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THE DARK SIDES OF EUROPEANISATION. SERBIA, BOSNIA AND HERZEGOVINA AND THE EUROPEAN BORDER REGIME

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Imprint

Publication title:

The Dark Sides of Europeanisation. Serbia, Bosnia and Herzegovina and the EUropean Border Regime

Publishers:

Rosa Luxemburg Stiftung Southeast Europe, Gospodar Jevremova 47, 11000 Belgrade, Serbia

Inštitut Časopis za kritiko znanosti, Ulica talcev 2, 1000 Ljubljana, Slovenia

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Circulation: 1,000

Print: Standard 2, Belgrade, Serbia

Publishing year: 2020

ISBN: 978-86-88745-41-3

Research Paper Series of
Rosa Luxemburg Stiftung
Southeast Europe

No.8

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List of Abbreviations and Acronyms

AYS – Are You Syrious?

BiH – Bosnia and Herzegovina

DPA – Dayton Peace Agreement

EASO – European Asylum Support Office

EBCGA – European Border and Coast Guard Agency (formerly Frontex)

EC – European Commission

ECHO – European Civil Protection and Humanitarian Aid Operations

EIB – European Investment Bank

EMPACT – European Multidisciplinary Platform Against Criminal Threats

EUCPM – EU Civil Protection Mechanism

EUSR – EU Special Representative

IBM – Integrated Border Management

IMF – International Monetary Fund

IOM – International Organization for Migration

IPA – The Instrument for Pre-accession Assistance

MADAD – The EU Regional Trust Fund in Response to the Syrian Crisis

MSF – Médecins Sans Frontières, Doctors Without Borders

NGO – Non-Governmental Organization

OHR – Office of the High Representative

SAA – Stabilisation and Association Agreement

SAP – Stabilisation and Association Process

SFA – Service for Foreigners' Affairs

TAIEX – Technical Assistance and Information Exchange

UNHCR – United Nations High Commissioner for Refugees

Foreword

Since the "long summer of migration" in 2015 and despite the closure of the official Balkan Corridor in 2016, people on the move from Syria, Afghanistan, Pakistan, Iraq and other countries continue to make their strenuous journey across the Balkans towards the European Schengen area. However, moving across the Balkans has become more dangerous since the introduction of border closures and increasingly restrictive policies at the external borders of the European Union (EU). Brutal border pushbacks, as well as mistreatment and a rise in racist sentiments are reported frequently across the Balkans.

While the EU external borders have remained largely closed for people on the move since 2016, several thousand people are moving through the Balkans at any given time. Besides Serbia, which was a major transit country for the Balkan Corridor in 2015, Bosnia and Herzegovina (BiH) has become another key transit country since 2018. In March 2020, almost 20,000 people on the move were registered by UNHCR in the Balkans, with more than 96 per cent located in these two countries. Despite the official "closure", migrations are still taking place – often back and forth, in a clandestine manner, leaving many people without sufficient protection from violence or without access to health, education and other social services.

Since the exceptional case of the "summer of migration", the reality of migration in the Balkans has not been subject to much international attention, with the exceptions of media reports on pushbacks and violence at the Croatian border and the deplorable conditions at the makeshift camp Vučjak in the northwest Bosnian town of Bihać, as well as the barracks in Belgrade city centre. The present study deals with this complex period from the closure of the official Balkan Corridor in 2016 up until the COVID-19 pandemic crisis and the introduction of a state of emergency in BiH and Serbia,

which has led to an additional deterioration in the already deplorable human-rights situation and of people on the move's right to mobility.

During the pandemic crisis, violence has increased and become normalised, forming a part of everyday life for people on the move. This is particularly the case in the Una-Sana Canton in the northwest of BiH, where – according to media reports – the Una-Sana Canton police have facilitated the mistreatment of people inside the Miral camp, accompanied by a private security firm hired by the International Organization for Migration (IOM). The Croatian Border Police are continuing illegal pushback practices and abuses of people at the EU external borders, according to activists and media reports.

However, the undeniable influence of policies, institutions and EU funding on the situation that people on the move face in the Balkans has received only limited attention. EU and Schengen policies not only impact on handling how the EU external borders are protected by the Croatian government, but EU funding and priorities also heavily influence how EU neighbours like Serbia and BiH handle the ongoing migration across their territories. Not only the EU member states, but also the EU neighbours in Southeast Europe are increasingly integrated into the European border regime. Furthermore, the miserable conditions of people on the move, who face violence and dehumanisation, can neither simply be presented as a result of "failed" Balkan states and their institutions' inability to deal with migrations, nor as a direct consequence of the policies and governing tactics of the EU. The situation is much more complex and demands a critical analysis that takes into account the intertwined social, political and economic realities of both the Balkans and the EU.

This study addresses these issues by providing a detailed analysis of the border and migration regime in Southeast Europe with a focus on Serbia and Bosnia and Herzegovina. The research

provides a critical overview of how borders in the Balkans are being restructured, with a particular focus on the emergence of the "Bosnian Route", the situation at the EU external borders, and the role of EU and state institutions and policies. Moreover, this research documents the work of local activists and civil society organisations in solidarity with refugees and analyses the struggles of different actors around the migration regime in the Balkans.

In this study's Introduction, clandestinised and invisibilised migration across the Balkans is theoretically contextualised. The authors analyse the role of the Balkans in the European migration and border regime, drawing on theoretical work in critical migration and border-regime studies. This section is followed by an analysis of EU policies on securitisation and the militarisation of its external borders, as well as the consequences of these policies for Southeast Europe. Moreover, the authors examine the dynamics of migration relations between the Balkans and the EU and the region's successive integration into the EU-migration regime via the externalisation of EU-migration policies and the EU and Schengen accession processes.

The following section of the study examines the changing reality of migration movements, policies and struggles in Serbia, which became one of the main transit countries early on in 2015 and has retained this status ever since. Following the closure of the official corridor, the policies of Serbian authorities changed from organising and enabling movement within its territory to mainly providing accommodation that was primarily funded by the EU. Moreover, the political and media discourse changed significantly in the country: from solidary approaches towards people on the move to viewing migration as a burden, along with xenophobic campaigns and the criminalisation of solidarity initiatives.

The next part of the study focuses on the emergence of Bosnia and Herzegovina as a new transit hub for people on the move

since 2018, and the response by local, federal and European institutions as well as international organisations like the IOM. Limited institutional capacities and coordination on the one hand, as well as the ambivalent role that European and international actors have taken, characterise the situation in this country. Particularly in the Una-Sana Canton, this has led to deplorable living situations in makeshift camps and restrictions of movement. All over the country, as in the wider region, the instrumentalisation and stigmatisation of migrants, xenophobia and the mistreatment of people on the move have all increased.

A crucial finding of this study is its illumination of the role that EU-supported organisations, agencies and institutions play in the increasing violence along the Balkan Route. It is important to comprehend that EU institutions condition how the Croatian, Bosnian and Serbian authorities deal with people on the move. Despite these facts, we should be aware that local authorities have a significant amount of responsibility when it comes to the living conditions of people on the move, especially at the borders of the Schengen zone.

Moreover, the regional analysis and the case studies show that one of the new main features of migration in Southeast Europe is multidirectionality, more precisely described by the term the "Balkan Circuit" rather than the Balkan Route. This is primarily the result of systemic pushbacks and the denial of the right to apply for asylum. On the other side of the EU border, non-EU states increasingly serve as a kind of "dumping ground" or "buffer zone" for unwanted people on the move. With European institutions leveraging EU-accession negotiations, most states along the Balkan Route have, on the one hand, adopted EU legislative frameworks and received funding to tackle the humanitarian crisis related to the growing number of people stranded on the route. On the other hand, the externalisation of EU borders has led to increasing violence, surveillance and militarisation of the borders, combined with the criminalisation of solidarity

practices, a development that highlights the negative features of Europeanisation in the region.

By providing insight into the interactions of European and regional institutions and actors in handling the accommodation and movements of migrants in the Balkans, this study makes the role of EU policies and responsibilities for the humanitarian situation along its external borders in the Balkans visible. Five years after the "summer of migration", EU institutions regularly report on how their externalisation policies have significantly reduced migration towards the EU. This concession to right-wing populist and far-right, racist forces, which have seen a resurgence in many European countries in recent years, has devastating effects on the lives of people on the move. We therefore hope that this research paper not only contributes to the growing body of critical research and media reports that question the re-emergence of "fortress Europe", but also serves to support migrant self-organisation as well as solidary political actors – parliamentarians, antiracist activists, progressive trade unions, NGOs and others – to mobilise and organise for a humanitarian turn in migration policies.

Wenke Christoph and Vladan Jeremić

Introduction

Despite its long history, clandestinised transit migration along the Balkan Route gained its notoriety and global attention only very recently, in the turbulent period of 2015 and 2016 when the so-called refugee crisis "spilled" over from the Middle East to Europe, as it is usually framed in public discourse. During that period, hundreds of thousands of refugees managed to overcome various obstacles to human mobility, embodied in the EU-border infrastructures based on the Schengen Agreement and Dublin Conventions. The sheer number of people on the move, their multitudinous nature and composition, their resilience and determination expressed as collective action and their unstoppable desire to achieve a safe and better life in various Western European destinations, led to an un-precedented opening of the European borders. At that moment the only way for powers to restore control over human mobility across the EU external borders was by reintroducing border controls at the internal EU borders, therein suspending the rule that the first EU country of entry is responsible for implementing the asylum proce-dure. Last but not least, an entity framed as a *humanitarian refugee corridor* was established. This formalised corridor (Beznec et al. 2016) actually entailed the temporary legalisation of transit migra-tion or the formalisation of the Balkan Route. For a short period of time between summer 2015 and March 2016 it allowed a massive and swift transit of around one million people from the Greek–Mac-edonian border through Serbia and initially to Hungary, while later from Serbia through to Croatia, Slovenia, Austria and then Germany and the other EU states.

As Petrović (2016) has shown, the corridor is often described as a humanitarian state-sponsored phenomenon, with the primary aim of offering the facilitated movement of *refugees* (the notion of refugee did not often correspond to the legal concept established

by the 1951 Geneva Convention, but was more closely related to persons fleeing wars, that is, people who appear to be *vulnerable*) through available, organised transportation and a corresponding humanitarian support infrastructure. Although the affected states were initially rather absent in the humanitarian relief effort, which was conducted almost exclusively by a combination of various autonomous, local and international actors, they eventually became increasingly present and gradually took control not only over migration movements but also over the other independent actors involved. Various national and supranational institutions became actively engaged in facilitating, monitoring and directing transit movements. New legislative and administrative measures were introduced (the "72-hours paper", which legalised transit migration through Macedonia; special pre-registration and registration procedures), new bodies were formed (the Working Group on Mixed Migration Flows in Serbia), new forms of "processing centres" established (one-stop centres, transit centres, temporary reception centres) and a new transborder communication and transport network implemented (Beznec et al. 2016). The images of the corridor that spread in the media often showed large numbers of people entering trains or buses, walking and standing in lines to receive registration papers or aid. They were sheltered in transit centres, where they were observed, supported and organised by people in police uniforms working together with humanitarian agencies, local and international volunteers and various support networks, before crossing the border of the next neighbouring country to the north. The resulting imagery of the Balkan Corridor is therefore of masses of people moving very fast in one direction only, officially and openly supported by states and international organisations. The notion of the Balkan Corridor merged with the notion of the Balkan Route into the dominant imagery of migration movements: as something that is objectively discernible and that could be unequivocally defined in terms of geography, direction and the manner of moving.

But this notion of the Corridor hides its highly securitarian and multidirectional nature. The formalisation of the Balkan migration route into a restrictive border-to-border "tunnel" enabled the affected states to regain control over the movement and gradually reverse it (Bužinkić and Hameršak 2017). As was shown in many studies (Petrović 2016, Hameršak and Pleše 2017, Kogovšek Šalomon 2017, Beznec et al. 2016, Beznec and Kurnik 2020), the corridor itself represented an example of transfusion between the humanitarian and securitarian sector, which have often supported one another by borrowing and exchanging discourses and practices that result in the exclusion of people and in their deprivation of access to territories, spaces and rights. The nature of the corridor was gradually revealing itself as more-and-more categories of people were forbidden from joining or leaving it, and when a system of mobile detention and national profiling enabled a *counter-corridor* with deportations from north to south as well as closed and hidden detention centres within it (Hameršak and Pleše, 2017). The signing of the EU–Turkey deal in March 2016 closed even the last allowed spaces of movement and pushed transit migration through the Balkans back to clandestinity.

The closure of the formalised corridor left several thousands of people stranded along the route, many of whom believed that this was just one of the many temporary closures that were occurring occasionally throughout the corridor's existence. Instead, these people are indefinitely captured in the areas between states and between jurisdictions. Some waited patiently for the borders to officially reopen, some entered into nascent and very fragile asylum procedures, some paid for the services of smugglers, while others actively protested and joined various attempts to openly cross the border in an organised manner as a collective political action. But the borders are getting harder to cross and the majority of stranded people are being removed from border areas and relocated to official camps. The closure of the corridor, together with the EU–Turkey

deal, has been most certainly taken to mark a decisive securitarian turn in EU migration policy. However, the pomp of the publicly and officially announced closure established an oversimplified idea that uncontrolled transnational migration movements had stopped. In fact, this only added a layer of opacity to a whole spectrum of small-scale and often scattered developments of complex migration practices and struggles that remained.

The specific bordering-role of the Balkan countries in the larger EUropean[1] migration regime is not a new phenomenon. Countries in the region have been instrumental for EU attempts to establish a comprehensive regime of mobility control on its external borders since the beginning of the process of the *Europeanisation* of these states. Their "EUropean path" is largely conditioned by their implementation of legislation and infrastructure that serves to tame, control and select human mobility towards the EU. The main characteristics that define the role of Southeast Europe in the EUropean border regime today include: the (although always precarious) externalisation of EUropean migration control to non-"European" states such as Turkey, the containment of illegalised migration in the south of the EU, most notably Greece, as well as the continual and escalating inclusion of Balkan states into bordering and securitarian practices, most notably through the EU and Schengen accession processes.[2] Some of the characteristics of this newly reconstructed EUropean border regime are even stricter than before the "refugee crisis". Significant parts of the Balkan Route have been newly fortified with razor-wire fencing, and the remaining openings

1   We use this spelling to refer to the border regime of the European Union specifically for reasons elaborated on the following pages.

2   Slovenia and Greece are EU and Schengen members; Croatia, Romania and Bulgaria are EU members and Schengen candidate countries; Albania, Montenegro, North Macedonia, and Serbia are EU-candidate countries and Bosnia and Herzegovina, and Kosovo are potential EU-candidate countries.

"protected" with frequent and brutal pushbacks, often in full display and with complete impunity. Most states along the Balkan Route have adopted new legislative frameworks, which drastically restrict the right to claim asylum, accompanied by measures that criminalise solidarity practices or even gestures with people on the move. Transit migration has become an excuse for the militarisation of border regions and the formation of new police branches, which are unaccountable to regular monitoring mechanisms. Increased surveillance also continues within states, with border controls moving far away from actual borders and including whole state territories. This racial and ethnic profiling results in the selective deprivation of movement and rights for portions of the scrutinised population and remains virtually undetectable to public inquiry. In other words, with the prospect of full membership in the Schengen space, the EU space or both, some states along the Balkan Route willingly submit to carrying out extreme violence (most notably massive and violent pushbacks) to protect the external EU border (Croatia, Bulgaria) or to comply with the newly assigned role of being an EU "dumping ground" for deterred migrants (Serbia, Bosnia and Herzegovina). Besides dramatically affecting migration routes and practices, this incumbent "intra-European" externalisation of EU migration control to the non-EU and/or non-Schengen countries along the Balkan Route continually produces new legal, political as well as material enclosures and transforms what were previously clear-cut definitions of *transit* and *receiving* countries in the Balkans.

Despite this evident conditioning of the EU and Schengen accession dynamics for non-EU and/or non-Schengen Balkan states, the role of the EU and its member states in the process of the violent restoration of the EUropean border regime in the region tends to be made invisible and kept out of the public eye. A spectrum of developments – such as the increased number of people stuck in these states; non-existent or substandard accommodation, basic

provisions or both; the abuse of power by key actors; violence, dehumanising and racist discourses and practices – are presented as failures of these states, and not as direct results of EU policies. This conditioned restoration of borders in the Balkans has not only led to a serious humanitarian crisis along the entire Balkan Route and to the unprecedented suffering of stranded people, but also to an accentuation of disintegration tendencies and ethnonational tensions. It could be claimed that the restoration of the EUropean border regime in the Balkans highlights the hidden, dark side of the region's Europeanisation.

