

FIELD REPORT 2016

January-February-March



Macedonian Young Lawyers Association

Following the amendments of the Law on Asylum and Temporary Protection that introduced the intention to seek asylum as a document refugees and migrants arriving in the country can be issued, Macedonia found herself facing with a great daily influx of refugees and migrants. With a 24/7 presence of the field staff, the Macedonian Young Lawyers Association monitored the situation in the field, both in TC Vinojug and TC Tabanovce, and offered legal aid and counselling to the refugees and migrants and assisted the Police officials in issuing the intentions to seek asylum.

JANUARY

Following the examples of neighbouring countries such as Serbia, Croatia, Slovenia and other EU countries, Macedonia has limited the access of those defined as economic migrants to Macedonian territory. Since 19 November 2015, the position of the authorities and border officials is that only Syrian, Iraqi and Afghan nationals are allowed into the Republic of Macedonia. In January around **54,793** refugees arrived at the Transit Centre Vinojug, with a daily average of **1,768**, in addition **53,366** intentions to seek asylum were issued. In the course of registration MYLA's field lawyers offered legal aid and informed approximately **50,587** persons about their rights and obligations and the asylum procedure in Macedonia at the Vinojug site.

MYLA's position is that everyone needs to be registered in accordance to the legal provisions and international human rights standards in order to safely continue their journey onwards without having to use alternative routes and smugglers to reach their desired destination. MYLA's field lawyers at TC Vinojug made **276** intervention for vulnerable groups of individuals in their registration process, helping **475** refugees with their specific needs during registration or with other issues they encountered. Also of utmost importance is improved access to asylum procedures at the entry and especially exit points.

MYLA identified numerous cases where persons were not allowed to submit an application for asylum at the border. Even after expressly stating their intention to seek asylum at the border, many persons have been returned to Greece by the police officials.

As of 21 January 2016, a change was made to the registration process, requiring refugees to state their destination country when getting registered in Greece. If the refugees did not state Austria and/or Germany as their final destination they were denied entry in Macedonia.

In regard to the trip from TC Vinojug to TC Tabanovce, the safety and security in the trains needed to be improved since there were reports of incidents such as mugging and fights. Railway staff members were still overcharging for train tickets, contrary to the reactions by the civil society. Considering the weather the road conditions were bad, exposing the refugees to a difficult walk along the icy road in the cold and rain, making it especially hard and dangerous for extremely vulnerable individuals such as small children, babies and elderly people and people with disabilities.

MYLA FIELD STAFF

- **18 Field Lawyers**
- **22 Data Entry Clerks**
- **8 Interpreters**
- **7 On-call Attorneys**
- **24/7 Free Legal Aid Number**

MAIN CHALLENGES

The main challenge at the border area between Macedonia and Greece was restricting the movement of so-called economic migrants, preventing their entry into Macedonia. In addition to the returns from the registration point, the Border Police continued to screen documents and turn people back at the checkpoint. During the reporting period, MYLA noted that there were 509 people returned back to Greece.



MYLA field lawyer informs refugees about the registration procedure at TC Vinojug.
Photo: M.Kostovski/MYLA

During the month of January, at TC Tabanovce MYLA's, lawyers informed and advised on the procedure in Serbia approximately **4,579** refugees and **2,141** refugees about the asylum procedure in Macedonia. In addition they identified and assisted **593** EVI's. It was also noted that there were **541** refugees that were without proper documentation at their arrival in TC Tabanovce i.e who have not been registered in Gevgelija. The biggest problem related to this issue was that in order to be registered they had to go back to TC Vinojug where they will be issued the proper documents but this trip was on their expenses and with the weather only exposed them to additional risks.

There was an increase in the number of undocumented refugees arriving at TC Tabanovce, coming across the mountains and fields. In most of the cases they complained of being assaulted and taken advantage of by the smugglers they used in order to transit through Macedonia irregularly, on top of that their mobile phones, money and personal documentation had been taken by the smugglers or attackers. Almost all of the cases were reported to the Police, but no action was taken in terms of trying to resolve any of these cases, that we know of. In total **401** persons coming from countries other than Syria, Iraq and Afghanistan, arrived in the camp and were not allowed to enter Serbia legally.

During the reporting period **169** asylum applications were filed. There was an increased number of persons transferred from the Reception Centre for foreigners in Gazi Baba to the Reception Centre for asylum seekers in Vizbegovo who applied for asylum. This shows that due to the increased smuggling activities in Macedonia the Detention Centre in Gazi Baba has reopened and refugees and migrants after being caught on the territory of the RoM are transferred to the Detention Centre for a period, while waiting to testify as witnesses in the criminal procedure against the smugglers.

FEBRUARY

Towards the mid of February the influx of refugees was reduced by more than 50% as a result of the farmers protesting on the Greek side and the new policies and procedures introduced at the meeting held on 18 February 2016 by the heads of Police of the transiting countries (Macedonia, Serbia, Croatia, Slovenia and Austria). According to information from the meeting, Austria restricted and imposed quotas for refugees – restrictions which forced the authorities of the Balkan countries to impose additional measures to control the number of refugees transiting through their countries.

