

Macedonian Young Lawyers Association



FIELD REPORT 2016

November



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*According to MYLA, the country currently hosts approximately 550 new refugees, asylum seekers and migrants. **90** are accommodated in TC Tabanovce , **130** in TC Vinogug , **60** in the Reception Center for asylum seekers Vizbegovo , and **40** in the Reception Center for foreigners Gazi Baba. There are approximately 200 persons staying along the northern border with Serbia usually in the villages of Lojane and Vaksince and near the railway close to TC Tabanovce.*

TC Tabanovce

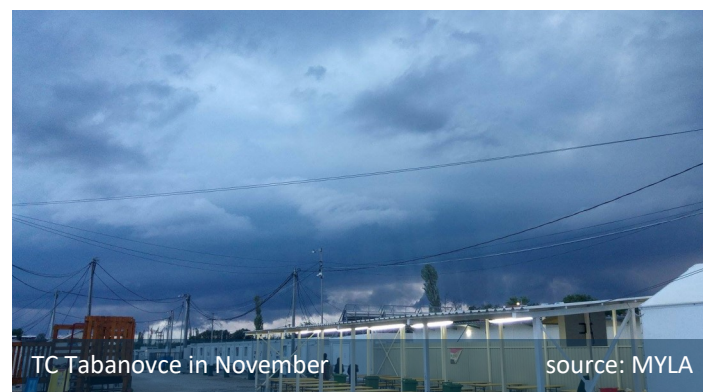
Like the previous month, there were several developments in TC Tabanovce in November. The number of pushed back refugees from Serbia, deported refugees and refugees who were not granted entrance to the camp increased significantly. Also, the number of refugees that can be seen in the vicinities of the railway station has been increasing steadily throughout the month. All this proves that even though the Macedonian borders are officially closed, refugees and migrants find ways to enter Macedonia transiting on their way to their final destination.

*The total number of refugees staying in TC Tabanovce is **95**, but the official number given by MLSP remains at **58**.*

Although there was some progress made with the access to services of vulnerable individuals with a focus on women and children, during the reporting period on several occasions, the authorities did not allow families with women and children access to TC Tabanovce. One of the biggest and most concerning developments in November is the high numbers of pushed back refugees from Serbia who are not accepted in TC Tabanovce, including vulnerable groups. There is some change in the practice of Macedonian police authorities since they do tolerate the stay of approximately 200 persons in the vicinities of the camp without taking measures for deportations towards Greece. However, the police

still does not allow people to register and stay in the official Transit centers. In November, a total of **180 newcomers** reached TC Tabanovce even though they were not allowed to enter the camp at all. In emergency cases, if medical assistance is needed they will be allowed to enter the camp, but only to receive necessary inter

vention, otherwise any help they get is unofficial and done by those staying in the camp. The area surrounding the camp and the camp itself is constantly monitored by police authorities and each time newcomers are detected, they are expelled from the camp. The number of deported refugees and refugees not allowed to enter the camp has also increased.



TC Tabanovce in November

source: MYLA

MYLA's field lawyers spoke with most of them when they were allowed to do so by the police. In these conversations they claimed that they were all pushed back from Serbia, that they travelled with smugglers and that Serbian police was violent and mistreated them. The field Lawyers informed all of the **180** refugees who approached TC Tabanovce about their right to seek asylum in Macedonia. Most of them were single men from Algeria, Morocco, Pakistan and only few from Syria.

*The number is increasing on a daily level, with an average number of refugees arriving to **15** per day, not counting the ones who have not even tried to come to the camp.*

Since there are families in the camp in process of family reunification, the other refugees, especially women, who are not, constantly asked the field lawyers questions and advice related to the family reunification procedure, as well as the asylum procedure and other information hoping to find a solution to their current situation.

Moreover, there are larger groups of refugees staying in the vicinity of the railway station and TC Tabanovce and they only go inside the center for food and assis-



tance. The group consists of **20-30** single men, among them **4** minors, all of them pushed back from Serbia. Most are from Algeria, Morocco and Pakistan.

They occasionally come to the center for food or water, but otherwise they are not allowed entrance inside. MYLA's field lawyers referred the minors to the representatives of the Ministry of Labor and Social Policy and

On a positive note, MLSP started to follow the SOP this past month. This was after pressure was made by all organizations and the Ombudsman of the Republic of Macedonia who came to the camp several times to monitor the situation and help the MLSP in the procedure of assigning guardians to the minors.

to the police, according to the Standard Operating Procedures. MLSP representatives asked permission from the police for the minors to be allowed entrance and stay in the camp, but unfortunately their request was denied. The police pointed out that they were not actually minors i.e. they gave false information about their age and therefore they could not stay in the camp.

The minors who did stay in TC Tabanovce and who were assigned guardians proved to be problematic, even though the guardians did their best to take care of them. One of the minors who was assigned a guardian, was persisting to continue his journey as soon as possible, but after a while MYLA found out that he had left the through a smuggler.

In addition, in November there was a particular case when **8** men from Pakistan were deported due to their behavior in the camp. According to other refugees in the camp, this group misbehaved and caused problems, and after they complained to the police about their conduct, 8 of the 10 men in the group were initially expelled and then according to unofficial reports deported. All of them were asylum seekers in Macedonia but only two were allowed to stay, and later on were taken to RC Vizbegovo.