Critical migration and border studies articulate borders as violent "devices of inclusion that select and filter people and different forms of circulation" (Mezzadra and Neilson, 2013, 7). Such an understanding of borders seems particularly useful in transcending the notion of borders as stable lines of inclusion and exclusion that separate sovereign nation states. It rather understands the border as a form of governance over mobility that stretches across entire states (Papadopoulos, et al. 2008). Therefore, the EU borders are not clear-cut lines that separate the *inside* from the *outside*, the EU from the rest of the world. They are hierarchically inclusive or rather porous, a kind of asymmetric membrane or a firewall that selects across a highly differentiated grid (Hedetoft 2003 in Rumford 2014; Walters 2006 in Rumford 2014). In line with the heterogeneity inherent in the material constitution of European citizenship, the EU borders function as internal operators in the hierarchisation of rights. In other words, EUropean borders in the Balkans, as generally in all EU borderlands, serve to hierarchically arrange non-EU populations, foreign as well as domestic. The leverage in turning its neighbouring regions into zones of mobility control in the interest of the EU is not limited to the Balkans. Its role does not differ considerably from the role of other regions and countries that are geographically close or not so close to the EU. The plight of refugees on the Balkan Route

and especially in Serbia and Bosnia and Herzegovina, which are the focus of this study, is therefore to be understood in the context of this proliferation of borders and the externalisation of the EUropean migration and border regime. Control of mobility that stretches far beyond the EU, including migrant itineraries and countries of origin, is a persistent EU strategy to govern human mobility and different forms of circulation.

In our attempt to interpret and offer deeper understandings of mutual relations and influences between human mobility, regulations and discourses, as mediated by a multitude of interests, aims and motivations (Rass and Wolf, 2018, 21), we apply the concept of the border and migration regime. In contrast to the notion of government as the imposition of a single supra-authority, the notion of regime acknowledges a decentralised understanding of power: a governance realised through networking and constant negotiations (Ibid.) The border regime as an analytical concept departs from policy analysis, state- (or other sovereign-) centric research and focuses on borders as actual, observable spaces where rights to move or stay are directly disputed or granted (Hess et al. 2018). It considers the plurality of state and non-state actors involved in the governance of mobility in times of "postliberal and postconstitutional sovereignty" characterised by "zones of exception in which human rights are deactivated or are only partially extended" (Papadopoulos et al. 2008, 34). The concept of the EUropean border regime gives a geopolitical as well as historical anchorage to a border regime. More specifically, it is also related to the concept of the externalisation of EU borders, that is, control of migration movements towards the EU, which is being conducted outside of the actual territories of EU states and is often being financially and in other ways supported by the EU, or the member states' funds (Stojić Mitrović 2014). This, however, does not mean that migration policies and practices of or for the EU are implemented in a vacuum; they are rather negotiated in context

specific situations, whose aspects are used as leverage or obstacles for their actualisation.

Another important contribution of critical migration and border studies is the insistence on the protagonism of people on the move, the understanding that mobility struggles and migrant practices are constitutive of the migration and border regime. The narrative of the supposedly successful reconstruction of the European border and migration regime eclipses the continuation of struggles for mobility on the Balkan Route, as well as the myriad of resistances and local solidarities. The same effect has at times the spectacular violence by the Croatian and Slovenian police, who have been complicit in systematic pushback practices. Such state violence leads to the victimisation of people on the move who are therefore stripped of agency. With the following report we try to contribute to the rich discussions that draw upon the recognition of the agency of people on the move, recognising the dignity of all those individuals subjected to systematic abuse, violence and neglect while trying to reach their chosen destinations. Additionally, we attempt to connect mobility struggles with local social struggles that form assemblages of mobility (Beznec and Kurnik 2020, Kurnik and Razsa 2020),[3] sites that enable the articulation of a critique of borders as operators in the reproduction of global inequalities and hierarchies.

3   The notion of assemblages of mobility was coined in the framework of our militant research on mobility struggles and solidarity practices on the Balkan Route. The term depicts the potential of migrant struggles to highlight the hidden counter-hegemonic discourses and social practices that are the legacy of local (Balkan) struggles against the imposition of the modern, European and colonial hegemonic notions of common life in postcolonial territory such as the post-Yugoslav space. Mobility struggles thus become a double agent of Europe's decolonization of Europe. By claiming freedom of movement, they criticise the global division of labour and power that is the legacy of colonialism, and simultaneously reanimate local epistemological traditions based on diversity, heterogeneity and the refusal of homogenization and supremacism that is proper to the European nation form and the idea of sovereign power.

The Western Balkans as an EU "Dumping Ground"

The role that the various post-Yugoslav states perform on behalf of the EU varies, dependent upon their structural position in the EU accession process.[4] The Thessaloniki Summit in 2003[5] reconfirmed the term *Western Balkans* (launched for the purpose of the Stabilisation and Association Process (SAP)[6] which began in 1999), as a concept that represents a combination of political compromise and colonial imagery (Petrović 2012). On the one hand, the summit decisively created the Western Balkans as a distinct political object, which exists only in relation to the EU and its processes of Europeanisation. It is comprised of "the acceding and candidate states", referring to "the post-Yugoslav states minus Slovenia plus Albania" as potential candidates.[7] Besides the heads of the states and governments of these statehoods, and the EU member states, the main political subjects that took part in this summit – a summit that decided the future of the Western Balkans – included the President of the Eu-

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4   https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/publication/factsheet_en.pdf

5   https://ec.europa.eu/commission/presscorner/detail/en/PRES_03_163

6   https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/sap_en
The lengthy process in which a state adjusts its legislation in line with the EU *acquis Communautaire* "adapted to its specific situation" ends with the signing of the Stabilisation and Association Agreement (SAA), after which the country obtains the status of a potential candidate, the first step in the process toward accession and full membership of the EU.
https://eur-lex.europa.eu/summary/glossary/acquis.html

7   In addition, the status negotiations between Serbia and Kosovo are still ongoing. Serbia, as well as some EU member states do not recognise Kosovo as an independent state, but as a part of Serbia. In the official documents of the EU, the toponym Kosovo is often followed by an asterisk, which explains: "This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence". As a result of these disputes, the Western Balkan states are often referred to not as Western Balkan *states*, but as Western Balkan *partners of the EU*.

ropean Commission, and also the President of the European Parliament, the Secretary-General of the Council/High Representative, as well as external subjects with jurisdiction directly inside the region, such as the Special Representative of the UN Secretary-General in Kosovo, the Special Coordinator of the Stability Pact for Southeastern Europe and the High Representative for Bosnia and Herzegovina. On the other hand, the Thessaloniki Summit established the Western Balkans as a geopolitical object in need of EU guidance to overcome both its violent nationalist past, the economic poverty that ensued and the lack of the rule of law and "know-how". This "neutral", "purely geographical", "history-unburdened" denominator of a "bunch of states" that have become an inner outskirt of the EU, remained heavily entangled with persistent notions of the infantile, uncivilised Balkans, "the dark side within", "the alter ego" and the "black hole" of Europe (Petrović 2012; Todorova 2018; Stojić Mitrović and Vilenica 2019).

Almost twenty years later, the states in the Western Balkans continue to be overwhelmed with corruption, ethnonationalist and other social and political tensions, the lack of the rule of law, poverty, etc. They are all entangled in a form of systemic corruption referred to by the IMF as state capture, in which private, economic and political interests fundamentally influence a state's decision-making processes for their own benefit (Hellman and Kaufmann 2001).[8] However, they do implement legislative and other institutional changes that the EU demands, and hold to a general and often nominal "pro-European political direction", ensuring constant and

8   https://www.imf.org/external/pubs/ft/fandd/2001/09/hellman.htm

increasing funding from the EU (TAIEX,[9] IPA II,[10] MADAD,[11] etc.). They are recognised either as candidate (Serbia, Montenegro, Albania, North Macedonia) or as potential candidate (Bosnia and Herzegovina, Kosovo) states for EU membership, as part of its enlargement policy. They are "at different stages" in the EU accession process. In practice, this means that their legislation, institutions and official practices are being "harmonised" with those existing in the EU in different ways and to a different extent.

At the EU–Western Balkans summit in Sofia in May 2018,[12] the region's European perspective was reconfirmed as a strategic choice: "The EU leaders agreed on the Sofia Declaration and the Sofia Priority Agenda, outlining new measures for enhanced cooperation with the region in key areas such as security, rule of law and migration".[13] The control of movement towards the EU was one of the most prominent EU demands in the negotiation process with states from the region that wished to obtain visa liberalisation. It has been primary concerning nationals of the Western Balkan states, who still comprise a significant portion of asylum seekers in the EU (see the text box on pages 23–24).

9   TAIEX is the Technical Assistance and Information Exchange instrument of the European Commission; it supports public administrations with regard to the approximation, application and enforcement of EU legislation. https://ec.europa.eu/neighbourhood-enlargement/tenders/taiex_en

10   The Instrument for Pre-accession Assistance (IPA) is the means by which the EU supports reforms in the 'enlargement countries' with financial and technical help. https://ec.europa.eu/neighbourhood-enlargement/instruments/multi-beneficiary-programme_en

11   The EU Regional Trust Fund in Response to the Syrian Crisis (MADAD) also funds projects in the Western Balkans. https://ec.europa.eu/trustfund-syria-region/content/home_en

12   https://www.consilium.europa.eu/en/meetings/international-summit/2018/05/17/

13   https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-bosnia-and-herzegovina-analytical-report.pdf

Asylum Seekers from the Western Balkan States and the Visa Liberalisation Process: the Case of Albania and Kosovo

The European Commission report on Albania[14] states:

"In 2018, the recognition rate (i.e. the number of successful asylum applications expressed as a percentage of all decisions) in the EU member states and Schengen-associated countries was around 7.6% (made up of a subsidiary protection rate of 4.7%, a refugee-status rate of 1.7%, and a national-protection status of 1.2%). Albanian nationals remained the largest group of asylum seekers from visa-free Western Balkan countries. Albanian nationals also had the highest number of illegal stayers and cases of illegal entry. Albania has implemented measures to prevent abusive asylum applications. These include tighter checks at border-crossing points, more thorough exit interviews and information campaigns. In 2018, 20,255 Albanian citizens were refused permission to exit the Albanian territory at border crossings compared with 12 175 in 2017 (an increase of 59%). Border surveillance was intensified for the prevention of illegal crossing of borders. In 2018, 2,158 Albanian citizens were detected attempting to illegally exit the Albanian territory, 24% more than in 2017." (Ibid., 41)

The European Commission report on Kosovo[15] stated that:

"The number of asylum requests by Kosovo citizens in both EU- and Schengen-associated countries has fallen steadily,

14   https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-albania-report.pdf

15   https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-kosovo-report.pdf

from 73,240 in 2015, 11,970 in 2016, 7,575 in 2017 to 5,100 in 2018. Mirroring the trend in asylum requests, the overall number of Kosovo citizens readmitted has dropped from 18 789 in 2015, 11,030 in 2016, 4,509 in 2017 to 2,395 in 2018 (1,668 forced and 727 voluntary). Kosovo achieved a return rate of 85.9% of Kosovo citizens ordered to leave EU territory in 2017." (Ibid., 40)

Similar information is provided in the annual reports of all Western Balkan states. At the end of 2019, nationals of all Western Balkan states except Kosovo have been allowed to travel to the EU without a visa. The visa liberalisation process included legislative, institutional, technical and operational transformations marked in the Roadmap for Visa Liberalisation for the Western Balkan States (readmission agreements, an asylum system based on the Geneva Convention, biometric passports, trainings).[16] The Western Balkan states' success in implementing the prescribed measures is regularly evaluated.

As the number of third-country nationals entering the EU from the territories of the Western Balkan states increased, and the number of asylum seekers from the region diminished, so the policy focus shifted. The 2015 institutionalised construct of the "migration crisis", a phrase readily adopted by the EU, had the effect of avoiding political and legal responsibility towards people on the move, as well as placing blame on the people who arrived, who were framed as the "reason for the crisis" (New Keywords Collective 2016). The hysteria surrounding this construct opened the door for the erratic allocation of human, financial and material resources to all those actors

16   https://www.esiweb.org/index.php?lang=en&id=350

that claimed or were deemed as able to "alleviate" or "solve" it. The "imminent crisis" frame increased the velocity and scope of Western Balkan states' integration into the EUropean border regime.

As discussed above, the formalisation of the migration corridor represented an attempt to regularise and impose control on transnational migration movements going from Turkey to Western and Central Europe. The closure of the formalised corridor was largely perceived as the ultimate end to unwanted movements across the territories of Balkan states (Obradovic-Wochnik and Stojić Mitrović 2016). Instead of humanitarian support for people on the move, the securitarian activities were placed under the spotlight of political, financial and practical developments in the region, together with the improvement of capacities to accommodate third-country nationals forced to stay on the territories of these countries. The actual movement of people was ignored as an anomaly of the "closed route" until reports on increased numbers of people, "bottlenecks" and an awareness of "secondary movements" again came into focus among the EU institutions. The hardships that migrants face in this highly securitised framework were, and are, still largely ignored and thus accelerated.

According to the 2019 data, i.e. the European Commission's (EC) reports on the Western Balkan states (EC Albania 2019 Report, EC Bosnia and Herzegovina 2019 Report, EC Kosovo 2019 Report, EC Montenegro 2019 Report, EC North Macedonia 2019 Report, EC Serbia 2019 Report), all the states in question continued with institutional transformations that resulted in further harmonisation with EU migration policy, as well as increased and closer collaboration with different EU institutions, some with greater and some with less success. All Western Balkan states signed the 2018 Global Compact for Migration,[17] and all Western Balkan states except Kosovo initialled

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17   https://refugeesmigrants.un.org/sites/default/files/180711_final_draft_0.pdf

or signed a status or working agreements with the European Border and Coast Guard Agency (EBCGA, formerly Frontex).[18] They all collaborated on an official or unofficial basis with the European Asylum Support Office (EASO),[19] they were all involved in the 2018–2021 European Multidisciplinary Platform Against Criminal Threats (EMPACT),[20] they all tried to align their visa policies with those of the EU, they were all involved in many police-cooperation activities, they improved technical capacities for border control, etc. They were also all involved or encouraged to be involved in regional initiatives, such as the Joint Operational Office in Vienna,[21] Task Force Western Balkans,[22] and the EBCGA Western Balkan Risk Analysis Network.[23] The Regional European Migration Liaison Officer[24] and regional EBCGA Liaison Officer[25] operate across the whole region, from Belgrade.

The closure of the corridor in 2016 not only increased the integration of the Western Balkan states into the EUropean border regime, but also resulted in an altered topography of migration movements. While in 2016 and 2017 Serbia was the main border state from which people tried to enter the EU, Hungary, Croatia or Romania (which then began to figure as a new transit state), at the very end of 2017 the Office of the United Nations High Commission-

18   https://europa.eu/european-union/about-eu/agencies/frontex_en

19   https://easo.europa.eu/

20   https://www.europol.europa.eu/empact

21   https://www.europol.europa.eu/newsroom/news/joint-operational-office-opened-in-vienna

22   https://www.friendsofeurope.org/events/eu-western-balkans/

23   https://ec.europa.eu/knowledge4policy/dataset/ds00037_en

24   https://ec.europa.eu/knowledge4policy/organisation/emlo-european-migration-liaison-officers_en

25   https://frontex.europa.eu/partners/liaison-officers-network/

er for Refugees (UNHCR) began to report an increased number of people in Bosnia and Herzegovina, a trend that continued through-out 2018 and 2019.[26] The transit migration also increased in other Balkan states. According to a 2019 European Commission report, the number of people arriving from Greece to Albania increased signifi-cantly in 2018 (5,730 in 2018 compared with 1,047 in 2017) (EC Alba-nia 2019 Report). Similarly, the number of asylum requests in Kosovo rose to 595 in 2018 from 147 in 2017, an increase of over 300% (EC Kosovo 2019 Report). The number of officially reported irregular crossings in North Macedonia has substantially increased compared with the previous year (16,895 attempts in 2018 compared with 2 831 in 2017) reportedly mainly on the southern border with Greece (13,494) (North Macedonia has a 30 km-long border barrier with Greece) (EC North Macedonia 2019 Report).[27] The EC Montene-gro 2019 Report mentions a sharp surge due to a partial shift in a regional migration flux towards the "coastal route" along Albania, Montenegro and Bosnia and Herzegovina. Montenegrin authorities apprehended 4,753 migrants in 2018 (a 460% increase compared with 2017) (EC Montenegro 2019 Report).