During February, **35,392** refugees arrived in the country with a daily average of arrivals of **1,220**. With the help of MYLA's data entry clerks the Police issued a total of **34,057** intentions to seek asylum. In TC Vinojug MYLA offered legal aid and informed approximately **34,041** refugees and migrants about the asylum procedure in Macedonia. In addition the filed lawyers made **165** interventions for vulnerable groups of individuals, helping **276** refugees.

As of 19 February 2016 a new registration form was required, however even with this document many refugees are arbitrarily being denied entrance to Serbia or being pushed back from Croatia and Slovenia. All refugees transiting through Macedonia were prevented from entering Serbia with the previous registration document issued by the Macedonian Border Police. At the camp in Tabanovce, the police did start changing the old registration document with the new agreed form for most of the refugees. However, a problem occurred regarding the registration of unaccompanied minors (UAMs) on the forms because it only allowed for them to be registered under their mother or father, family relations such as brother/sister, uncle/aunt or grandparents is not possible.

Consequently the Ministry of Labour and Social Policy (MLSP) arbitrarily assigned guardians to the UAMs from the group they were travelling with, without informing them and so there were several incidents where the assigned guardian continued onto Serbia without the UAM, who remained behind without any registration documents. This is particularly problematic for separated or unaccompanied children who cannot be registered on the form of a relative or guardian traveling with them.

For some time the border between Macedonia and Serbia remained closed. After being reopened, only refugees from Syria and Iraq were admitted entrance, while all of the Afghan refugees were returned despite the new registration documentation they had. As a result over **1,100** refugees remained stuck in the transit camp in Tabanovce, among which more than 600 were Afghans. The Serbian police restricted the entrance and started profiling the refugees, allowing entrance only to as many refugees as Croatia would accept from Serbia and it was observed that a total of **408** refugees were refused entrance to Serbia.

Faced with this situation, the Macedonian authorities immediately started to implement the same measures at the border with Greece, allowing entrance only to Syrians coming from war torn regions and Iraqi nationals. Due to the newly emerged situation, TC Tabanovce was overcrowded and the situation was desperate because it was not suitable for longer residence of refugees and cannot meet their needs. There was lack of accommodation places, food, sanitation and showers. With the increased time that refugees were spending there, MYLA's lawyers had more time and opportunity to speak to them and they informed and advised **2,038** persons about the procedures in Serbia and other countries on the route, **661** about asylum procedures in Macedonia and identified and assisted **273** extremely vulnerable individuals.

On 28 February 2016 the heads of Police from Macedonia, Serbia, Croatia, Slovenia and Austria, on a meeting held in Zagreb, Croatia, agreed to "improve" (meaning to further restrict) management and administration of the flow of refugees transiting through these countries by adopting a uniform registration form which will be obtained at the Macedonian-Greek border. The agreement dictated that registration will be carried out based on valid identification documents and Greek registration papers; a thorough security check of the refugees and documentation will be carried out; only refugees coming from war torn countries and regions will

be allowed to transit, while other refugees who have been in a safe third country for a longer period will be denied entry and transit through the countries and the unified registration form issued in Macedonia will be the only registration document issued throughout the transit countries but it has to contain entry and exit stamp from each country.



*The situation in the zone between the Macedonian and Serbian borders
March 2016 Photo: A.Gudaci/MYLA*

PROBLEMS WITH REGISTRATION

Due to the restrictions both at the Greek-Macedonian and the Macedonian-Serbian border, and the limited travel options due to strikes, there was an increasing number of refugees using smugglers to cross the border. This increases the vulnerability of the refugees and the risk of attacks and robberies. During the reporting period here was a significant number of refugees (non- SIA nationals) who have skipped registration – approximately 400 persons.

No solution was found for those that had problems with their documents and were forced to return back to TC Vinojug in order to get new ones

MARCH

A significant reduction of the numbers of refugees arriving in Macedonia was noted at the beginning of the month as a result of the border restrictions imposed after the meetings in Zagreb and Vienna. The refugees were allowed to enter the country in small numbers, approximately in similar numbers as they were able to enter in Serbia and arbitrary profiling of the refugees continued to be conducted by the Serbian police. Afghans are the group most affected by the restrictions, as over **900** refugees were stuck at TC Tabanovce uncertain of their destiny and whether they will ever be allowed to continue their journey.

On 07 March 2016 Serbia closed the border with Macedonia without notifying the Macedonian authorities due to which approximately **478** refugees (mostly Syrian and Iraqi nationals) remained stuck in between the Macedonian and Serbian border. Neither the Macedonian nor Serbian border police were allowing them to move forward or go back. In this way, the police authorities were trying to mutually pressure each other in accepting the refugees. As a result, the refugees payed the price by being deprived of food, water, shelter and other basic needs; sitting in the cold rain and slipping in the mud in between the two borders. In addition the access to this point was limited for MYLA's lawyers at certain times.

