another change is that the public sector has become more respected. A third change is that the public sector has become more respected. A fourth change is that the public sector has become more respected.