However, not only did the routes change and begin to include new states – the reports also noted changes in the direction of unwanted migration. For example, in the EC North Macedonia 2019 Report we read that about 32,500 migrants were considered to have *illegally crossed* ([sic], italics added) the country's borders in both directions since the beginning of 2018, including many Irani-ans crossing from Serbia and moving onwards to Greece (EC North Macedonia 2019 Report). The EC Montenegro 2019 Report on this topic states that this country accepted the readmission of 730

26   https://data2.unhcr.org/en/documents/download/64659   https://reliefweb.int/
      sites/reliefweb.int/files/resources/61936.pdf

27   https://www.usatoday.com/story/news/world/2018/05/24/donald-trump-eu-
      rope-border-walls-migrants/532572002/

third-country nationals from neighbouring countries in 2018, of whom 704 were from Bosnia and Herzegovina. However, it was able to return only 36 third-country nationals to Albania, although this neighbouring country remains the main entry point to Montenegro (EC Montenegro 2019 Report).

These reports indicate one of the new main features of migration in the region: multidirectionality, as people look for a way out of the Balkan Circuit (Stojić Mitrović and Vilenica 2019), as well as the existence and normalisation of (chain) pushbacks. For example, the UNHCR report on Serbia from 1–14 October 2018 shows that more people were illegally pushed back to Serbia from neighbouring states (1062) than newly arrived (751).[28] The report states that collective expulsions[29] happened from Croatia (809), Hungary (27), Romania (19) and Bosnia and Herzegovina (207). The Border Violence Monitoring Network,[30] during the period from January 2017 to October 2019, registered 600 pushbacks, almost all violent.[31]

The main objective, which has been set as a priority from the beginning of the EU Accession Process for the Western Balkan states, is the control of unwanted movement towards the EU. However, even though the states considered to be a part of the Western Balkans cannot influence this objective, they can make use of legislative and institutional transformations, as well as the objective's accompanying resources, for other political and economic goals. For

28   https://data2.unhcr.org/en/documents/download/66323

29   Phrases such as pushbacks, collective expulsions, illegal deportations refer to practices of removal of people from territory of a state in relation to migration movements, conducted by authorities of that state. In this text, we use phrase pushback (see Push-Back Map Collective 2020), but also keep the original phrases from the documents which we refer to in particular cases.

30   https://www.borderviolence.eu/

31   https://www.borderviolence.eu/600th-pushback-report-made-by-the-border-violence-monitoring-network/#more-13795

example, the frame of the "migration crisis" provided a justification for Serbia, North Macedonia and Montenegro to directly engage the army on the borders and, similarly as in other states, also justified the obtaining of resources to increase levels of technical equipment and human capacities related to border security in general. Thus, in December 2019, the government in Montenegro issued a decision to deploy the military at the border by the end of 2020, in order to "fight illegal migrations".[32] Similarly, the EC North Macedonia 2019 Report reads: "The crisis situation at the country's borders were extended until 30 June 2019, authorising continued deployment of the army" (EC North Macedonia 2019 Report, 40). To "ensure effective control at the borders", the Visegrád states – that is, Hungary, Poland, the Czech Republic and Slovakia – as well as Austria and Croatia, sent their police officers to support the North Macedonian[33] and Serbian authorities.[34] Besides working with police partners from the EU, the Western Balkan states have built up mutual cooperation. Joint patrols, joint bilateral border checks, common border crossings and two trilateral centres (Plav in Montenegro and Trebinje in Bosnia and Herzegovina) have been established and are constantly enhancing their level of cooperation (EC Albania 2019 Report, EC Bosnia and Herzegovina 2019 Report, EC Kosovo 2019 Report, EC Montenegro 2019 Report, EC Serbia 209 Report). The Albania–EBCGA status agreement began to be operationalised when on 22 May 2019 the first EBCGA teams with executive powers for joint operations with Albanian authorities on its territory were deployed. This was framed as if the country had invited Frontex (EBCGA) to help it secure its

32   https://www.dnevnik.ba/vijesti/crna-gora-salje-vojsku-na-granicu

33   https://ec.europa.eu/neighbourhood-enlargement/sites/near/
      files/20190529-north-macedonia-report.pdf

34   https://ec.europa.eu/home-affairs/sites/homeaffairs/files/docs/pages/00_
      arm2018_synthesis_report_final_en.pdf

borders from unwanted migration from the EU and the Schengen state Greece.[35] A whole array of activities, where the Western Balkan states hand over some of their sovereignty to the EU, is normalised and enabled with Integrated Border Management (IBM) strategies defined by these states and justified through accession as strategic interest. Migration policy – related to EU funding – enabled the Western Balkan states, which face an enduring, weak economic situation and high unemployment rate, to open up new vacancies in both the securitarian as well as the humanitarian sector, in order to gain new technical equipment and to improve infrastructure. In general, it benefited their economies,[36] as well as their political position in the EU accession process, demonstrating them to be reliable partners capable of fulfilling demanding tasks, to paraphrase the Serbian Minister of the Interior.[37]

      However, the role of the EU and its member states in the migration processes occurring in neighbouring non-EU states remains

35   https://en.albanianews.it/balkans/frontex-after-albania-patrols-other-Balkan-countries

36   For example, on the website "European Union Support to Migration Management of the Republic of Serbia" we read that: "the European Union (EU) is the largest donor in the Republic of Serbia in migration management. Since 2015, with the increased mixed-migration flows to the territory of Serbia, the EU has assisted Serbia with more than 98 million euros, in providing humanitarian aid and protection to migrants, in particular the protection of children, providing conditions for reception and care in the reception and asylum centres, including food, healthcare and education, providing assistance to local communities and municipalities in hosting migrants to strengthen social cohesion, assisting Serbia in the protection of the state border and combating the smuggling of migrants, as well as capacity building of institutions dealing with migration management".
http://euinfo.rs/podrska-eu-upravljanju-migracijama/en/
The money comes from various institutions, such as ECHO – The EU Delegation and the Humanitarian Aid and Civil Protection Directorate, EUCPM – EU Civil Protection Mechanism, EIB – The European Investment Bank, the Council of Europe Development Bank, IPA II, MADAD 1, MADAD 2, etc.

37   https://www.srbija.gov.rs/vest/en/137624/serbia-reliable-partner-in-control-of-migratory-movements.php

invisibilised. The examples of the influence of EU policies on topography and the characteristics of migration movement in the Western Balkan states are most directly provided through an examination of migration policies and practices in Hungary and Croatia, as countries lying just outside the Western Balkan's "dumping ground".

The Hungarian and Croatian Barrier

Anti-migrant discourse began to spread rapidly in Hungary, EU and the Schengen member states, during the 2014–2015 winter migration from Kosovo (Stojić Mitrović 2016). Ideas, such as building a fence on its southern border with Serbia, started to circulate among the extreme-right party Jobbik. However, this became mainstream policy relating to the transit migration of people going to the EU on land in June 2015.

Besides the physical barrier, Hungary began to change its legislation in line with anti-migrant rhetoric. The Hungarian Helsinki Committee[38] mentions these changes: from 15 September 2015, a new set of measures was put in place, whereby the border with Serbia was practically closed off with fencing and increased checks, resulting in the corridor diverting towards Croatia (Hungarian Helsinki Committee 2015). This was followed by the violent response of the Hungarian authorities to demonstrations happening in front of the fence.[39] Furthermore, irregular entry was criminalised and two so-called transit zones were opened (Ibid.). They consist of gated structures of containers to which only a limited number of people

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38   https://helsinki.hu/wp-content/uploads/HHC_Hungary_Info_Note_Sept-2015_No_country_for_refugees.pdf

39   https://www.theguardian.com/world/2015/sep/16/hungarian-riot-police-use-water-cannon-against-refugees

could be admitted daily – in 2019 this was one person a day (Ibid.). Only in transit zones could asylum claims be filed (Ibid.). From the beginning they served as a deterrence measure, but they remained the only legal way to enter Hungary – for undocumented people or those without a valid visa – and ask for asylum. The procedures for the admissibility of persons and gaining asylum are extremely fast-paced (Ibid). Those rejected are pushed out of the gate in the direction of Serbia (Ibid.). However, since the fence is inside Hungarian territory, people who are pushed out of the transit zones are not pushed out of Hungary, "they themselves choose to go back to Serbia".[40] Furthermore, the legal changes that were introduced further limited migrants' access to rights, and also increased securitarian measures, such as army deployment, in case of a "mass migration crisis" (Ibid.) that has been prolonged to 7 March 2020.[41] In 2016, as the Hungarian Helsinki Committee reports,[42] additional restrictions were imposed: services for asylum seekers were further reduced (financial assistance, access to education, health services, state-supported accommodation) (Hungarian Helsinki Committee 2017a). During the year 2016, Hungary legalised pushbacks from within its territory by introducing the "8 km law" (Ibid.). There was a reduction in the number of people admitted through the transit zones, resulting in the overcrowding of the so-called pre-transit zones in front of the gates (from March 2016, that is, the closure of the corridor) (Ibid.). They were on Hungarian territory, but outside the fence. In 2016, reports of violent pushbacks from Hungary to

40   On the rationale behind this see:
      https://www.euronews.com/2019/07/31/why-is-hungary-withholding-food-
      from-migrants-in-its-border-zones

41   https://www.asylumineurope.org/news/090–92–019/hungary-government-ex-
      tends-%E2%80%9Cstate-crisis-due-mass-migration%E2%80%9D-1

42   https://www.helsinki.hu/wp-content/uploads/Under-destruction_2016.pdf

Serbia increased (Hungarian Helsinki Committee 2017b).[43] Asylum seekers were regularly detained, the recognition rate decreased and integration services conducted by the state were completely redrawn (Ibid.). In 2017, this situation was additionally legalised by a package of amendments of migration-related laws, which prescribe the automatic pushback of people who came through the fence and the detention of asylum seekers in transit zones (Hungarian Helsinki Committee 2017c).[44]

The year 2018 brought the further criminalisation of assistance to asylum seekers, the restriction of movement of Hungarian nationals on suspicion of facilitating migration, special immigration taxes, but also a further deterioration of the conditions in which migrants resided in transit zones – including the deprivation of food (Hungarian Helsinki Committee 2018).[45] While the Hungarian rhetoric, legislation, policies and practices were first considered to be extreme, by 2019 they had become acknowledged by other states, especially the Visegrád group.

As a result of these policies, in 2016 pre-transit zones were formed between official border crossings on the Serbian–Hungarian border. Several hundreds of people stayed there in deplorable conditions. International organisations based in Serbia provided necessary aid and services to them. In order to remove people from the border area, the Serbian authorities initialled a system of lists: people would be placed on a list and would wait for their turn to enter Hungary through a transit zone in the official accommodation camps throughout Serbia and would then be taken to the transit zones (see text box on pages 36-37). Until 2019, people had been staying in dif-

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43   http://www.helsinki.hu/wp-content/uploads/pushed_back.pdf

44   http://www.helsinki.hu/wp-content/uploads/HHC-Info-Update-rule39.pdf

45   https://www.helsinki.hu/wp-content/uploads/Key-asylum-related-HHC-publications-20152–018.pdf

ferent squats near the Hungarian border, from where they would "go for the game".[46] There are many reports of violent pushbacks from Hungary.[47]

Croatia is a post-Yugoslav state that used to be considered as a part of the Western Balkans, until it became an EU member state in 2013. When Hungary closed its border fence in September 2015, the movement diverted to Croatia (a detailed account about the Croatian section of the corridor is available in Hameršak and Pleše 2017). In 2015, Croatia applied for Schengen membership. In 2016, the Schengen evaluation process was set in motion to determine whether Croatia had taken the measures needed to ensure that the necessary conditions for the full application of the Schengen rules and standards were met.[48] From the beginning of the process up until its meeting all technical requirements in 2019, Croatia received 270 million euros for police equipment, border surveillance and the "strengthening of the asylum and migration policy".[49] Since the closure of the corridor, it seemed that Croatia had completely abandoned the welcoming policy propagated in the media during the corridor's existence (on not-that-welcoming practices see Hameršak and Pleše 2017).

What marks how the migration policy is implemented in Croatia is the numerous reports on severe violence conducted towards

46   "Going for the game" refers to attempts at border crossing, which in most cases results in pushbacks (MSF 2017). https://www-cdn.oxfam.org/s3fs-public/file_attachments/bp-dangerous-game-pushback-migrants-refugees-060417-en_0.pdf https://www.infomigrants.net/en/post/15833/bosnia-croatia-the-game-a-cat-and-mouse-chase-between-migrants-and-border-police

47   https://www.msf.org/sites/msf.org/files/serbia-games-of-violence-3.10.17.pdf https://www.borderviolence.eu/category/monthly-report/

48   https://bbj.hu/region/european-commission-confirms-croatia-prepared-for-schengen_173161

49   https://www.slobodnaevropa.org/a/hrvatska-schengen-zona/30230705.html

people on the move, the normalisation of pushbacks even deep from within Croatian territory,[50] the denial of access to asylum,[51] taking part in chain pushbacks from Italy/Slovenia to Serbia/Bosnia and Herzegovina,[52] unlawful detention, torture,[53] use of firearms,[54] etc.[55] These reports, published by various groups, the media, nongovernmental organisations and foreign institutions,[56] are simply denied by the Croatian authorities, or presented as the justified use of force (see text box on pages 36-37).[57]

50   http://rs.n1info.com/Region/a505822/U-blizini-granice-BiH-i-Hrvatske-povred-jeno-18-migranata.html

51   https://www.hrw.org/news/2018/12/11/croatia-migrants-pushed-back-bos-nia-and-herzegovina

52   https://www.dnevnik.si/1042917211/slovenija/slovenska-policija-bi-na-doma-ci-zemlji-postopke-prepustila-hrvatom

53   https://o2tv.rs/vesti.php?yyyy=2019&mm=08&dd=31&nav_id=1585133

54   https://www.novosti.rs/vesti/planeta.300.html:730324-Hrvatska-Policija-puca-la-na-kombi-s-migrantima-teze-ranjeno-dvoje-dece
http://rtv.rs/sr_lat/region/migrant-upucan-na-hrvatskoj-granici-4.-put-oper-isan-policija-slozno-slucajno-opaljenje_1068185.html
https://hrvatska-danas.com/2019/11/29/migrant-koji-se-kod-mrkoplja-sam-ranio-iz-policijskog-oruzja-dobio-kaznenu-prijavu/

55   https://foreignpolicy.com/2019/12/06/croatia-is-abusing-migrants-while-the-eu-turns-a-blind-eye/

56   https://www.borderviolence.eu/
Only recently a promise was made that police activities toward people on the move would come under direct surveillance.
https://www.tportal.hr/vijesti/clanak/ostojic-izvrsit-cemo-neposredan-nadzor-nad-radom-policije-za-postupanje-prema-migrantima-20200206

57   https://www.theguardian.com/world/2019/jul/16/croatian-police-use-violence-to-pushback-migrants-says-president

The Deadly Pushback of Madina Husseinkhel

On 21 November 2017, Madina Husseinkhel, a six-year-old girl from Afghanistan, and her family of 11 – mostly children – were pushed back from Croatia towards Serbia. They had to walk on the train tracks on their way back, which was very difficult for the small children among them. Madina fell and was not able to get up. She was killed by a train.

After her death, Doctors Without Borders (MSF) posted a tweet describing this incident as "yet another totally preventable death on the 'closed' Balkan Road". Later on, MSF's humanitarian affairs adviser for Serbia, Andrea Contenta, commented for *The Guardian*[58] saying that even this death could be seen as a negative consequence of EU policies at its external borders. "These policies continue to put people in danger. There is no safe way to travel".

Back in 2017 and 2018, several NGOs in Croatia claimed that before the incident occurred, the Husseinkhel family had already reached the country more than once and had asked for asylum, but on every occasion they were pushed back to Serbia. Nevertheless, the authorities in Zagreb denied these claims, despite all the evidence, as well as all other stories of violence and pushback.

Madina was buried at a city cemetery in Šid, at the far end, beside other graves made for unnamed people who died in this city or close to the border from 2015 onwards.

Various groups and organisations in both Croatia and Serbia helped Madina's family to file criminal complaints against both states. In the case of the Croatian police, the complaint claimed that unknown police officers caused Madina's death because

58   https://www.theguardian.com/world/2017/dec/08/they-treated-her-like-a-dog-tragedy-of-the-six-year-old-killed-at-croatian-border

of negligence; that they grossly violated the rights of the child, abused their position and power and caused, by inhuman treatment, severe mental pain and suffering to the family. In Serbia, the Asylum Protection Center (APC) asked the border police whether an investigation had been launched into the death of Madina, and whether she and her family were legally deported from Croatia, or whether the local authorities "illegally pushed" them back to Serbia, before being overtaken by a train, but the APC received no answer.