As the days went by approximately 200 agreed to be accommodated in the camp in Tabanovce while the rest remained in the border zone but mostly for medical reasons, many had to come back to the camp. After almost three weeks everyone returned to TC Tabanovce, and **135** refugees went to TC Gevgelija, since they expressly stated that the conditions there were more suitable for them. The field lawyers counseled **420** persons regarding the asylum procedure in Macedonia and identified and assisted **8** unaccompanied minors and **77** extremely vulnerable individuals in TC Tabanovce.

Although initially no one was interested in seeking asylum in Macedonia, towards the middle of the month **13** refugees expressed an interest in applying for asylum in Macedonia. However, they were not allowed to do so by the police i.e. they were denied access to procedure. The unofficial response of the police was that no one from the persons that are currently in TC Tabanovce will be allowed to submit an asylum application in Macedonia, which issue was reported to the

state institutions and other international bodies such as UNHCR.

Due to the before mentioned closure of the borders after the EU – Turkey summit, no refugees were registered after 7 March 2016. MYLA assisted the Border Police in issuing **1,729** intentions to seek asylum, and the last refugee was registered in Macedonia on 07 March 2016. MYLA offered free legal aid and informed **1,449** persons about their rights and obligations and the asylum procedure in Macedonia, as soon as they arrived in TC Vinograd. They also made **22** intervention for vulnerable groups of individuals in their registration process, helping **64** refugees with their registration or with other issues they were encountering.



*Hundreds of people flock into the village of Moin
March 2016 Photo: MYLA*

On 14 March 2016, MYLA field team visited the village of Moin, on the border of Macedonia and Greece. It was reported that some 2000 - 3000 refugees were intending to cross the border and enter Macedonia. Despite managing to cross on Macedonian territory immediately after the police and military forces managed to intercept the crossing point of the refugees and all of them were returned/deported back to Greece within one day. It was reported that somebody from the Greek side convinced the refugees to enter in Macedonia through this route.

Later, the Greek authorities began investigating this case, particularly the leaflets that were distributed among the refugees showing them from where to enter Macedonia and avoid encountering the Macedonian authorities. This attempt ended tragically and 3 persons lost their lives in their effort to cross the river and reach Macedonia.

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MYLA is the only organization in the Republic of Macedonia that provides free legal aid and represents asylum seekers, refugees, stateless persons and other persons of concern in procedures related to asylum, legal residence and other social rights.

MYLA's work has been generously supported by the United Nations High Commissioner for Refugees, the Ministry of Foreign Affairs of the Kingdom of the Netherlands and Oxfam.

CONTACT US

Address:
Zlatko Shnajder 4a-1/3
1000 Skopje, Macedonia

Telephone:
+389 2 3220 870

Email:
contact@myla.org.mk

Visit us on our website
www.myla.org.mk



Macedonian Young Lawyers Association



Kingdom of the Netherlands



FIELD REPORT 2016

April-May-June



Macedonian Young Lawyers Association

The border closure in March resulted with significantly reduced influx of refugees in the period April-June. However, many refugees were residing at the transit centres for a longer period of time and some of them expressed a wish to apply for asylum. The Macedonian Young Lawyers Association's staff continued to ensure protection by being 24/7 present both in TC Tabanovce and TC Vinograd by providing legal aid regarding the right to asylum and closely monitoring of push forwards and push backs in the field. During this period, no new intentions to seek asylum were issued and no refugees were registered, and the refugees faced grave difficulties with applying for asylum in the transit centres.

APRIL

During April the situation in both camps was quite calm, however with each passing day more and more people were leaving TC Tabanovce in an unknown direction and at TC Vinograd more and more people were being caught by the police trying to cross the border irregularly in order to continue their journey towards Europe. Based on the available unofficial data at the beginning of the month there were between 600 - 800 refugees and migrants accommodated at TC Tabanovce.

At TC Vinograd there were around 126 persons/37 households, while 10 persons were staying in the rub hall just outside the camp. MYLA continued to offer legal aid and counselling in both camps and had constant presence the entire month in TC Vinograd. During this time the field lawyers advised **761** persons on legal issues in TC Vinograd and **565** persons in TC Tabanovce, and assisted **8** extremely vulnerable individuals.

The official reason for adoption of this decision was that the institutions have concluded that during these hours the presence of organizations that do not have accommodation facilities is not needed in the camp. In fact MYLA was the only organization that was affected by this decision.



A wire was set up on 20 March 2016 around TC Tabanovce. Photo: MYLA

With this restriction, it became much easier for “push forwards” and “push backs” of the people that are staying at TC Tabanovce. Only several days after this decision was brought the decrease of persons present in the camp was evident. MYLA was informed that some refugees have been pushed forward to Serbia while some have been pushed back to Greece.