There were 12 refugees who asked asylum this month.

On the other side, the number of refugees who have sought asylum has increased this month.

12 refugees from TC Tabanovce were taken to the Reception Center for Asylum Seekers in Vizbegovo because they applied for asylum. Some of the families that were transferred had remarks concerning the conditions in Vizbegovo and they asked to be allowed to stay in TC Tabanovce because there the conditions were better.

Another group of **12** refugees interested to seek asylum were frightened by the Sector for Asylum, when they came to speak to them. Subsequently, they changed their mind about seeking asylum. MYLA's field lawyers weren't allowed by the SfA to be present during the interviews with the potential asylum seekers. The refugees claimed that after the end of the interviews, representatives of the Sector for asylum informed them that if their asylum procedure had a negative outcome they would be deported immediately.

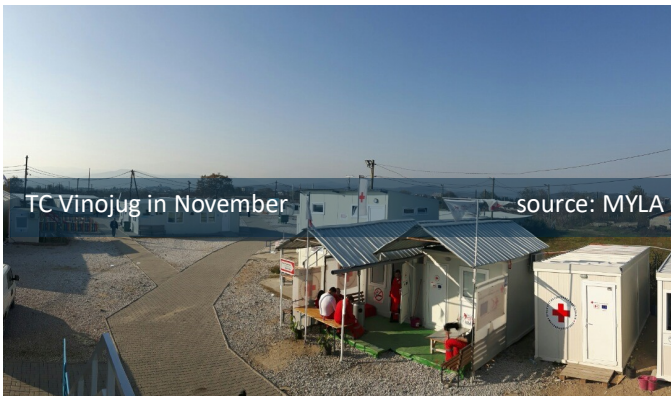
MYLA staff initiated a meeting with the police expressing our concerns regarding the access to asylum procedure for the people who are willing to submit an asylum application in Macedonia. Practical measures about informing and notifications were agreed between MYLA and the police, so it is expected that in the upcoming period there will be improvement in this practice.

The field lawyers were informed about new routes by the refugees arriving in the camp during November. According to their statements, the smugglers take the groups of refugees in Serbia through Macedonia, then to Kosovo and once again from Kosovo back to Serbia.

Also, they state that the smugglers explain the necessity of this new route due to the Serbian police being particularly strict during the last few months, so they must reroute to Kosovo to avoid any possibility of being caught by the Serbian police.

TC Vinojug

The situation in TC Vinojug has not changed drastically compared to previous months. During November, the number of persons in TC Vinojug varied between 99 and 125 persons. On November 4th, all asylum seekers from Vinojug were transferred to the Reception Center for Asylum seekers in Vizbegovo, being the main reason why the number had decreased to **99**. This achievement was significant for MYLA because after months of lobbying with relevant institutions on the right to free movement for asylum seekers, it was finally being acknowledged. In addition, there were several voluntary departures by refugees in camp i.e. in November **12** refugees from Syria and Iraq left the camp and went to Greece. They explained that they were leaving because family was waiting for them in Greece to reunite, and perhaps they would find better conditions for living there. On November 15th one family from Iraq was allowed to be accommodated in TC Vinojug due to the critical pregnancy of the woman.



In terms of legal counseling, the majority of the who were offered legal aid and counseling in TC Vinojug, were persons caught by 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, **90** persons from Syria, Afghanistan, Algeria, Morocco, Pakistan, Tunisia and Sudan were pushed back to Greece during November. All of the push backs are carried out unofficially to places/points without Greek police patrols.

This number is lower compared to previous months, but the reason behind is unclear; whether the authorities take the intercepted refugees back to the camp for questioning, catch or simply 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. The Ministry

of Interior continued with the registration of refugees entering Macedonia irregularly by taking their personal information and fingerprints.

During November there were no asylum claims. 8 refugees were interested about the asylum procedure in Macedonia, but after our explanation and legal counseling they decided not to submit an asylum request in Macedonia.

MYLA's field lawyers gave legal advice to **98** refugees, mostly on questions regarding the asylum procedure in Macedonia, social security in Macedonia, work opportunities, information regarding the conditions for accommodation in the reception center for asylum seekers in Vizbegovo, integration process in Macedonia and other information.

During November, Representative of the Bundestag, Representative of the ruling party in Germany, the Slovenian Ambassador and a representative of the French attaché visited TC Vinojug. They were interested in our engagement and the assistance that we offer to refugees staying in TC Vinojug.

Macedonian Young Lawyers Association (MYLA) is an independent, non-partisan, non-governmental professional organization which provides legal aid and strategically litigates to protect human rights. By using the knowledge and innovative capacities of young lawyers, MYLA promotes the rule of law and influences policy through research and advocacy. MYLA strives for a society in which the rule of law is established and people proactively strive for the respect of their human rights.

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.

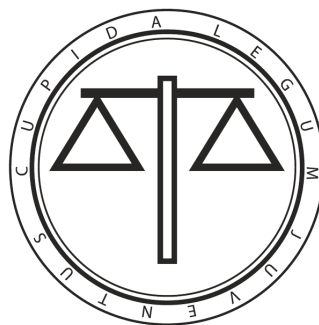
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