Despite all the hardships experienced, the family did not want to give up on their dream of the EU, where the rest of the children could have a chance of starting a normal life. Nevertheless, it took them many attempts, followed by pushbacks, to enter and stay on EU territory. Finally, they made it at the end of March 2018. After the crossing, Croatian police put them in detention where they were held for days, only to be rejected for an asylum claim on the grounds of Serbia being a safe country.[59] Their lawyer, Sanja Bezbradica Jelavić, complained that she was not allowed contact with her clients for a month and a half after they were detained.

The death of Madina Husseinkhel marked the start of a bifurcation of the main route, now also leading towards Bosnia and Herzegovina.

There is an increasing number of indications that this systematic violence was ordered by the highest-level state authorities.[60] While the allegations of violence perpetrated by authorities are not being

59   The real name of this family is Husseinkhel and not Hussiny.
     https://helprefugees.org/news/madina-hussiny-killed-illegal-pushback

60   https://www.portalnovosti.com/ana-cuca-vrh-mupa-naredjuje-nasilje
     https://net.hr/danas/hrvatska/zastrasujuca-devijacija-akcije-koridor-polici-
     ja-sve-dogovara-na-whatsappu-a-poseban-zadatak-u-hvatanju-migranata-ima-
     ju-taksisti/
     https://www.dw.com/bs/sistematsko-nasilje-hrvatske-policije-nad-izbjeglicama-
     /a-45093477

further investigated, migrant solidarity is increasingly criminalised (see text box on pages 38–39).[61]

The Criminalisation of Solidarity in Croatia: the Case of the "Are You Syrious?" Activist Dragan Umičević

"This past March (2018), Are You Syrious? [AYS] volunteer Dragan Umičević approached a police control near the Croatian border to alert police to a family of asylum seekers huddled in a field near Strošinci, already on Croatian soil. A few days later, he was shocked to find himself facing charges of aiding and abetting the asylum seekers' "illegal crossing" of the Croatian border – despite the fact that he had never laid eyes on the family before and had not even communicated with them directly beforehand."[62]

According to information available in media and AYS reports, the people who reached the police during the night of 20–21 March 2018 were the family of Madina Husseinkhel, the girl killed by a train during a pushback from Croatia to Serbia three months earlier. Of fourteen persons, eleven were minors. This was their third encounter with the Croatian police, and since two had ended in pushbacks, they sent their geolocation to the "Are You Syrious?" office in Zagreb, to confirm they were in Croatia. One AYS activist was asked around midnight to be present during their encounter with the police in order to ensure their asylum claim was heard. Umičević claims that the police gave him permission to "flash" the car lights to summon the people from snow-covered fields and freezing wind to safety; the police van would take them to

61 https://www.portalnovosti.com/dragan-umicevic-kazna-meni-je-poruka-drugima

62 https://www.statewatch.org/news/2018/sep/croatia-ays-case.htm

the Vrbanja police station afterwards.[63] However, "Madina's family was immediately put in detention and held there without having access to legal assistance for months".[64] Umičević went on trial, because he had "sen[t] them light signals of where and when to cross the border into Croatia".[65] He faced imprisonment and a €43,000 fine for connecting a family with the nearest police authorities so that they could ask for asylum.[66] In September 2018, the court found Umičević guilty based on "unconscious negligence", saying that he should have assumed that the family was perhaps not in Croatia. He was charged with an €8 000 fine.[67] AYS appealed the verdict and the process is ongoing.[68]

The violence of Croatian authorities towards people on the move has been pinpointed by members of the European Parliament as a potential obstacle to reaching a Schengen agreement.[69] "This [violence] is *the* official EU policy. They [the EU] can say whatever they want, that they protect human rights, non-refoulement, non-violence and non-criminalisation, but saying is one thing, and doing exactly the

63   https://www.autograf.hr/are-you-syrious/

64   https://medium.com/are-you-syrious/ays-special-when-governments-turn-against-volunteers-the-case-of-ays-81fcfe0e80e7

65   http://hr.n1info.com/English/NEWS/a334582/Activist-fined-for-helping-refugees-illegaly-enter-Croatia.html

66   https://medium.com/are-you-syrious/ays-special-20192–020-on-trial-for-saving-lives-criminalization-of-solidarity-d569fdffe50a

67   https://medium.com/are-you-syrious/ays-special-when-governments-turn-against-volunteers-the-case-of-ays-81fcfe0e80e7

68   https://medium.com/are-you-syrious/ays-special-20192–020-on-trial-for-saving-lives-criminalization-of-solidarity-d569fdffe50a

69   "There is a huge pressure from the EU member states to disrespect their own rules, I would also say". http://hr.n1info.com/Video/Info/a484625/Erik-Marquardt-Postupanje-prema-migrantima-moze-otezati-ulazak-RH-u-Schengen.html

opposite is another", an international-NGO worker commented in Tuzla in August 2019.

Unlike the situation in Hungary, where repressive measures have been legalised, Croatia has not undergone such a legislative transformation. Therefore, the legality of the mentioned activities remained extremely questionable not only according to international, but also according to national laws. Because of the mentioned activities in preventing unwanted migration, people on the move are stuck in Bosnia and Herzegovina, especially in its most western region – the Una-Sana Canton.

The effects of these practices on migration movements are threefold: a portion of the people on the move are stuck in front of the EU/Schengen borders and they repeatedly try to cross them; some give up, and go back from Bosnia and Herzegovina to Serbia, from Serbia to Greece, etc.; others do manage to cross.[70] The Balkan region is crisscrossed with these multidirectional, often circular movements. As Stojić Mitrović and Vilenica point out, circular transit pertains not only to people on the move but also to practices, discourses, knowledges, technologies, even particular narratives, organisations and individual-professionals:

"Together with people, securitarian practices are circulating, ranging from learning how to directly prevent movement to developing and implementing various deterrence techniques. The circulation of the humanitarian regime organisations is not a new phenomenon; even before the inclusion of WB [Western Balkan] states into the European border regime, its concepts and practices were introduced to (future) practitioners through various trainings. The emergency paradigm brought new organisations, whose regional coordinators followed the humanitarian emergencies across borders, transferring the same more or less failed or

70   https://www.rtvslo.si/slovenija/slovenija-je-za-prosilce-za-azil-tranzitna-drzava-veliko-ljudi-na-poti-izgine/446245

successful "best practices" (how to work with migrants, how to organise their accommodation, what aid to bring and when, and how to "deal" with the local communities). Small charity NGOs and individual volunteers are also moving across the WB border-scape, together with migrants. Activists are connecting to inter-national solidarity networks. The same narratives are being spread through the region as well, from the initial "we have empathy for the people who are forced to flee, because we had similar experiences in the recent past" (Peović Vuković 2017, 174) to the already annoyed "migrants are disrupting the way of life in our community", and "migrants bring crime and diseases" (Peović Vuković 2017, 176–180). (Stojić Mitrović and Vilenica 2019, 547-548)"

Therefore, instead of the Balkan Route, a more adequate concept to understand the reality of migration in the Western Balkans is that of the Balkan Circuit.

On the other side of the EU border, the non-EU states of the Balkans figure as a kind of "dumping ground" for unwanted people on the move: they are "collected" inside EU territory, and expelled into the backyard – the Western Balkans. What happens to them afterwards is presented as having nothing to do with the EU.

Serbia

Toward the "Summer of Migration"

Serbia's integration into the EU migration-control regime was a long process that began in the early 2000s (Stojić Mitrović 2014; Beznec et al. 2016). Serbia introduced migration-related legislation and institutions to comply with EU demands to control the movement of its own and third-state nationals towards the EU, through biometric passports, readmission agreements, an asylum system, regional border police cooperation, etc. (Đorđević 2013; Beznec et al. 2016).[71] This otherwise slow course intensified in 2015, during the "summer of migration" (Kasparek and Speer 2015), which resulted in the seeming de(con)struction and restoration of the increasingly restrictive EUropean border regime (Beznec et al. 2016). Up until the closure of the corridor, Serbia – together with the other states on the Balkan Route – was perceived primarily as a transit state, a territory to cross on the way to Central and Western Europe. The infrastructure of accommodation and transportation, together with other activities related to the reception of people on the move, was substantially shaped by the transitory quality and brief temporality of migration movements (Stojić Mitrović and Djurić Milovanović

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[71] When this process commenced, Serbian citizens comprised a large portion of asylum seekers in EU member states. The provisions were therefore directed primarily towards the control of movement of Serbian citizens and, in particular, the return of the Roma population through newly established readmission agreements.
https://www.rosalux.rs/sites/default/files/publications/safe_countries_publication_web_2016.pdf
Even though the focus of movement control was redirected towards third-country nationals in recent years, in 2019 not a single third-country national was sent back to Serbia through the readmission agreement. Only Serbian citizens were.
http://rs.n1info.com/Vesti/a567982/Migrante-ne-vracaju-u-Srbiju-po-sporazumu-o-readmisiji.html

2019a). The closure of the organised migration corridor, the beginning of the implementation of the EU–Turkey deal and the restructuring of Frontex into the European Border and Coast Guard Agency in 2016, were some of the most distinguishing features of the more openly articulated securitarian phase of the EUropean border regime. Serbia, together with the other states on the Balkan Route, affirmed its position as a part of a "buffer zone" (Collinson 1996), a space of an unintended stay on the doorstep of the Schengen zone and the EU. Instead of terminating the migration movement, the increased control of neighbouring states' borders resulted in the creation of new types of mobilities across nation-state borders, as well as within them (Stojić Mitrović and Vilenica 2019).

In summer 2015, Serbia was actively building an image of a country with a humane approach towards people on the move along the Balkan Route. While Hungary was finalising its fence, the narrative often repeated by Serbian politicians was that Serbia would never build walls or restrict the movement of people searching for protection and that international laws would always be respected (Beznec et al. 2016). In the mainstream and social media, images of people on the move resting in Belgrade parks, smiling policemen holding "migrant children" or playing with them, had been juxtaposed to cages in which people on the move had been held in Hungary, or to angry Macedonian officers beating them on the border (Beznec et al. 2016; Stojić Mitrović 2018). This image was maintained throughout the existence of the formalised corridor.

Furthermore, unlike the situation in other countries during the existence of the formalised corridor, such as North Macedonia or Croatia, the migration movement across Serbia's territory was not regularised: people were free to "choose" modes of transportation as well as an itinerary and length of stay, depending on their resources, social networks, health, etc., that is, on personal capacities. The treatment of people on the move in Serbia was presented as

exceptional in comparison to the rising securitarian trend in Europe. However, as one local activist put it: "the treatment of refugees in Serbia is characterised as good only because we use extremely low standards for comparison". The most humane feature of the official Serbian approach was that the state did not bother to prevent refugees from entering and especially from leaving Serbia and, because they lacked the capacities, will, interest and "know-how", they allowed all solidarity groups, citizens and NGOs to provide aid, so the state could finally say: "we (meaning: the state) treat them humanely".[72] The following key characteristics were pinpointed as integral to the official approach in 2015 (Beznec et al. 2016): not employing obvious physical violence against migrants, enabling their transit and permitting their necessary stay, establishing a humanitarian approach as the exemplary one in public discourse, allowing the work of solidarity groups and aid distribution and permitting the involvement of private transportation companies for transit.

"The Closure" and Invisibilisation of Movements

The transformation of the migration-policy frame from humanitarian to securitarian was evident throughout 2016. In order to lessen the number of people, border protection was increased. Army troops were deployed to aid the police from February 2016 onwards.[73] The Serbian migration policy officially redirected its focus on securing its borders and not supporting people on the move on 16 July 2016 (Government of Serbia 2016). This was triggered by the opening of EU acquisition negotiations on Chapters 23 (judicial matters and

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72   Conversation from March 2016.

73   https://www.standard.rs/2016/02/25/vojska-podignuta-da-cuva-granicu-srbi-je/?ns_abc=latin

human rights) and 24 (freedom, security, migration management, the asylum system, and police cooperation), which happened just a couple of days later (Stojić Mitrović 2018). Similarly, as in other countries, Bosnia and Herzegovina,[74] for example, the news concerning the number of people prevented from entering was frequently published in the media.[75] Even though the state bragged about this, it was never admitted that pushbacks were being conducted. Instead, the explanation was given that migrants were diverted from entering by simply seeing Serbian troopers, who operated in two modes – patrolling and ambush.[76] The idea that Serbia is "protecting European borders" and "doing a job for Europe" was a narrative offered by state officials. The goal of these media presentations was to reassure the public, both in Serbia as well as in the EU, that Serbia can protect European borders by preventing illegal entry and consequent transit. What was not stated, was that this was a demonstration of the state's determination to fulfil all the demands of the Schengen acquis (EUR-Lex – I33020).[77] This also indicates a shift in public discourse – increasingly, migration began to be presented as a burden and people on the move as an annoyance.

Belgrade, the capital, has been a major migration hub in Serbia since 2014. The parks near the main bus and railway stations are gathering points, but until spring 2016 they were places where people could also sleep. Right after the closure of the corridor, Serbia was left with 6000 available places for the accommodation of

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74   https://hercegovina.in/granicna-policija-bih-u-jednom-danu-sprijecila-ulazak-sto-tine-migranata/

75   https://www.alo.rs/vesti/politika/vojska-i-policija-uspesno-cuvaju-granice-srbi-je/83666/vest

76   https://www.blic.rs/vesti/drustvo/dize-li-srbija-vojsku-na-migrante-koliko-je-ost-variva-ideja-predsednika-nikolica/l19hy49

77   https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Al33020

people on the move, and only slightly more than 2000 persons to accommodate.[78] The figure of 6000 places was the result of a negotiation between Serbian officials and the EU instances.[79] However, people gravitated towards the Hungarian border, and transit zones, as the only legal points of entry for prospective asylum seekers holding no documents that could allow them other forms of legal access to Hungary. As mentioned above, the pre-transit-zone spaces became improvised settlements. Access to these squats was highly restricted and only large international NGOs, such as UNHCR and the International Organisation for Migration (IOM)[80] and the Serbian Commissariat for Refugees and Migrations (Commissariat), i.e. the institution responsible for the accommodation of all administrative subsections of migrants, were regularly allowed to enter the space between the official border-crossing booths. People on the move, on the other hand, had unlimited access to the squats, and could come and go freely. In the latter case, they could also "lose their place in line" for entering the transit zones.[81] This situation, whereby the state had available accommodation and no one to accommodate, thus losing money for sustaining the accommodation and not receiving compensation from the allocated budget (which was tied up with the number of persons accommodated), could be interpreted as one of the reasons for a series of developments that marked a 2016 state crusade against "the parallel system": staying outside of state-organised camps and taking part in autonomous migrants'

78   https://insajder.net/sr/sajt/izbeglice/428/

79   https://www.blic.rs/vesti/drustvo/eu-srbija-sprema-6000-a-hrvats-
      ka-5000-mesta-za-izbeglice/rplytn2

80   https://serbia.iom.int/

81   A system for waiting to be admitted into the border zone had been established:
      people put their names on a certain list and each morning a Hungarian officer
      read the names of persons to be admitted into the zone.

support activities. It is key to stress that this was happening when the "route was closed" and funding for humanitarian support was diminishing.

In spring 2016, persons on the move were chased from their tents in Belgrade parks, and thus forced to find alternative accommodation, either in more hidden squats or in state-run centres. The short-lived No-Borders Hostel and the Miksalište Distribution Centre were demolished in April 2016 (Jovanović 2020, forthcoming). However, this was not a result of the activity that targeted autonomous migrant support, but was a consequence of the gentrification of the Belgrade Waterfront project, the development of which coincided with and largely influenced migrants' living conditions in Belgrade as the spreading of the building area simultaneously meant the destruction of migrant squats and supporting infrastructures (Obra-dovic-Wochnik 2018).

At the same time, the licenses that different organisations had in order to retain their containers from which they offered aid or services to people on the move in Belgrade parks, issued one year previously, were expiring. At a variable pace, they were evicted from the Belgrade parks, and forced to either terminate their migration-related activities or find alternative solutions. This was a blow both to people on the move, as well as to autonomous support. Some of the organisations managed to rent spaces nearby, while the majority shifted their activities to mobile teams. Miksalište No. 2 opened in June 2016 in a building rented with help from the Commissariat. It became a hub for the remaining organisations. As Jovanović points out, migrant support in this period was marked by hyper-professionalisation, which resulted in the marginalisation of informal and grassroots support (Jovanović 2020). At the same time, the Serbian state came up with the idea of attracting people from the pre-transit zones into the state-run camps by promising the establishment of a "waiting-list system" (see text box on page 48).