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However, in TC Tabanovce for 2 weeks MYLA's presence was allowed only until 19:00 PM. This restriction was imposed during the General Headquarter Meeting of the Centre for Crisis management held on 6 April 2016, where a decision was adopted to restrict/limit access to TC Tabanovce to all NGOs from 19:00 PM until 08:00 AM.

Approximately 1579 irregular migrants were apprehended by the Macedonian police and later returned to Greece without possibility to submit application for asylum in Macedonia

On Monday 11 April, MYLA prepared and submitted a request to the Centre for Crisis Management to be fully reinstated while explaining why this is very important. After receiving support from UNHCR, OSCE, OXFAM, La Strada and others, MYLA was allowed to continue with its 24/7 presence as of 25 April 2016.

No asylum applications were accepted by the authorities in TC Tabanovce and TC Vinojug in April 2016

In terms of developments concerning refugees, on 10 April 2016, there were tensions on the Greek—Macedonian border between the refugees in Greece and Macedonian police forces who had to intervene using tear gas, shock bombs and allegedly rubber bullets to prevent them from dismantling the fence and entering Macedonia by force. According to reports there were 23 injured policemen and 250—300 refugees that needed medical assistance. The situation at the Greek-Macedonian border continued to be tense but no larger incidents happened throughout the rest of the April.

During this month the practice of the Police to not accept any asylum claims continued. There were 7 asylum applicants in TC Tabanovce who were waiting to be transferred to the Reception Centre for asylum seekers in Vizbegovo for over a month. MYLA's persistence and constant communication with the Sector for Asylum has resulted positively in terms of securing transfer from TC Tabanovce to the Reception Centre for Asylum Seekers in Vizbegovo. Despite this success, the authorities continued to limit the access to the asylum procedure by not accepting any application from the refugees accommodated in both the transit centers.

It has been reported that there is an increase of persons being smuggled from Greece to Macedonia. Unconfirmed information shows that several groups of irregular migrants were caught by the police in various places in Macedonia. These groups were immediately taken to the police station in Gevgelija where they were registered, questioned and afterwards were pushed back to Greece. From the information MYLA has gathered in the field a total of **1579** irregular migrants were apprehended by the Macedonian police/army and pushed back to Greece. By the end of April, as information spread that both Hungary and Austria were accepting around 30 persons per day, the number of persons caught in the surroundings in Gevgelija grew as well as the number of persons sheltered in TC Tabanovce.

MAY

At the beginning of May the number of refugees accommodated at TC Tabanovce was approximately 420 persons, the majority of whom were Syrian and Afghan. However, by the end of May only 230 persons were left. Almost half of the persons sheltered in the camp left for Serbia by the end of the month, some with the help of smugglers, others using other channels for crossing the borders.

According to unofficial information from aid workers in the TC Tabanovce some push forwards to Serbia are being conducted by the authorities, but this information cannot be confirmed. At the time it was reported that irregular migrants are travelling from Greece to Macedonia and reaching the transit center Tabanovce where they managed to enter in complete silence using some holes in the fence, rest for a couple of days and then continue their journey.

Number of refugees present in TC Tabanovce in May was reduced to 420 people, with 50 new arrivals recorded

MYLA staff has recorded approximately **50** new arrivals to TC Tabanovce, but in May there are additional persons that managed to enter TC Tabanovce without being detected. To all of them MYLA explained the asylum procedure in Macedonia but they were not interested in applying for asylum and their main goal was to continue to Serbia as soon as possible.

It has also been reported that **20** persons were returned from Serbia to Macedonia while attempting to enter and according to their statements they all came from Greece but were caught by the Serbian authorities. All of them stated that they will continue to try until they succeed and none of them was interested in submitting an asylum claim in Macedonia.

In May approximately 3763 irregular migrants were apprehended by Macedonian police and later returned to Greece

On Sunday, 15th of May, a group of approximately **80** persons boarded a train that was going to Serbia in the late evening hours. The refugees started getting off the train and after a while they informed MYLA that police officers allegedly informed them that a new group of 2000 persons was due to arrive in Tabanovce and therefore they would need to make space in the camp by boarding a train that will take them to Serbia. No further information was provided and we can only assume that this operation was aborted because of the presence of MYLA field staff during the attempt.

MYLA interpreter informs a refugee about the available services in TC Tabanovce. Photo: MYLA



All of the refugees that approached MYLA for assistance were provided with the necessary information. In total around **230** persons were given legal counseling in TC Tabanovce during May, mostly on questions regarding the asylum procedure in Macedonia, family reunification, social security in Macedonia, possibility for finding a job, information regarding the conditions for accommodation in the reception Centre for asylum seekers in Vizbegovo, integration process in Macedonia.

It has been reported that in several cases the police have intercepted a lot of refugees who have been boarded onto military trucks and send to unknown locations without even being taken to questioning, meaning that the total number of push backs to Greece may be significantly higher. Despite receiving information on the asylum procedure in Macedonia none of these persons were interested in submitting an asylum claim.