Waiting Lists

The existence of a "waiting list" for prospective asylum seekers to enter Hungary from Serbia legally, if they do not hold other documents that would allow them legal entry, was reported for the first time in September 2015 when two transit zones began operating on the Hungarian border fence (EC 2015). The waiting lists were supposed to manage the influx of people across the border daily and to eliminate people from no man's land. In July 2016, Serbia allegedly made an agreement with Hungary to allow for people on the move to apply for asylum from camps in Serbia and wait there for the invitation to interview (Stojić Mitrović and Vilenica 2019). The Hungarian authorities deny the existence of any agreement that gives rights to a foreign state to decide who and when they would enter Hungary (Lanzarote Committee 2017). However, there are some photographs proving that Hungarian authorities were stamping lists up until the end of 2016. At the very beginning, the list facilitated entry to the transit zone for around 300 people on a daily basis. This number progressively decreased over time. There is no available information regarding their actual functionality as waiting lists. However, they indeed had other functions. The camp management continues to use the lists in order to discourage people from crossing the border illegally, or at least from staying outside the state-provided accommodation.[82] The families with whom we have talked have been waiting for more than one year without any information about their case.

82   https://www.slobodnaevropa.org/a/srbija-madjarska-migranti/30422855.html

State vs. Civil Sector and People on the Move ●

The state officials in media releases, which appear to be especially
intended for an international audience and possible donors, point-
ed out that while Serbia did receive a lot of money, it was given to
the NGO sector alone, who turned migration into a business, while
it was not given to those doing the *real job*, accommodating *mi-
grants*,[83] and protecting the borders of Europe.[84] Furthermore, the
authorities announced changes in legislation, the draft of a new
asylum law,[85] and more rigorous punishments for smuggling (Crimi-
nal Law 2005, 94/2016 amendments). There was a draft asylum law
(a new Law on Asylum was finally adopted in March 2018), which
established the Commissariat as the central institution for migra-
tion management in Serbia, making it completely responsible for
controlling entrance into the camps and monitoring their functions,
while smuggling became punishable only by imprisonment (no sus-
pended sentence) combined with a fine (Stojić Mitrović 2018).

During 2016, there were three protest marches of people
on the move from Belgrade toward the EU borders, which indicate
a transformation of the discursive frame from understanding the

83   http://www.istinomer.rs/ocena/3649/Nevladnine-organizaci-
     je-ne-grade-smestaj-za-migrante

84   The original is as follows: (Stefanović) says that the question was posed (at the
     summit in Wien) not to give money solely to the NGO sector, because the NGO
     sector is not involved in migration management. "We are not asking for money
     to be given to those who turned it [the migrant crisis] into business. For us, the
     migrant crisis has not become a business. We are demanding money for military
     and the police, for the state organs involved in managing migrant centres, border
     protection, etc".
     http://www.rts.rs/page/stories/sr/story/9/politika/2464714/stefanovic-na-sami-
     tu-nije-bilo-konkretnih-resenja.html

85   http://www.politika.rs/sr/clanak/387644/Brzi-postupak-za-resavanje-zahte-
     va-za-azil

reasons and providing a generally favourable reception, to stressing annoyance because of the disruption to the daily lives of Serbian citizens that people on the move cause (see text box on pages 50–51). During the first two marches (23 July 2016 and 4 October 2016) toward the Hungarian borders, people on the move were presented by state servants as well as by some NGOs as manipulated into marching by smugglers and international "no-borders" activists.[86] The third march occurred from Belgrade to the Croatian border on 12 November 2016.[87]

Protest March – July 2016

The first of three protest marches in 2016 happened shortly after the state officially declared a securitarian turn on 16 July 2016: the prime minister's speech included a promise that those persons on the move who did not enter the asylum procedure would be "removed from our territory" (Government of Serbia 2016). A week later, the Belgrade parks were ploughed and plastic fences erected to restrict access to the ploughed areas, with the official explanation being to allow the new grass to grow. Rumours began to spread that the ploughing and fencing were not only intended to deter people from the parks, but that they were a sign of the deportations that were about to commence. On 23 July 2016 the first march began. Even though the cause of the protest – a protest against closed European borders – was

86 https://www.blic.rs/vesti/drustvo/haos-kod-indjije-migranti-krenuli-na-mars-do-madarske-pa-se-posvadali-komesar-oni-su/2rqxy0k
    https://www.blic.rs/vesti/beograd/migranti-prave-haos-u-be-ogradu-pod-jakom-policijskom-pratnjom-zaustavljaju-saobracaj/q58tgsy

87 https://www.blic.rs/vesti/drustvo/protestni-mars-migranti-stigli-do-sremske-mitrovice/b1dh7z1

favourably presented in the mainstream Serbian media, half the migrants' giving up on march participation was ridiculed (of 300 people who began, 150 finished the march).[88] When they reached Horgoš, several persons started a hunger strike, which lasted for several days.[89] They demanded the possibility of being legally admitted into Hungary.

In the meantime, the state continued with its efforts to put people on the move in the state-run camps and to bring the activities of migrant-supporting organisations under its control. The state front against "the parallel system" culminated on 4 November 2016, when the state secretary and deputy chairman of the Working Group for Migration sent an "open letter to international humanitarian and nongovernmental organisations", saying that their "assistance and support in the form of food, clothing and footwear, encouraging people on the move to reside outside the designated permanent centres for asylum and transit reception centres are no longer acceptable, particularly on the territory of the Belgrade city municipality".[90] The discourse that the state "tolerates" the "parallel system" (the squats, the work of the NGO sector, people with undetermined legal status) emerged. All the initiatives that were not coordinated by the state were framed as support for the parallel system and, conversely, as the obstruction of state attempts to regulate the reception of people on the move and migration as a whole. "Those who are doing so have something against the state of Serbia. They

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88   https://www.blic.rs/vesti/drustvo/haos-kod-indjije-migranti-krenuli-na-mars-do-madarske-pa-se-posvadali-komesar-oni-su/2rqxy0k

89   https://www.novosti.rs/vesti/naslovna/drustvo/aktuelno.290.htm-l%3A616564-Migranti-stigli-u-Suboticu https://www.slobodnaevropa.org/a/mi-granti-na-horgosu-ostajemo-ovde-dok-ne-dobijemo-odgovor/27886243.html

90   https://serbia.bordermonitoring.eu/2016/11/04/open-letter-to-ngos-operating-in-serbia/

are doing so because they want Serbia to look bad and to defile the reputation of Serbia. There are no other reasons for such behaviour", said the chief of the Working Group for Migration.[91] These developments indeed influenced migrant support not only in Belgrade, where provision of aid had to became invisible, but also in the border areas. "Guerrilla aid distribution", whereby supporting groups/organisations were provided with coordinates on where to deliver aid, became a largely normalised operative technique. The diminished offer of support, both of services and aid, had devastating consequences on the wellbeing of people on the move.

Attempted Illegal Deportations[92] from Serbia to Bulgaria

The translator of Info Park, a Belgrade-based NGO, received a call for help during the night of 18 December 2016, from a family of seven, who were in a panic asking what to do and begging for someone to save them from a forest near the Bulgarian border. They were lost, exhausted, and freezing in the –11 degrees Celsius temperatures, trying to keep their two-year-old baby warm, with only one telephone with enough battery to call and send GPS coordinates.[93] Info Park reached the police office in Surdulica, which organised a successful search and rescue mission. The family was then transferred to the state-run camp in Preševo.[94]

The issue at stake was that of how did a family that received a

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91   http://studiob.rs/vulin-trudimo-se-da-migrantima-obezbedimo-normalne-us-love/

92   The phrase *illegal deportation* has been carried over from media reports, it does not imply a specific administrative or scientific characterisation of the act itself.

93   https://insajder.net/sr/sajt/izbeglice/2696/Pauno-vi%C4%87-Sino%C4%87-spre%C4%8Dena-ilegalna-deportacija-izbegli-ca-od-strane-policijske-ili-vojno-policijske-jedinice.htm

94   https://www.b92.net/info/vesti/index.php?yyyy=2016&mm=12&dd=20&nav_id=1212155

so-called 72-hours paper (a document that confirms that these persons demonstrated the intention to seek asylum in Serbia, and that they have 72 hours to reach a state-run camp – the reception centre in Bosilegrad in this case), end up in a remote forest near the border with Bulgaria? The bus, which the Syrian family took in Belgrade to reach Bosilegrad, was stopped twice by uniformed officials: first they were only asked to provide identification and after being found to have the proper papers, they were released to continue the journey. However, on the second occasion, 10 km later – and 30 km from their destination in Bosilegrad – uniformed persons took them out of the bus, and drove them to a forest. "They said the army and police officers seized and destroyed their certificates and other items indicating that they had been in Serbia and ordered them to return to Bulgaria on foot" (BCHR 2017, 29). An official investigation was opened by the ombudsman,[95] but malpractice on the part of the authorities could not be confirmed.[96] A criminal complaint against the unknown perpetrators was filed by the prosecutor of the Committee of Lawyers for Human Rights (YUKOM) – Kristina Todorović, at the court in Vladičin Han.[97] However, in May 2019 the case was still in the preliminary-investigation phase.[98] The Belgrade Centre for Human Rights, a Belgrade-based NGO, "was given power of attorney to represent the family in the procedure on the potential violation of Article 3 of the ECHR (and Article 25 of the Serbian Constitution)". (BCHR 2017, 29)

95   http://www.rts.rs/page/stories/sr/story/125/drustvo/2569006/ombuds-man-pokrenuo-postupak-kontrole-zbog-migranata-ostavljenih-u-sumi.html

96   https://maglocistac.rs/beogradski-centar-za-ljudska-prava-prosle-godine-najman-je-100–00-izbeglica-vraceno-u-srbiju/

97   https://insajder.net/sr/sajt/tema/5377/

98   https://maglocistac.rs/beogradski-centar-za-ljudska-prava-prosle-godine-najman-je-100–00-izbeglica-vraceno-u-srbiju/

International Revisibilisation of Migration and New Solidarities

Forced out from the parks (a "cleaning" metaphor was used by state officials) and threatened with being placed in state-run camps with increased entrance–exit control,[99] or simply illegally deported[100] (Belgrade Centre for Human Rights, Macedonian Young Lawyers Association and Oxfam 2017),[101] people on the move left the public eye. The abandoned storage barracks at the central train station became one of the largest squats in Serbia ever (the peak in the number of people sleeping near the railway station in January 2017 is estimated to have been 2000).[102] They seemed to have been forgotten by the NGO sector, which had to restrain from overt aid provision. However, some aid and support was provided by a few organisations from the NGO sector and grassroots groups – "No-Borders" activists above all.[103] Life in the barracks with insufficient support during an extremely harsh winter at the beginning of 2017 reached the international media.[104] The media campaign resonated and in a matter of days, the state managed to find a place for another camp (in the town of Obrenovac).

99   https://www.blic.rs/vesti/drustvo/vulin-kontrola-na-granicama-broj-migrana-ta-koji-udu-u-srbiju-se-kontrolise/nwq38p6

100   http://www.middleeasteye.net/news/serbia-accused-mass-illegal-deporta-tions-refugees-1622114455

101   http://www.b92.net/info/vesti/index.php?yyyy=2016&mm=12&dd=20&nav_id=1212155

102   https://www.praxis.org.rs/index.php/sr/praxis-watch/item/1188-praxis-protec-tion-monitoring-report-january-2017

103   Hot Food Idomeni provided one warm meal per day.

104   https://www.nytimes.com/interactive/2017/01/24/world/europe/belgrade-ser-bia-migrant-camp.html

The campaign resulted in the recognition that migrations in the Balkans exist, that the "route" is far from being "closed" and that people on the move face life-threatening hardships. This initiated a new wave of migrants' support groups from abroad that came to Belgrade. The grip of the state over the civil sector was significantly released and NGOs were able to resume the majority of their activities. While some insisted on supporting the state (UNHCR, Danish Refugee Council, International Rescue Committee) in supporting people on the move, others worked more autonomously (Médecins Sans Frontières).

The year 2017 was marked by several anti-migrant protests and xenophobic campaigns. The first one took place in Obrenovac, on 1 February, just after some people on the move had been relocated there from the Belgrade barracks. As one headline in a popular tabloid read: "Horror in Obrenovac – migrants tried to kidnap a baby from a stroller in front of a woman and two minors".[105] This initiated an outrage. However, the event was filmed by a nearby shop's security camera and the kidnap attempt was proven to have been a xenophobic lie.[106]

Spring brought people to the barracks and nearby locations again. On 5 May 2017, several dozens of residents in the city area by the bus and railway station organised a protest against the presence of people on the move. A counter-protest was organised by two other groups, the League of Communist Youth of Yugoslavia, and Protest Against Dictatorship.[107] On 11 May 2017 the barracks were

105   https://www.telegraf.rs/vesti/2596255-horor-u-obrenovcu-migranti-pokusa-li-da-otmu-bebu-zeni-iz-kolica-pred-dva-maloletna-deteta

106   https://www.blic.rs/vesti/beograd/sve-cudne-okolnosti-u-vezi-navodne-otmice-bebe-u-obrenovcu/s7v4mbm

107   http://rs.n1info.com/Vesti/a246659/Protest-i-dva-kontraprotesta-ispred-Ekon-omskog-fakulteta.html

demolished as the Belgrade Waterfront project developed.[108] People from the barracks were yet again either moved to official camps, or forced to find alternative places to stay: places that would be even more invisible than the ruins in which they had lived for months.

Some of the people on the move continued to the borders. Supporting groups formed from the grassroots initiatives of international activists and volunteers in the barracks followed them. Belgraid, Escuela con Alma and Rigardu operated on the border with Hungary, while No Name Kitchen moved toward the border with Croatia.[109] These are very interesting developments that indicate, on the one hand, a process of formalisation (increased organisation and coordination within a group, collaboration between groups) of migrant support, while on the other they illuminate the transnational continuity of migration, which pertains not only to migrants, but also to individuals and groups involved in migration processes in other ways.

During practically all of 2017, Croatia became the next country that people on the move entered from Serbia. This was a consequence of stricter legislation in Hungary. A decisive turn to Croatia happened after March 2017: "Leaving the territory of Serbia became ever more difficult for migrants in March when Hungary introduced more restrictive laws and decreased the daily number of entries into its territory. In late March 2017, changes in the Hungarian asylum law entered into force, introducing a mandatory restriction of the freedom of movement of asylum seekers, including children over 14, for the entire duration of the asylum procedure" (Belgrade Centre for Human Rights 2018, 14).[110]

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108   Information about the process of demolition, the hunger strike that preceded it, the violent destruction of migrants' possessions etc.
https://twitter.com/bm_serbia

109   No Name Kitchen expanded its activities to Greece, Bosnia and Herzegovina, Serbia and Morocco. Belgraid changed its name to Collective Aid when it commenced activities in Bosnia and Herzegovina.

110   http://azil.rs/en/wp-content/uploads/2018/04/Right-to-Asylum-in-the-Republic-of-Serbia-2017.pdf

The increased presence of people on the move in the proximity of the Croatian border ignited protests by the local inhabitants. "For security reasons", the municipality of Šid demanded the closure of the reception centre in the town.[111] "In the centre of the town, there are five hundred people with other habits, from another area, people who have no work obligations and most of whom have served jail time for criminal activities in their countries of origin. There is no place for them in the town centre", the municipal president (i.e. town mayor) said.[112] Indeed, the centre was closed and the people on the move removed to other camps in Serbia.[113]

Following the initial legislative transformations from December 2016, in 2017 the inclusion of children accommodated in state-run camps in the national education system was accelerated (Kozma 2018; APC and CIJP 2018). However, this was faced with resistance from the local population, especially in places near the Croatian border.[114] The local population was concerned "for hygienic and security reasons". After the intervention of many actors, both from the state and NGO sector, the migrant children began to regularly attend school (Stojić Mitrović and Đurić Milovanović 2019b).

On 2 September 2017, Serbia introduced visa liberalisation with Iran, resulting in an increase of number of asylum seekers from this country.[115] In general, the number of people who expressed an intention to seek asylum in 2017 was more than two times smaller

111   http://rs.n1info.com/Vesti/a241665/Opstina-Sid-trazi-izmestanje-migrana-
       ta-iz-centra-grada.html

112   http://rs.n1info.com/Vesti/a241665/Opstina-Sid-trazi-izmestanje-migrana-
       ta-iz-centra-grada.html

113   https://www.novosti.rs/vesti/naslovna/drustvo/aktuelno.290.html:667888-Zat-
       voren-centar-u-Sidu

114   http://rs.n1info.com/Vesti/a317284/Roditelji-u-Sidu-protiv-dece-migranata-u-
       skolama.html

115   The top five nationalities of asylum seekers in Serbia in 2017 were Afghanistan
       (2,483) followed by Iraq (1,177), Pakistan (1,091), Iran (488) and Syria (370) (BCHR
       2018, 21).

than in 2016 (6,199 in 2017, compared with 12,821 in 2016) (BCHR 2018, 20). In addition, the office of the EBCGA (Frontex) liaison officer was established in Belgrade.[116]

At the very end of 2017, during Christmas according to Gregorian calendar, there was a silent protest at the Croatian border, when people from camps all over Serbia came to the Šid area.[117] People on the move were presented in the Serbian media by state authorities as having been manipulated by NGOs, smugglers and foreign anarchists.[118] The people protesting were removed to a camp on the border with Bulgaria and the Commissar accused them of abusing the hospitality of Serbia.[119]

● **New Routes and Institutional Transformations**

As has been mentioned above, at the very end of 2017, Bosnia and Herzegovina began to figure as a new transit hub. Information collected in autumn 2017 and winter 2017/2018, in squats near the Hungarian border, show that there were people who withdrew from "jungles" near the Croatian border to wait for better weather conditions for "the game" in old, known squats. During fieldwork conducted in May 2018, Bosnia and Herzegovina was mentioned as the next stop on the way to their destination, as a place where people would make checks, and return to Serbia if they had not managed to cross successfully into Croatia. This illustrates the increased mobility of people on the move inside a single state as well as in the region.

116   https://frontex.europa.eu/partners/liaison-officers-network/

117   https://www.slobodnaevropa.org/a/28940048.html

118   https://balkaninsight.com/2017/12/26/refugees-protesting-at-serbian-croatian-border-122–62–017/

119   https://balkaninsight.com/2017/12/27/serbian-police-removes-protesting-refugees-from-border-122–72–017/

The multidirectionality, proliferation and interconnectedness of routes has been presented in many reports. To give an example, as the border with Bosnia and Herzegovina began to attract more people in 2018, the presence of people on the move increased in the area of Loznica, in the west, resulting in smaller numbers heading toward Romania, in the north-east (HCIT and CRPC 2019, 44). As the summer was ending, families in particular were returning from Bosnia and Herzegovina and heading toward the Serbian/Romanian borders. Iranians arriving in Serbia within the bilateral visa liberalisation agreement, either went straight to the north-west from Belgrade airport, or to the south, across North Macedonia to Greece.[120] Some first tried to go north-west, and then decided to go to Greece. Furthermore, in 2018, the IOM returned 278 persons to their countries of origin.[121]

As the HCIT and CRPC 2018 report shows, people on the move spent longer periods of time in one location compared with 2017 (HCIT and CRPC 2019, 23). As a consequence, integrative practices could begin to be implemented in a more systematic manner – children's inclusion in primary, secondary schools and pre-schools increased, as well as adult attendance of different training sessions and courses (Stojić Mitrović and Đurić Milovanović 2019b). However, these developments show an increase only in relative terms, in comparison with the hyper-transit situation of previous years.

In 2018 significant institutional changes also occurred in Serbia: on the national level, the Law on Asylum and Temporary Protection, the Foreigners' Law and the Law on Border Control came into force (a detailed interpretation of legislative changes can be found in BCHR 2019). In addition, Serbia initials the European Border and

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120 https://ec.europa.eu/neighbourhood-enlargement/sites/near/
files/20190529-north-macedonia-report.pdf

121 https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-serbia-report.pdf

Coast Guard Status Agreement with the EU and adopted the strategy and action plan to counter irregular migration.[122] It increased regional cooperation through the 2018–2021 European Multidisciplinary Platform Against Criminal Threats, EMPACT alongside bilateral and multilateral police cooperation. It began preparations for initialisation of the process of joining EURODAC. On an internal level, different national institutions involved in migration processes made a memorandum that determined the existence of a will to improve cooperation. In general, institutional capacities and coordination were increased in 2018, as well as integration into the EUropean border regime.

The Law on Foreigners had a very interesting addition, the concept of *tolerated presence*: "Namely, the Law provides that the Government shall, at the proposal of the Minister of Interior, in case of special circumstances related to illegal presence of an increased number of foreigners in the territory of Serbia who cannot be returned to the country of origin due to application of the principle of non-refoulement, or who cannot leave Serbia due to circumstances beyond their control, adopt an ordinance regulating their tolerated presence on the territory of the Republic of Serbia, with limited time of implementation" (BCHR 2019, 23). This legalises the existing practice of Serbian authorities not to insist on a status that allows someone to be admitted into the state-run camps. Besides asylum centres, where people who showed the intention of seeking asylum are accommodated, and which are the only places where an asylum claim can be filed, Serbia has a number of transit reception centres, where people who have no intention of seeking asylum in Serbia can also be admitted. This seems to be one of several unique characteristics of the state-organised accommodation system in Serbia, together with the open-camp format, and the possibility of leaving

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122   https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-serbia-report.pdf

the camp for "the game" and then returning to it. Moreover, as the EC Serbia 2019 Report shows, "Migrant smuggling networks originating from and operating in Western Balkan countries remain active in and around migration centres and continue to smuggle irregular migrants".

The start of 2019 did not point to any big changes. Media attention was focused on violence perpetrated by the Croatian authorities and the situation in Bosnia and Herzegovina. A new Law on Asylum and Temporary Protection was in force, resulting in a slight increase in the relevant statistics: "Serbian authorities have upheld the applications of 156 foreigners since 2008, granting asylum to 68 and subsidiary protection to 88 migrants. The majority of persons granted international protection in RS originate from Libya (44), Syria (23), Ukraine (15), Afghanistan (14), Iraq (11), Iran (11) and Cuba (7), from which 13 refugee statuses and 14 subsidiary protections only from January to June 2019" (BCHR 2019b, 10).

The main institutional change in 2019 was further integration into the EUropean border regime, which was achieved by signing an agreement with the EU on border management cooperation between Serbia and the European Border and Coast Guard Agency (Frontex).[123] Similarly as in the case of Albania, the discursive frame was: "This agreement allows Frontex to assist Serbia in border management, carry out joint operations and deploy teams in the regions of Serbia that border the EU, subject to Serbia's agreement". Furthermore, "through this agreement, Frontex will be able to coordinate operational cooperation between EU member states and Serbia, and provide support and expertise, which will bring benefits for all".[124]

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123 https://www.consilium.europa.eu/en/press/press-releases/2019/11/19/border-management-eu-signs-agreement-with-serbia-on-european-border-and-coast-guard-cooperation/

124 https://www.consilium.europa.eu/en/press/press-releases/2019/11/19/border-management-eu-signs-agreement-with-serbia-on-european-border-and-coast-guard-cooperation/

Scandals, Fears and Racism

Migration-related stories within a crime rubric dominated in 2018.[125] As the Route became increasingly dangerous for people on the move, the media reported more on deaths and accidents: great media coverage was given to an accident in which four unconscious young men were found in a tanker truck.[126] Three of them died in hospital. Similar stories of officials discovering people on the move in vehicles were also present in the media during spring.[127] In summer, there was news in which Serbian state employees confirmed push-backs and violence conducted by Croatian border authorities.[128]

The year 2019 was marked by scandals in which highly ranked state employees were suspected of criminal activities. The first one related to a prominent employee of the Ministry of Labour, Employment, Veteran and Social Policy, who served for years as an administrator in the One-Stop Centre in Preševo and was a distinguished member of the Working Group for Solving Problems of Mixed Migration Flows.[129] Together with a group of people, he was arrested for

125 https://www.washingtonpost.com/world/europe/hungarian-police-find-2-tunnels-used-by-migrants-on-border/2019/11/29/23210fd81–29e-11ea-924c-b34d09bbc948_story.html
Two tunnels for migrant smuggling from Serbia to Hungary were discovered in Asothalom. The former major of Asothalom, Laszlo Torockai, was one of the politicians who most actively built up the anti-migrant discourse in Hungary (Beznec et al. 2016).

126 https://www.021.rs/story/Novi-Sad/Hronika/214806/Cetvorica-mladica-pronadjena-u-cisterni-u-Futogu-zivotno-su-ugrozeni.html

127 https://www.espreso.rs/vesti/drustvo/365631/jedan-po-jedan-srpski-policajci-pronasli-migrante-u-cisterni-pogledajte-kako-su-ih-vadili-video

128 https://www.danas.rs/drustvo/komesarijat-srbije-granicna-policija-hrvatske-brutalno-tuce-migrante/

129 http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/vlada/odluka/2015/54/2/reg

influence peddling – demanding money to allow for the importing of medical equipment intended for a hospital in the south of Serbia/ Kosovo as well as in areas where returnees from the Yugoslav wars live.[130] The same ministry has been implicated in alleged systemic corruption, which was revealed by the daily *Danas*: "Our sources claim that they [employees of the Ministry of Labour] have only formally signed these contracts [working contracts in which they are engaged either on MADAD 1 or 2 projects or the project of Humanitarian Aid by the Republic of Korea, which worked with the migrant population in Serbia in 2017: the reaffirmation of friendly relations between the two countries, both specifically related to migration] to pay their salaries from that fund, and that they have actually been engaged in other sectors, e.g. in the PR Service, the Sector for Pension and Disability Insurance, the Sector for the Protection of Persons with Disabilities or as drivers. Moreover, they had to write fictitious reports every month, i.e. reports from refugee centres to justify the job description provided by the contracts, although at no point did they have contact with migrants" (Stevanović 2019).[131] The last point to be mentioned here relates to accusations of smuggling: after a traffic accident, five persons on the move were discovered in a van, registered as a vehicle of the Commissariat for Refugees and Migration and driven by an employee of the reception centre in Obrenovac. In addition, the driver said that he was transporting them under the direct order of the Commissar.[132]

Autumn 2019 brought changes in the overall attitude toward people on the move and their supporters in Serbia: the eviction of

130 https://www.b92.net/info/vesti/index.php?yyyy=2019&mm=05&dd=11&nav_category=16&nav_id=1540760

131 https://www.danas.rs/drustvo/u-ministarstvu-za-rad-pisali-fiktivne-izvestaje-da-uzmu-milione-evra-od-eu/

132 https://mondo.me/Info/EX-YU/a791161/Jos-jedan-SKANDAL-u-Srbiji-Drzavni-zvanicnik-SVERCOVAO-migrante.html

people from non-state-run accommodation in Šid (on the Croatian border) and Sombor (on the border of Serbia with Croatia and Hungary), following protests by local residents, who complained of an increased crime rate due to the migrant presence.[133] In Sombor, the police attempted to reassure them that the statistics showing a rise in the crime rate did not specify whether the crimes were committed by foreigners or citizens. In fact, citizens had attacked people on the move and 400 migrants had been transferred to the Preševo camp, near the border with Macedonia (Preševo was temporarily closed in 2018 and reopened in autumn 2019). In Šid, protests by local residents resulted in police action, whereby the facilities in which people on the move informally resided were searched and evicted and 150 persons transferred to state-run camps.[134] The end of 2019 and beginning of 2020 brought an even stronger anti-migrant discourse and activities: anti-migrant protests, organised on social networks, have taken place at many locations (Kanjiža – on the border with Hungary, Pirot – on the border with Bulgaria, Kikinda – on the border with Romania).[135] Certain Serbian political parties, which mostly ignored migration in the past, began to exploit anti-migrant sentiment as the national elections were appearing on the horizon.[136] For example, discursively relying on Serbia's commitment from December 2019 to accept refugees from Greece, and in

133   http://rs.n1info.com/Vesti/a548208/Protesti-protiv-migranata-i-napadi-u-Somboru.html

134   https://www.blic.rs/vesti/drustvo/akcija-u-sidu-policija-ilegalne-migrante-prebacila-u-prihvatne-centre/vdl4404. According to information obtained in May 2018 from several NGO representatives operating in the area, evictions from the northern and western border areas were not unusual and they happened when the number of people residing outside of state provision rose; sometimes, the raids followed public protest, and sometimes they were conducted in advance, "to prevent public protest".

135   https://www.blic.rs/vesti/drustvo/laznim-vestima-protiv-migranata-srbijom-se-sire-antimigrantske-kampanje-i/dxlsz8y

136   http://rs.n1info.com/Vesti/a565968/Izbori-26.-aprila-Selakovic-kaze-da-ce-im-gradjani-dati-legitimitet.html

particular unaccompanied minors,[137] one oppositional party began to systematically spread news that the state was preparing to permanently settle migrants in Serbia, through the instruments of the Local Action Plans and Regional Housing Programmes.[138] The state reacted through media denial[139] and expert discussions[140] stressing that people on the move were only temporarily in Serbia[141] and that local Action Plans and Regional Housing Programmes relate to ex-Yugoslav refugees.[142] However, "the permanent settlement of hundreds of thousands and even a million of migrants in Serbia, for which the state made secret deals with the EU and received money", to summarize a dominant conspiracy theory, is considered to be true enough for over 300,000 persons gathered in the Facebook group named "STOP the settlement of migrants".[143] In Šid, evictions were accompanied by attacks from far-right groups cooperating with the police.[144] Instead of investigating these attacks, the state revoked international volunteers' residence permits.[145]

137   https://www.blic.rs/vesti/politika/vucic-u-atini-6-tacaka-saradnje-srbija-ce-od-grcke-preuzeti-decu-izbeglice-micotakis/59525f0

138   https://www.blic.rs/vesti/politika/brendiranom-hladnjacom-po-srbi-ji-dveri-pokrenule-peticiju-protiv-migranata-javnost-i/zfdtqxn

139   http://moravainfo.rs/2020/02/komesarijat-za-izbeglice-bosko-obradovic-manip-ulise-brojkama-i-grubo-obmanjuje-javnost/

140   http://media.rtv.rs/sr_lat/pravi-ugao/54235

141   https://mondo.rs/Info/Drustvo/a1282851/Migranti-u-Srbiji-Bosko-Obra-dovic-o-migrantima.html

142   http://rs.n1info.com/Vesti/a571155/Antimigrantska-kampanja-Dveri-prace-na-laznim-vestima-ne-ide-u-prilog-opoziciji.html

143   https://www.facebook.com/groups/512775282720731/

144   https://www.facebook.com/NoNameKitchenBelgrade/photos/a.312076942523930/903839020014383/?type=3&theater

145   http://rs.n1info.com/Vesti/a565984/Humanitarci-prijavili-da-su-ih-napali-cetni-ci-pa-dobili-da-napuste-Srbiju.html

In February 2020, one of the larger protests of some 300 people on the move happened on the border between Serbia and Hungary.[146] The minister of labour, Aleksandar Vulin, said:

> "These are manipulated people who are brought here by false promises that someone will open the border. Various nongovernmental organisations showed them pictures of full buses passing by and on which they were greeted cheerfully. They (protesters) demand better conditions in the camps. The conditions are very good, and we have received complaints that they do not want to stay in the camps with individuals from other nations and peoples. These things are unacceptable. The state of Serbia will be humane and organised, but we will not allow anyone to abuse our hospitality or push us into disputes with our neighbours."[147]

The protest ended with an organised transfer of people back to the Serbian camps. Just a week before that protest, a group of 60–70 men stormed the fence, and Hungarian officers shot bullets in the air.[148] Four persons who managed to cross – and who were apprehended by the Hungarian police – have been sentenced to one year in prison, and one person to ten months, while all of them received a four years' expulsion order.[149]

Movements within the borders of a single state are normalised: either people move in order to find a way out, or they are moved by the state from one border to another, resulting in further

146   https://www.slobodnaevropa.org/a/hungary-serbia-border-migrants/30422175.html

147   https://www.blic.rs/vesti/drustvo/dosta-nam-je-svega-hocemo-u-madjarsku-oko-300-migranata-okupilo-se-u-meduzoni/m5qwk1p

148   http://rs.n1info.com/Vesti/a564454/Migranti-probili-ogradu-na-Horgosu-2-madjarska-policija-pucala.html

149   https://hungarytoday.hu/migrants-roszke-sentence-court/

plight, the deterioration of health and even deaths.[150] As winter approached, migration from Bosnia and Herzegovina increased.[151] The Serbian police have been pushing them back to Bosnia and Herzegovina and the vicious circle of the Balkan Circuit continues.