In addition, it has been reported that from those that were apprehended, **6** irregular migrants have been “detained” and sent to the Reception Centre for Foreigners in Gazi Baba, Skopje. Based on this information, they will most probably be used as witnesses in criminal procedures, therefore they will be kept in custody until they testify.

Apart from working in the Transit Centers, MYLA staff made visits to the police station in Kumanovo and other surrounding villages together with representatives from

UNHCR during which visits no refugees were spotted.

Additionally by the end of the month a total of **8** border monitoring visits were conducted by MYLA’s mobile team covering **34** villages along the border with Greece. During this monitoring visits no refugees were spotted but from conversations with the local population we found that those roads and parts of the forests are frequented by refugees trying to cross Macedonia on their way to their final destination.

JUNE

As in May, the total number of refugees staying in TC Tabanovce kept decreasing and by the end of the month there were approximately **80** persons left. According to unofficial information all of them are from Syria, because the last families from Afghanistan left at the end of the month. The refugees told MYLA’s field staff that on several occasions, the police approached and told them that they should continue their journey to Serbia in the shortest possible time otherwise they will be sent back to Greece since this transit Centre will be closed. However, there is no precise data on the number of individuals pushed forward to Serbia by the police, or confirmation of whether this alleged information given by the police is true.

In June approximately 351 irregular migrants were apprehended by Macedonian police and were later returned to Greece

In TC Tabanovce MYLA provided **77** persons with legal advice and counselling regarding the right to asylum in Macedonia, as well as other questions the refugees had like family reunification, social security in Macedonia, job possibilities, health insurance, right to education etc. It has been reported that the refugees are allowed to exit the transit Centre and shop for food from the near shop in the village of Tabanovce. The police authorities are more flexible and tolerant toward them in terms of entry/exit from the camp as a result of the fostering month and decreased number of the population in this Centre. This is evident also from the fact that the daily arrival of new refugees in TC Tabanovce continues.

On a daily basis between **5** and **10** people arrive in the camp, rest for a day at best and then continue their journey to Serbia. Due to the small number of persons staying, these persons were evident and easily spotted.

Most arrivals are young males travelling alone, who have spent approximately 4-7 days to reach the camp from Greece. Towards the middle June we had a father and his two sons arrive at the camp and in conversation with us stated that he had been kept hostage in the village Vaksince, near the camp, for 15 days. MYLA's field staff explained the asylum procedure to him and his sons but they were not willing to stay here because they felt unsafe in the country, and within 5 days from arriving they left the camp.

1326 people in both centers were assisted by MYLA staff

MYLA's lawyers visited the Police Station in Kumanovo, after they were informed that a group of 40 people had been apprehended trying to irregularly reach the border with Serbia. They were offered legal advice but were not interested in seeking asylum in Macedonia, since their final destinations were Germany and Italy. During informal conversation with some of the police officers we were informed that over the past two months, a lot of refugees who had been caught in the surrounded villages while trying to reach Serbia were brought to the police station in Kumanovo.

During June, **134** refugees were accommodated at TC Vinojug, with almost all having previously been accommodated at TC Tabanovce when the borders were closed and they could not continue their journey. MYLA's field lawyers offered legal advice to **271** refugees, most of whom were persons brought by the police because they were caught trying to irregularly cross in Macedonia. MYLA's field lawyers also reported that the total number of irregular migrants that were pushed back to Greece after being caught on Macedonian territory in June was **351** persons.



MYLA lawyers providing legal aid regarding the right to asylum in TC Vinojug. Photo: MYLA

In both centers (Vinojug and Tabanovce) refugees continue to face difficulties with submission of asylum applications

During the reporting period MYLA's field team recorded **25** individuals, who previously submitted an asylum application in Macedonia (residing in the Reception Centre for Asylum Seekers in Vizbegovo) and were returned from Serbia to Macedonia after being caught by the Serbian authorities. They informed MYLA, after arriving in TC Tabanovce that they will try again to cross the border with Serbia as soon as conditions allowed it. Eventually, all of the individuals managed to cross the border with Serbia and continue their journey to the EU. None of the apprehended person complained about abuse and violations from the Serbian and/or Macedonian authorities. In both camps submitting an asylum claim has continued to be an issue for the refugees that wish to do so. MYLA was constantly addressed this behavior of the police in meetings with the authorities and the international community, but in June there has been no change to the practices of the police, even though the authorities are quite aware that they are breaking the international laws by refusing to allow asylum seekers to submit asylum claims. With this behavior, the authorities are managing to keep the number of asylum claims low and deter the refugees from applying for asylum in Macedonia.