The COVID-19 pandemic reached Serbia in March 2020 and resulted in the imposition of a total ban on the movement of migrants, who are confined to state-run camps that are heavily guarded by the army,[152] made possible through the declaration of a state of emergency.[153] While the people on the move cannot leave the camps, civil sector organisations are forbidden from entering, which is discursively justified by state authorities as a measure to prevent the spread of the coronavirus.[154] People on the move report a lack of food and inadequate sanitary conditions (water, soap, space), as well as violent repercussions for protesting against this situation, which include but are not limited to beating, tear-gassing and removal to other camps without prior notice.[155]

150   In 2019 alone, 22 persons on the move lost their lives in attempts to cross the border or while in Serbia. http://moravainfo.rs/2020/02/komesarijat-za-izbeg-lice-bosko-obradovic-manipulise-brojkama-i-grubo-obmanjuje-javnost/
https://www.blic.rs/vesti/hronika/prevrnuo-se-camac-na-dunavu-utopilo-se-sest-osoba-od-kojih-dvoje-dece/035t7zx
https://www.telegraf.rs/vesti/srbija/3078239-majka-cula-da-joj-se-sin-udavio-u-srbiji-pa-ostala-na-aerodromu-nema-vizu-i-ne-zna-da-li-je-ziv and here: https://www.bbc.com/serbian/lat/srbija-50892606

151   https://www.novosti.rs/vesti/naslovna/republika_srpska/aktuelno.655.html:830904-Po-svaku-cenu-pokusavaju-da-dodju-u-Srbiju-Migranti-snimljeni-kako-gaze-Drinu-VIDEO

152   http://rs.n1info.com/Vesti/a579209/Vojska-Srbije-obezbedjuje-granic-ne-prelaze-migrantske-centre-i-bolnice.html

153   https://www.srbija.gov.rs/vest/451323/proglaseno-vanredno-stanje-na-teritori-ji-citave-srbije.php

154   https://www.slobodnaevropa.org/a/migrantski-kampovi-srbija-korona-vi-rus/30518141.html

155   http://www.h-alter.org/vijesti/krnjaca-umjesto-sapuna-izbjeglice-i-migranti-do-bili-batine

Bosnia and Herzegovina

Entering the EUropean Border Regime, Setting Up the Infrastructures

Even for Bosnia and Herzegovina (BiH), being partly integrated into the EU migration-control regime is one of its SAP obligations.[156] This path has been very rocky for BiH due to its complicated state structure defined by the peace agreement signed in December 1995, known as the Dayton Peace Agreement (DPA).[157] That structure has frozen the divisions from the war – territorial but also political, as well as societal – resulting not only in a highly complex state structure but also in a captured state (Hellman and Kaufmann 2001).

Bosnia and Herzegovina: the Complex Structures of a Captured State

According to the DPA reality, Bosnia and Herzegovina is divided into two entities – Republika Srpska and the Federation of Bosnia and Herzegovina, which is further divided into ten cantons. There is an additional separate administrative unit called Brčko District. Each unit has its own government with relevant ministries, judiciary, police, education and other systems, while some issues are dealt with at the state level (security, human rights, the economy, foreign affairs, etc.), represented in the Council of Ministers. Above all these structures in BiH lies the Office of the High Representative (OHR),[158] a body created by the DPA with the task of overseeing and advising on the implementation of the civilian

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156   Bosnia and Herzegovina concluded the SAA in 2015 (SAA 2015).

157   https://www.osce.org/bih/126173

158   http://www.ohr.int/?lang=en

aspects of the agreement. The OHR is the body of the international community in Bosnia and Herzegovina and, by agreements made between various international actors given after the war, it has the power to impose decisions that are obligatory.

In 2003, Bosnia and Herzegovina gained the status of being a "potential candidate" for EU accession and started its long SAP path, which ended in 2016 when the state formally applied for EU membership.[159] Nevertheless, in 2009, the entity named (following the war) the Delegation of the EU in BiH, became the office of the EU Special Representative (EUSR)[160] and the head of the EU Delegation Office, which was given a more important and visible role in matters relating to the potential accession. Since then, the OHR has ceased its activities, including the imposition of decisions, and has become a silent observer and adviser, even though they still have the so-called Bonn Powers, entailing unlimited power when it comes to the civilian aspect of the DPA implementation. The EUSR operates under the leadership of the High Representative of the Union for the Common Foreign and Security Policy/Vice-President of the Commission. In its mission statement, the EUSR states that it "promotes the EU's interests that are embodied in common policies relating to, among others, foreign and security issues, commerce, agriculture, fisheries, environment, transport, health and safety. It plays a key role in the implementation of the EU's external financial assistance".[161] The special representative is nominated by the Council of the EU.[162]

159   https://euobserver.com/enlargement/132271

160   https://eeas.europa.eu/headquarters/headquarters-homepage_en/3606/EU%20 Special%20Representatives

161   http://europa.ba/?page_id=462

162   https://www.consilium.europa.eu/en/press/press-releases/2019/08/08/bos-nia-and-herzegovina-eu-appoints-new-special-representative/

Over the years, since the end of the war, legislation in BiH has been built under the close watch of the international community, including various UN agencies. One of these – the UNHCR – advised the government on laws regulating migrations. Later, the IOM became more heavily involved in drafting strategies in the area of migration and asylum. The mandate of the IOM remains unclear enough, and it has shifted its areas of work several times since the war. According to their mission statement[163] they started working in BiH in 1992, during the war, helping with the evacuation of wounded people. After the war, the IOM started working with Bosnian refugees and returnees, and later, on reparation-related issues. At some point, the organisation became increasingly involved at the international level at handling migration issues, while the agreement they reached with the UN, making them an affiliated organisation in 2016,[164] gave them an important role in dealing with present-day people on the move all over the world, including in BiH.[165]

The mission states that the IOM programmes "aim to prevent irregular migration, stop the trafficking of human beings, contribute to national development and assist the BiH Government in managing migration activities". In more detail, the IOM and its partners, "assist in meeting the growing operational challenges of migration management; advance an understanding of migration issues; en-

163   https://bih.iom.int/iom-bosnia-and-herzegovina

164   http://www.un-rok.org/about-un/offices/iom/

165   It is important to mention here that prior to 2016, when the IOM became an UN-related organization, Human Rights Watch criticised their role while they operated the Nauru Detention Centre on behalf of the Australian government from 2002 to 2006.
https://www.hrw.org/legacy/backgrounder/migrants/iom-submission-1103.htm
Additionally, Amnesty International requested that the IOM gives its assurance to abide by international human rights and refugee law standards, referring to standards relating to the prevention of arbitrary and unlawful detention, conditions of detention, and the principle of non-refoulement. https://www.amnesty.org/download/Documents/108000/ior300112003en.pdf

courage social and economic development through migration, and uphold the human dignity and wellbeing of migrants".[166]

With this broadly defined role, the IOM became the main advisor of the government in drafting documents related to migrations, including the most important one – the National Strategy in the Area of Migrations and Asylum and Action Plan, starting from 2012. In the process of writing the strategies, besides the IOM, the governments of Switzerland and Liechtenstein have also been involved. According to the introductory part of the strategy for 2016–2020, migrations should be managed in the context of the SAA "which obligates Bosnia and Herzegovina in the area of migrations and asylum to cooperate intensively with the member states and institutions of the European Union in the areas of visas, border management, migrations and asylum".[167]

According to the existing state strategies[168] on migrations, "migrations and asylum have been regulated by Chapter VII of the Stabilisation and Association Agreement (Justice, Freedom and Security)" (SAA 2015). This chapter also refers to border management, asylum and migration, as well as "the matter of the prevention and control of illegal migrations and readmission".[169] The first Three-Year Strategy in the Area of Migrations and Asylum and Action Plan for the period 2012–2015 was adopted in 2012,[170] and the second one was adopted in 2016.[171] In 2013, in accordance with the strategy, the

166   https://bih.iom.int/mission-and-strategy

167   https://bih.iom.int/sites/default/files/Strategy/Strategija%20ENG%202016.pdf

168   The first one was made in 2012, and the second in 2016, each covering the period of 4 years.

169   http://www.msb.gov.ba/PDF/Strategija_ENG_2016.pdf

170   http://www.msb.gov.ba/PDF/Strategy%20and%20Action%20Plan%2020122–015,%20engleski.pdf

171   https://bih.iom.int/sites/default/files/Strategy/Strategija%20ENG%202016.pdf

Council of Ministers appointed the Coordination Body for Migration Matters in BiH,[172] which is obliged to issue annual reports on migration matters. The EU also requires a similar approach when it comes to the border-control system, and has been advising the country for years and participating in different ways in strengthening borders. The state-border police were established in 2000, via a decision issued by the OHR.[173] They took full control of the borders in 2003. The issue of migration and asylum, as well as border control in this structure, was handed over to the Ministry of Security in 2003, where it has remained ever since.[174]

For the EU, the importance of BiH, when it comes to border control, rests on the fact that it shares a border area with a total length of 1 604 km.[175] Even in 2019, the state border was not fully defined with the neighbouring countries, including with the only neighbouring EU member, Croatia.[176] In its strategy for 2016–2020,[177] one can read about the problems in "the surveillance of the 'green border'", due to "a number of natural barriers in some parts of Bosnia and Herzegovina's territory such as, for example, mountain ranges, great rivers, canyons, etc." (Strategy 2016–2020, 17). For this reason, the country is described as "a transit country for people on the move on their way towards Western European countries and an interesting country for organized crime groups involved in cross-border crime", (Ibid., 17).

172　The Body consists of representatives from the State Border Police of BiH, the Civil Service, Immigration Sector, Asylum Sector and SIPA, plus representatives of different divisions inside the ministries of foreign affairs and for refugees (Strategy 2016–2020, 41).

173　http://www.granpol.gov.ba/Content/Read/49?title=Historijat

174　http://www.granpol.gov.ba/Content/Read/10?title=Onama

175　http://www.granpol.gov.ba/Content/Read/55?title=Terenskiuredi

176　https://www.total-croatia-news.com/politics/35630-bosnia

177　http://www.msb.gov.ba/PDF/Strategija_ENG_2016.pdf

The same document states that, over the period from 2005–2010, BiH was an active part of the migration route across the Balkans, with a number of people crossing in an irregular fashion, mostly coming from the region, and from Turkey (Ibid., 18). In 2011, the composition of these people on the move in BiH suddenly changed, with more people being registered who came from Afghanistan, Pakistan, Syria, Palestine, Somalia and other countries in North Africa and the Middle East. Between 2011 and 2014, the number of people from African and the Middle East countries exceeded the number of those coming from the region (Ibid., 18–19). People who were registered in most cases continued toward Croatia, but the strategy concluded that the fact that the neighbouring country was a part of the EU, "did not contribute to any increase in the illegal movement of migrants across the territory of Bosnia and Herzegovina to Croatia, largely due to the fact that Croatia did not join the Schengen zone" (Ibid., 19).

Back in 2013 and 2014, subsidiary protection status was issued to 30 people, mostly to nationals of Syria, but also Iraq and Somalia (Ibid., 21). The trend continued in 2015 and 2016, but the number was never very high, and BiH was not considered a part of the active Balkan Route. During that period, the corridor was functioning and leading people from Greece, through North Macedonia and Serbia towards Hungary or Croatia. However, with the closing of the borders and the increase in violence from border police at the EU external borders, eventually, in autumn 2017, the route turned towards BiH. According to the IOM website, the first mobile team in BiH was established in June 2017, "in key migrant locations across the country", namely Trebinje, the border with Montenegro, East Sarajevo and Mostar.[178]

This shift connects with the increased violence at the Croatian–Serbian border, as well as at the Serbian borders with Romania

[178] https://bih.iom.int/pbn/press-release-saopštenje-za-medije

and Bulgaria. What is surprising is that despite all the established state bodies, and the presence of numerous international actors working on strategies, none of them made the prediction that the route would shift towards BiH. The idea of BiH becoming the main route was dismissed publicly by local authorities, as well as the international organisations present in the country, including the IOM. What is more, at the end of 2017, the head of the IOM Western Balkans – who was suddenly transferred to Sarajevo that summer – Peter Van der Auweraert, said that he did not believe that BiH would see a large influx of migrants and refugees over the coming period.[179] "But, if we look at the numbers, 750 people entered this year, this does not mean these people are still around. Some went back to Serbia or Montenegro in accordance with readmission agreements. So, the current capacity is enough. Maybe the only area where we support the border police and SFA [Service for Foreigners' Affairs] is in education on vulnerable categories. In these areas we need to work more", Van der Auweraert said.[180] He repeated the same sentiment when speaking for the regional TV network Al Jazeera Balkans, putting his trust in a plan mentioned in public on several occasions by Dragan Mektić, Minister of Security, in 2015, according to which the state is "well prepared". According to Minister Mektić, the state was ready to provide 5,000 accommodation places.[181]

The capacity to which the IOM and the State Ministry of Security referred was the asylum centre Delijaš, on the outskirts of Sarajevo, high up in the mountains with up to 300 places, as well as the Salakovac refugee centre near Mostar with up to 300 beds, and the immigration (detention) centre in Lukavica, near Sarajevo.

179   https://bih.iom.int/pbn/press-release-saopštenje-za-medije

180   http://balkans.aljazeera.net/video/van-der-auweraert-o-problemu-ilegalnih-ula-zaka-u-bih

181   https://balkaneu.com/bih-expects-refugees/

The Delijaš centre, run by the Asylum Sector of the State Ministry of Security, was built with the help of the EU, but placed high up in the mountains, in an area where there is no Wi-Fi or phone connection, with no shops around and irregular transportation, especially in winter. By law, people who ask for asylum in BiH should be placed here until they receive asylum status. With the status, they can move to the Salakovac centre, which is run by the State Ministry for Human Rights and Refugees. People who do not get the status and who are supposed to leave the country are taken to the immigration centre, under the jurisdiction of the Ministry of Security. Nevertheless, by the end of 2017, it was clear that BiH does not have capacity to provide accommodation for larger numbers of people. What is more, it was easy to see that the state would hardly be able to respond to large number of asylum requests, bearing in mind – among other things – that until mid-2018, there was only one person responsible for reviewing all asylum claims.

"Not That Well Prepared in the End"

Despite their predictions, over 53 000 people entered the country over a period of two years, according to the official statistics.[182] In 2018, over 25,000 new arrivals[183] were registered in Bosnia and Herzegovina, while the official accommodation capacity, until the autumn of that year, was no more than 400 places, in only two official centers – the asylum center Delijaš, and the refugee center Salakovac. Everyone else was forced to stay outside the system. In May 2018, the Council of Europe High Commissioner for Human

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182   https://reliefweb.int/sites/reliefweb.int/files/resources/74293.pdf

183   https://www.undp.org/content/dam/unct/bih/PDFs/UNCTBiHSitReps/Inter-agency%20refugee%20and%20migrant%20operational%20update-%20December%202018.pdf

Rights, Dunja Mijatović, issued an open letter to Bosnia and Herzegovina expressing her concern after learning that "many refugees and migrants, including families with children, sleep rough on the streets, and have irregular access to food. This seems to be due to the lack of a systematic response by your authorities to the humanitarian needs of these persons".[184]

In order for the IOM to take a leading role in issues related to migration, a formal official request was issued by the Council of Ministers at the end of May 2018, referring to the Emergency Measures Action Plan[185] adopted previously that month. During the year, based on a decision made by the EU, in accordance with the recommendation from the EUSR, Brussels directed all donations for migration management toward the IOM, making it the organization in charge in the field.[186] The role of "supervisor" was handed over to the EUSR, which hardly ever commented publicly on anything relating to the ongoing situation with people on the move in Bosnia and Herzegovina. In June 2019, the EUSR issued a statement saying that since 2018, the EU had donated €24 million: "(€20.2 million from the Instrument for Pre-accession Assistance and €3.8 million of humanitarian aid). This is in addition to €24.6 million of assistance that the European Union has provided to Bosnia and Herzegovina in the area of asylum, migration and border management since 2007".[187]

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184   https://rm.coe.int/commdh-20181–2-letter-to-the-authorities-regarding-the-migration-situa/1680870e4d

185   http://vijeceministara.gov.ba/saopstenja/sjednice/zakljucci_sa_sjednica/default.aspx?id=28459&langTag=hr-HR

186   https://www.iom.int/news/eus-multi-million-euro-support-iom-partners-helps-thousands-stranded-migrants-bosnia-and

187   The press statement also states that, since 2007, the EU has been providing assistance to BiH that amounts to €44.8 million in the area of migration and border management through the Instrument for Pre-accession Assistance. The country has also benefited from the IPA regional programme, "Support to Protection-Sensitive Migration Management", worth up to €14.5 million. The emergency humanitarian assistance provided so far amounts to €3.8 million". https://europa.ba/?p=64423

Since June 2018, the EU via the European Civil Protection and Humanitarian Aid Operations (ECHO), has been providing assistance for Bosnia and Herzegovina.[188] The official reason why the EU decided to introduce the IOM as the leader in the field, as stated, is the lack of coordination[189] at all levels of border and migration management, and the functioning of the asylum system.[190] This lack of coordination led to the de facto separation of the Una-Sana Canton in relation to their dealing with the migrations. Local authorities received significant support from the IOM and individual governments to deal with the growing number of people in this area. The support was not only financial, but international organisations avoided being openly critical, even when serious violations of the existing laws were occurring. These included the introduction of measures to restrict the freedom of movement of people on the move, and the establishment of a police checkpoint at the entrance of the canton in the village of Velečevo, near Ključ.