MYLA conducted monitoring in 34 border villages on the southern border

On 16 June 2016 officials from the Sector for Asylum (SfA) went to TC Vinojug and, without allowing MYLA's lawyers presence, interviewed **14** persons interested to apply for asylum and subsequently transferred them to the Police station in Gevgelija to fill out written applications and take their fingerprints. The asylum seekers were told that they would be transferred to the Reception Centre in Vizbegovo on 20 June, however, they were never transferred and were not notified about their procedure. In addition to not being allowed to attend the conducted interviews, MYLA was not notified about these interviews by the SfA in advance, nor did we receive any notification about their procedure. One more family, of 6 members, was initially interested in seeking asylum, but after they were informed by SfA that their children will not be able to receive the necessary medical attention in Macedonia they changed their minds. It is unclear and worrying that the SfA told the asylum seekers this, as medical assistance is provided to all asylum seekers by Law.

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MYLA's work has been generously supported by the United Nations High Commissioner for Refugees, the Ministry of Foreign Affairs of the Kingdom of the Netherlands and Oxfam.

CONTACT US

Address:
Zlatko Shnajder 4a-1/3
1000 Skopje, Macedonia

Telephone:
+389 2 3220 870

Email:
contact@myla.org.mk

Visit us on our website
www.myla.org.mk



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Kingdom of the Netherlands



FIELD REPORT 2016

July



Macedonian Young Lawyers Association

During July there were no particular changes in the field apart from the increased number of refugees leaving and arriving in TC Tabanovce and TC Vinograd. MYLA's data gathered in the field show that the push backs registered in the previous months continued during the month of July, with an increase of push backs from Serbia to Macedonia and less intensity regarding those from Macedonia to Serbia. The issues regarding access to procedure continued this month as well and refugees encountered obstacles when trying to apply for asylum, particularly in TC Tabanovce.

Compared to previous months, the situation on field has not changed drastically. The number of refugees in the transit center in Tabanovce varied between 70 and 85 persons on a daily basis, depending on the number of arrivals and departures. Most of the persons staying in TC Tabanovce attempted to leave the camp and enter Serbia, however the majority of those detected by the authorities were returned to the center. In total **27** refugees from TC Tabanovce succeeded in their attempt to leave the camp and continue towards Serbia while the rest of those who tried were caught and prevented in their attempt. Some of the refugees used the cargo train that stops in Tabanovce to cross the border before continuing to Serbia. Others tried to cross on foot, usually in the evening hours or early in the morning.

There were approximately **16** persons that arrived in TC Tabanovce during the month of July. These refugees coming from Congo, Iran, Afghanistan, Morocco, Algeria, etc. used this center to rest for several hours and continue their journey to Serbia. They informed MYLA's lawyers that they traveled in bigger groups but got separated on the way to Serbia. There is no statistical data on the number of refugees and migrants transiting through Macedonia, however their number is relatively high according to the statements of those arriving.

Refugees that are travelling across Macedonia are trying to avoid TC Tabanovce due to fear of being caught by the police authorities and being pushed back to Greece.

According to MYLA's data, during July a total of **64** persons were intercepted in Serbia and returned back to Macedonia. From this group only **12** persons were accommodated in TC Tabanovce, while the rest were sent back to TC Vinograd in Gevgelija and from there pushed back to Greece. On 11 July 2016, it was reported that 10 refugees were pushed back from Serbia to Macedonia. The group consisting of 4 men, 3

children and 3 women all from Syria, stated that they were pushed back from Hungary to Serbia and later on from Serbia to Macedonia because they were profiled as economic migrants. Additionally, **2** persons (1 male and 1 female) were pushed back from Serbia to Macedonia, and the women claimed she was separated with her daughter while attempting to avoid contact with the Serbian police. The authorities, as well as the relevant organizations were informed about this case and worked together towards finding the girl.

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During the reporting period **59** persons accommodated in the transit center in TC Tabanovce were provided with information and other legal counselling. They were mostly interested in knowing about the asylum procedure in Macedonia, family reunification with family members in Germany and other EU countries, the conditions in the Reception Center for Asylum Seekers in Vizbegovo, their current status in Macedonia, freedom of movement in Macedonia and information about reopening of the borders along the Balkan route.

In terms of legal counsel, majority of the people that were offered legal aid and counseling in TC Vinograd were persons that were caught by the Macedonian Police in an attempt to enter Macedonia irregularly and were taken back to the camp site to be questioned/profiled and later on pushed back to Greece.

In total **395** persons have been pushed back to Greece during July. This number is lower in comparison to previous months, however the reason behind this practice remains unclear, whether the authorities are not taking for questioning all of the persons they catch or because the refugees have managed to find alternative crossing points and routes and they manage to transit through Macedonia without being detected by the police authorities. Whatever the reason this month, on 24 July 2016, for the first time on the official site of the Ministry of Interior there was a [report](#) that a group of irregular migrants that were caught by the Police being smuggled through Macedonia were returned back to Greece.

Access to asylum procedure is still a problem and is allowed by the authorities on selective basis. The biggest obstacles when trying to apply for asylum were noted in TC Tabanovce.

During the month of July, approximately 132 refugees were staying in TC Vinojug in Gevgelija. With the assistance of MYLA's lawyers in TC Vinojug, on 20 July 2016, one woman from Afghanistan with her 2 children managed to apply for asylum and later on she was transferred and accommodated in the Reception Center for Asylum Seekers in Vizbegovo.

Due to increased activities of organized groups of smugglers that are operating in Macedonia and according to information between 100 - 200 refugees are transiting through Macedonia on a daily basis, MYLA's mobile teams went on several monitoring visits both in villages in Macedonia as well as Northern Greece.

On 19 July 2016 there was one visit to the village of Lojane and Vaksince. MYLA's lawyers spoke with the local population who told them that refugees are no longer using the local mosque as a place where they sleep and rest like they did in the past. They also claimed that the refugees had raised an improvised shelter where they rest, in a remote place in the mountains but even though it was dismantled by the police approximately one month ago, they have managed to rebuild it. The refugees go to the village only to buy food. In terms of information relating to smuggling activities, based on the statements of the locals, the smugglers are mainly originating from Afghanistan and Pakistan. They told MYLA's lawyers that as one group of refugees manages to enter in Serbia, another arrives and currently there are between 100 - 300 persons in improvised shelters in the mountains. Our mobile team encountered 5 migrants in the center of the village, but they refused to speak to them.

On 22 July 2016, another visit to the police station in Kumanovo was conducted by MYLA staff and UNHCR representative. This visit was done because it was reported that a group of 31 migrants were intercepted in the villages of Lojane and Vaksince and detained in the Police Station. Upon arrival in Kumanovo the mobile team was informed that no group was brought in the police station and that the group was immedi-

ately sent back to Gevgelija.

In July, MYLA continued its monitoring activities on the southern border. MYLA monitoring team conducted 6 monitoring visits to 4 different regions in the Southern border with Greece covering 21 villages. The following regions were covered: South Central region (Gevgelija area towards Kozuf); South Central region (Gevgelija and Bogdanci area towards East); South East region (Dojran area); South East region (Novo Selo area towards East). The objective of the field monitoring was to gather data on: transit routes (entry and exit points) frequency of movements, important locations, modus operandi (for people on the move, smugglers and police); Police/Army presence and practices both in contacts with refugees and migrants and with local population, frequency of patrols etc.; to establish network of contacts with local population for further cooperation, including early warning mechanisms.

During July MYLA's monitoring teams continued with field visits both on the northern and southern border of Macedonia, as well as in parts of Northern Greece.

In addition to the monitoring and protection activities in Macedonia, MYLA conducts a fact finding monitoring mission in Northern Greece in order to collect testimonials of both push backs and push forwards by both Macedonian and Greek authorities. MYLA presence in these regions in Greece is contributing to the wider MYLA advocacy objective of stopping push-backs along the Balkan route, facilitating access to territory and access to asylum procedure to people in need of international protection, and full implementation of readmission agreements in cases of irregular migrants.



Women in TC Tabanovce attending one of the workshops
Photo: MYLA

As of 01 July 2016, **7** creative workshops with women and girls have taken place in TC Tabanovce and TC Vinojug. At the workshops, the women refugees had the possibility to practice and develop new skills. The workshops were attended by a total **129** women and girls.

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MYLA is the only organization in the Republic of Macedonia that provides free legal aid and represents asylum seekers, refugees, stateless persons and other persons of concern in procedures related to asylum, legal residence and other social rights.

MYLA's work has been generously supported by the United Nations High Commissioner for Refugees, the Ministry of Foreign Affairs of the Kingdom of the Netherlands and Oxfam.

CONTACT US

Address:
Zlatko Shnajder 4a-1/3
1000 Skopje, Macedonia

Telephone:
+389 2 3220 870

Email:
contact@myla.org.mk

Visit us on our website
www.myla.org.mk



Macedonian Young Lawyers Association



Kingdom of the Netherlands



FIELD REPORT 2016

August



Macedonian Young Lawyers Association

During August there were no significant changes or progress on field apart from the increased number of refugees arriving in TC Tabanovce. MYLA's data gathered on field show that the push backs registered in the previous months continued during August, with an increase of push backs from Serbia to Macedonia. The issues regarding access to procedure continued this month, and refugees encountered obstacles when trying to apply for asylum both in the camps as well as any other part of the territory of the country.

TC Tabanovce

The situation in TC Tabanovce in August continued to be relatively the same as in the previous few months. The number of transiting refugees is increasing daily, while new arrivals are generally registered during the nights. Largely, this depends on the push backs that Serbian police are carrying out with refugees attempting to cross over from Macedonia. In total, only **32** persons have succeed in their attempt to leave the camp, but many more have tried and have been returned. All of those who tried to cross the border did that on foot, mostly late at night. One family succeed in the process of family reunification and went to Germany.

During August there were around **184** newcomers, so the

At the end of the month, 67 refugees were accommodated in TC Tabanovce, out of which 54 from Syria, 7 from Iraq and 7 men from Palestine.

number of persons varied, and in average 87 persons were accommodated in the camp. Most of the newly arrived refugees were coming from Algeria, Morocco, Afghanistan and Pakistan, with only 6 -7 of coming from Syria. As they informed MYLA's field lawyers, they wanted to use their time in the camp to rest, eat, obtain new clothes and seek medical attention. Among them were 4 unaccompanied minors, and MYLA informed Ministry of Labor and Social Policy representatives about this situation. However, before the representatives could act upon the issue, the refugees left the camp during the night and did not return. Moreover, all of the newly arrived refugees in the camp were allowed to stay and rest for one day (24 hours) after which the Police would expel them out of the camp. In order to assure that no one stayed longer than what they were allowed to, the police were monitoring inside the tents and houses in the transit center.

The most pressing problem that the refugees are pointing out to, are the push backs from Serbia to Macedonia. According to their testimonies they all had the same experience i.e.

many families are being pushed back on a daily basis while they repeatedly try to reach Serbia. Some of them return to the camp and some of them remain in the villages around the camp with the smugglers waiting for the right moment to cross the border. It has been reported that **83** persons in total have been pushed back from Serbia to Macedonia. There were also refugees that remained in-between the Macedonian and Serbian border zone, not being allowed to enter in neither of the countries for 1-2 days, but eventually they



Rub hole tent at TC Vinojug

source: MYLA

were allowed to enter Macedonia in the village of Lojane. It was reported that the group subsequently managed to enter Serbia and continue their journey. It has been reported that **32** persons have managed to successfully leave TC Tabanovce and cross the Serbian border without being caught since none of these persons have returned to the camp.

MYLA FIELD STAFF

- **12 Field Lawyers**
- **8 Interpreters**
- **7 On-call Attorneys**
- **24/7 Free Legal Aid Number**

In August approximately **210** persons staying in the camp TC Tabanovce received all the needed information about the asylum procedure and their rights and obligations, in case they decide to apply for asylum in Macedonia. One family got a positive answer from Germany for family reunification and left the camp with the help of the Restoring Family Links service provided by the Macedonian Red Cross. After that, many persons and families in the camp expressed their interest about the family reunification procedure. However, they are continuously seeking additional information about the Balkan route and the possibilities of reaching the European countries where they are hoping for better living conditions.

TC Vinojug

During August the situation in TC Vinojug was quite calm. As the previous month, the majority of the persons offered legal aid and counseling in TC Vinojug were persons that were caught by the Macedonian Police in an attempt to enter Macedonia irregularly. The total number of refugees that were deported after being caught on Macedonian territory in August was **474** persons, most of them being from Syria and Afghanistan. MYLA's field lawyers gave necessary information mostly on questions regarding the asylum procedure in Macedonia, social security in Macedonia, possibility of finding a job, information regarding the conditions for accommodation in the Reception Center for Asylum Seekers in Vizbegovo, the integration process in Macedonia and other information. All of the push backs are done unofficially to places/points where there are no Greek police patrols.

127 refugees were accommodated in TC Vinojug during August and there has not been significant progress regarding the access to the asylum procedure compared to previous months

On **August 09, 2016**, officials from the Sector for Asylum came to TC Vinojug and interviewed one family from Syria interested to apply for asylum, and subsequently took them to the Police station in Gevgelija to fill out a written applications and take their fingerprints. MYLA lawyers were not allowed to be present during this event. Two weeks later, on **August 25**, officials from the Sector for Asylum conducted an RSD interview with this family. Also, on **August 09, 2016** officials from the Sector for Asylum conducted an RSD interview with a family from Afghanistan who submitted asylum claims on **July 26 2016**.

The latest developments regarding these asylum seekers are that after applying for asylum, they have not been transferred to the Reception Center for Asylum seekers in Vizbegovo, but rather they continue to reside in TC Vinojug. Their freedom of movement is restricted like all the other refugees staying in the camp.

On **August 29, 2016**, a UNHCR delegation from Geneva visited TC Vinojug. MYLA's field lawyers discussed with them the situation of the asylum seekers and pointed out that their biggest challenge in TC Vinojug at the moment is to find a solution about accommodation conditions and free movement. In addition, the Ministry of Labor and Social Policy asked for a list of all asylum seekers staying in TC Vinojug, so that local governmental institutions can make decision on the accommodation of refugees in TC Vinojug. So far, only three of the asylum seekers who have already received identification cards were approved to go out in the city, accompanied by Red Cross staff.

The practice of not allowing asylum applications has not changed, even though this practice is a direct violation of the laws on asylum and Constitution of Macedonia.

The institutions are not allowing asylum claims from refugees and migrants accommodated in the transit centers, or those intercepted in any part of the territory of the country. This issue has been reported by MYLA on every occasion, including meetings with the international community, donors and authorities in Macedonia.



Women refugees attend cooking workshops

source: MYLA

During August, **36** creative workshops for women and girls were organized in both TC Tabanovce and TC Vinojug. The workshops were based on several aspects of daily life, such as cooking, healthy nutrition, preparation of traditional food, yoga, make up and English language. The women are particularly happy and satisfied as they are occupied with some activity while staying in the camps.

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