At some point, frustrated by the high number of people present on the streets, the lack of assistance towards local structures, but also the lack of coordination with state authorities, the government in Bihać (the canton's capital), decided to try to take control of the ongoing situation. In October 2018, at a meeting held in Bihać (with the IOM representative present), the government issued a decision to limit the freedom of movement: in October 2018, they established a de facto checkpoint at Velečevo, in Ključ municipality, at the entrance to the Canton.[191] At this checkpoint, the Una-Sana Canton police stops buses and vehicles looking for people

188   https://ec.europa.eu/echo/where/europe/bosnia-and-herzegovina_en

189   https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx-?NewsID=25088&LangID=E%20and

190   In July 2019, the EC decided to provide "a senior expert to support the relevant coordination structures". https://europa.ba/?p=64769

191   https://reliefweb.int/sites/reliefweb.int/files/resources/MDRBA011ou3.pdf

on the move. If found, people are issued an order to leave the car and leave by foot, with no assistance of any kind. During a period of 13 months, about 7,000 people were stopped here,[192] and forced to go back to Sarajevo or to find their way further north on foot. Local Red-Cross volunteers were the only ones providing assistance for a long time to those who were stopped and removed from the buses, depending on donations and help from the local solidarity network and international volunteers. At the same time, the UNHCR and the IOM were critical of such limitations on the freedom of movement in their meetings with local and international actors. Furthermore, Vaša prava, a free legal-aid organization established and financed by the UNHCR, filed a complaint with the office of the ombudsperson at the state level. However, at the same time, both organisations continued participating in this process of preventing freedom of movement while being present at the relevant locations. They also accepted the condition from the Bihać government that only the sick and families can enter the canton. None of the organisations publicly expressed their disagreement with restrictions or obvious violations of existing laws.

Meanwhile, the EU – through its partner organisations in BiH – started to establish "temporary accommodation centres", first in the Bihać area, and later on in Sarajevo. In Bihać in 2019, the IOM established the camp BIRA, in a former factory, and the camps Borići and Sedra for "vulnerable" categories. Sedra was established inside a privately owned old hotel, which was meant to have been demolished and had been subject to serious legal issues due to workers' rights violations for years. The hotel was supposed to be publicly auctioned, by a court decision, at the end of August 2018. However, a few days before the scheduled time for the bid, the IOM conclud-

192   http://www.rtvusk.ba/vijest/velecevo-kod-kljuca-zivot-nadomak-nevidljive-gran-
      ice-do-bihaca/33431

ed a contract with the owner.[193] The camp BIRA was also set up in private property, and even this owner had legal issues that were supposed to be dealt with at court before the IOM came in.

In Velika Kladuša, after several hundred people on the move blocked the border crossing Maljevac in October 2018 to demand an open corridor and humane living conditions for those stuck in Bosnia and Herzegovina, one local business owner offered one of his factories that was not being used at that moment. Soon, the IOM took over this place, turning it into a centre for several hundred people. Borići is the only place that is publicly owned, under the jurisdiction of the city of Bihać. It was turned into a camp after months of agony when people were sleeping in extremely dire conditions in the unsafe building and a nearby park area. In 2019, the IOM opened the first centre in Sarajevo, Ušivak, in former military barracks. By the end of the year, the former barracks in Blažuj near Sarajevo had also been turned into a centre.

Political Pressures and Repression

In 2019, the Office for Foreigners, part of the Ministry of Security, issued a document[194] reflecting on the previous year. This document uses the term "illegal migrants", when referring to people on the move who entered the country, while stating that the office registered 22,499 persons who entered from 1 January to 31 December 2018, taking their fingerprints, photos and basic data, which they exchanged with other security agencies in the country. They also noted 23 actions related to foreigners in the country, including

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193   Even in 2020, the broader public was not informed about the Sedra court case and what happened with the workers who were supposed to be compensated with the money the owner receives in the public bid.

194   http://sps.gov.ba/dokumenti/izvjestaji/SPS%20-%20izvjestaj%20za%202018.pdf

one called "volunteer", reporting that the office made checks on the "movement and stay" of foreigners who "present themselves as volunteers and who are staying in the area where migrants are accommodated". The document also claims that the cooperation with Frontex/ECGBA is functional, and that data is exchanged about people on the move.

It is important to note that BiH became an active part of the Balkan Route in the 2018 general election year, with an unofficial campaign present almost all the time (local elections are expected in 2020). In an attempt to stop the arrival of people on the move, but also to put pressure on the state government in Sarajevo and the international community, the Bihać government issued a number of very controversial decisions, including many that are not in accordance with existing laws: limiting freedom of movement, permitting the use of violence against people, or the formation of makeshift camps, such as Trnovi near Velika Kladuša first in autumn 2018, and later in the Vučjak area (See text box on pages 81–84), a former Bihać city landfill. Basic living conditions were not satisfied in any of these locations.

Later, attempting once again to pressure the state and the international community, the Bihać government ordered restrictive measures aimed at people on the move and those who help them or provide accommodation. Suddenly, people were prevented from living in private accommodation with locals, and obstacles appeared regarding their access to the health system or education. These measures not only involved a restriction of freedom of movement, but also of the right to human and dignified treatment, irrespective of one's status in the country.

The ultimate move was the above-mentioned creation of the Vučjak camp at the city landfill site (See text box on pages 81–84), and the forceful removal of people on the move from the streets of Bihać and Velika Kladuša. The international community in Bosnia

and Herzegovina remained shy in condemning these practices of violence, but continued blaming the authorities for inhuman treatment and the creation of the Vučjak camp, while at the same time refusing to help people illegally detained at Vučjak, or those on the streets. The available help was distributed only to those inside the IOM-run centres.

Vučjak, a Place Nobody Wants to Take Responsibility for

In spring 2019, faced with a growing number of arrivals, a lack of coordination between different actors, the unwillingness of the state to deal properly with the issue, and the fact that the EU does not want to have centres for the accommodation of people on the move close to its borders, the Mayor of Bihać and the local government decided to try and blackmail everybody. They sought to do this by increasing pressure on the local solidarity network, as well as committing violent acts against people on the move, especially in the city of Bihać. Violence, which has become normalised in this area of Bosnia and Herzegovina, as well as at the EU borders, included the creation of Vučjak, a place that people who were forced to live there called a jungle camp, since it was just a designated area in the forest to which people were forcibly brought.

The first groups, accompanied by the police, were brought to Vučjak at the end of May 2019. People were picked up from all around the city, forced to form a line, and to walk through the city centre and towards the former landfill site, which is 10 km away from Bihać, and only 2 km from the border.

The EU and UN agencies, including their partner IOM, immediately rejected the notion of Vučjak as a place where people

should stay, refusing to help in any way. A local Red-Cross branch was the only organisation that remained at Vučjak until the final day, providing two meals a day, and occasionally non-food items. Vučjak was a violent place.[195] Nobody wanted to be responsible for what was happening there, and the police, occasionally, were pushing away those who tried to help, except for the Red Cross.

In the autumn, the conditions worsened. The EU, the UN and related agencies, despite the situation, continued refusing to help people, while the police continued to bring people to the site. At one moment there were around 2 000 people in Vučjak, including minors and sick people. They lived in appalling conditions, with not enough of anything, with neither food nor water.

During this period, officials increasingly visited, including representatives of the European Parliament and other officials. However, nothing was changing.

Local activists tried to pressure the government to stop using violence, warning them that while the EU was refusing to help at Vučjak, the same EU did not mind giving donations to the police.[196] An open letter was sent to the EU Special Representative in Bosnia urging him to stop the "further militarisation of security forces" and to use EU money to improve humanitarian conditions for people on the move.

Among other claims, the letter states that the leaders of the Una-Sana Canton have used the cantonal police forces to forcibly relocate people to the Vučjak "dumping ground"; to restrict journalists' freedoms, and intimidate human rights' defenders attempting to provide humanitarian aid to people on the move. All this has been done, the authors claim, with donations from the EU.

"Just last month, the police vans donated to the police forces of the Una-Sana Canton by the EU were used several days later

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195   https://kosovotwopointzero.com/en/deleting-the-pain-at-bosnias-borders/

196   https://www.change.org/p/head-of-eu-delegation-to-bih-and-eu-special-representative-in-bih-zaustavite-dalju-militarizaciju-sigurnosnih-agencija-u-bih

to forcibly remove from public space people on the move", the letter concludes. In an unusual move, the EU Special Representative in Bosnia answered this letter, claiming that 94% of donations were directed towards the humanitarian response. The same week as this response arrived, the head of the IOM for the Western Balkans, while talking to Al Jazeera English, stated that this amount is about 70%. The exact amount, like most of the decisions made in Bosnia relating to migration, remained secret from the public.

Finally, in mid-December, when the temperatures were already below zero, the High Commissioner of the Council of Europe, Dunja Mijatović, came to Bihać on an official visit.[197] Dunja, who is from Bosnia and Herzegovina by origin, met with local and international actors, as well as people on the move and their helpers, simply to issue a very strong condemnation of what she saw in the Bihać area.

"This is shameful for Bosnia and Herzegovina and me, as a Bosnian citizen; I am ashamed of the situation at Vučjak", she said to the media.[198] She also warned the authorities about their duties and responsibilities to protect human rights. Some were critical of her reaction. The Welcome! Initiative from Croatia reacted in their weekly email newsletter, stating that while they "greatly appreciate the efforts of the Council of Europe Commissioner and appreciate the impact that Vučjak in the snow has on every human being", they still expect more "from the organisation it represents than requests to the authorities of BiH or border countries. First and foremost, we expect more engagement from the countries of the centre and the European Union".

Finally, on December 11, Vučjak was closed down and people

197   https://ba.voanews.com/a/dunja-mijatovic-vucjak-je-sramota-za-bih-migran-ti-zelimo-samo-preci-granicu/5192147.html

198   https://www.radiosarajevo.ba/vijesti/bosna-i-hercegovina/mijatovic-sramim-se-kao-bosanka-zbog-vucjaka-kamp-se-mora-zatvoriti-danas-ili-sutra/359416

were taken to IOM-run centres in Sarajevo, and some were taken to Mostar.

Before Vučjak, in 2018, a similar situation occurred in Velika Kladuša where the local authorities designated a swamp area as a camp. Trnovi, the place where this camp was created, was dismantled only with the arrival of winter. Previously, a makeshift camp was created in Sarajevo city centre. It lasted for about a month and a half. A makeshift camp in Tuzla was dismantled in the winter of 2019. However, the local government in Sarajevo and Tuzla did not participate in the creation of these camps, unlike in Velika Kladuša and Bihać.

This ambivalent attitude encouraged the local government in Bihać, and later in other cities, to introduce restrictive measures of different types. There was also occasional violence by individual police officers, but no proof of systematic abuse, except in the Una-Sana Canton. This atmosphere contributed to the rise of hate speech in the media,[199] often under the extensive influence or control of local political elites.[200] Nevertheless, hate speech easily made it into the public sphere, and anti-migrant sentiments became almost palpable. They started with statements from representatives of the Ministry of Security who used terms like "illegal migrants", "criminals", "drug dealers", etc.[201] This rhetoric continued throughout 2018 and 2019, and it became even harsher with the new minister in charge of security who came to office at the end of 2019. The minister Fahrudin Radončić, at the beginning of his mandate, met with the Croatian authorities, as well as the EU representatives discussing the migrations. While

199   See https://www.mreza-mira.net/vijesti/razno/jezik-mrznje-u-bh-medijima/, or https://objektiva.ba/migranti-i-izbjeglice-u-bih-dehumanizirani-ljudi-glavna-meta-govora-mrznje/

200   https://www.media.ba/bs/mediametar/mediji-politicari-i-migranti-jezik-mrznje-umjesto-solidarnosti

201   https://media.ba/bs/mediametar/mediji-politicari-i-migranti-jezik-mrznje-umjesto-solidarnosti

speaking publicly about people on the move, he used harsher words than his predecessor or other politicians in the country, threatening that all "illegal migrants" will not have a place in the country, while the priority will be security over a humanitarian response.[202]

This rhetoric became ever more present during the COVID-19 pandemic in March and April 2020. Minister Radončić proclaimed de facto war against people on the move, issuing recommendations, followed by the cantonal interior ministries, that all reception centres would be closed and any movement of people on the move forbidden. This decision left about 5,500 people locked in overcrowded centres, with limited access to healthcare, food and water, according to the testimonies of people living there. Radončić described the centres as "the greatest hotspot of the coronavirus", threatening that, if people violate lockdown measures, "the police has to physically force them to be there and prohibit their movement".[203] At the same time, at least 2,000 people were left outside official reception centres, living in private accommodation or squats, and they were deprived of any type of institutional or organised help. The Coalition Against Hate Speech and Hate Crimes has explicitly condemned the introduction of such measures, referring to the existing Anti-Discrimination Law.[204]

202   https://avaz.ba/vijesti/bih/550671/radoncic-migranti-nece-slobodno-setati-kra-jinom-i-unistavati-turizam-a-da-nasi-ljudi-zbog-njih-strahuju

203   https://www.tportal.hr/vijesti/clanak/bih-u-velikim-problemima-migranti-ce-mor-ati-iza-bodljikave-zice-slijede-nam-najtezi-dani-20200318

204   https://www.mreza-mira.net/vijesti/aktivnosti-mreze/instucionalna-diskriminacija/

Handling the "Crisis"

For people on the move who came to BiH during 2017 and 2018, as well as for the local population, 2018 will remain deeply imprinted in their memory, as those arriving in BiH were faced with a lack of care, and a completely dysfunctional state. Most of the time, the authorities at all levels paid little or no attention to the issue of migration, except for the increased use of a "border-securitisation" discourse, with repeated calls for more border police and equipment for them, combined with hate speech against people on the move.[205] The migrations were used by local politicians to enhance divisions inside the country and to make political points. Just one such example is from May 2018, when over 300 people were moved from a makeshift camp in Sarajevo to the official centre in Salakovac near Mostar. On their way to Mostar, at the border line between the two entities, the buses were stopped. Only after an order from the Ministry of Security were the buses allowed to continue, with people entering Mostar while the local police head was publicly accused of an attempted coup due to his decision to ignore the order from the state level, and from the ministry responsible for the handling of foreigners in the country.[206] However, nobody was ever called to court, and the entire set of events was used to fuel anti-migrant propaganda under the pretext of the protection of national issues.[207]

The same excuses were used by local authorities all over the country to refuse hosting accommodation centres. The government

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205 It is important to note that from 2018, besides the EU, help was coming from countries such as Poland, the Czech Republic, and Bulgaria, as well as Switzerland, Germany, the UK, and the US.

206 See https://kosovotwopointzero.com/en/bosnias-limp-statehood-challenged-by-act-of-police-insubordination/

207 https://www.slobodnaevropa.org/a/mektic-migranti-drzavni-udar/29235084.html

in the Tuzla Canton repeated on several occasions that their intention was not to allow the creation of accommodation centres. In this way, they refused to assist a growing number of people who had been coming to this city since May 2018,[208] leaving them in precarious conditions, assisted only by local self-organised groups, local charities, with international organisations joining these efforts only later in 2019. Again, none of the international organisations present in Tuzla used the opportunity to express criticism of this kind of government attitude, or sought to enhance the role of the state. In winter 2019–2020, over 150 people slept out in the open in the city, while the mayor kept refusing any notion of a centre in the city, claiming that the existence of centres might jeopardise not only public safety, but also the construction of a new complex for the city power plant, with investors from China.[209]

One interesting fact is that the IOM started helping local volunteers in Tuzla from mid-2019, encouraging them to formalise their work, and helping them financially. By the end of the year, two centres were established with the help of the IOM, run by local organisations (one from Tuzla and the other one from Sarajevo). Finally, in March 2020, the IOM and the local police, together with the Ministry of Security, transferred several hundred people from the streets of Tuzla to the camp Blažuj where, according to the plans made public, up to 3,000 single men could be placed. At the same time with the expansion of capacities in Blažuj and Ušivak, food shortages were noticeable. Local activists in BiH obtained photos and reports about this from the residents of the camp who claimed that for each day they used to receive eight pieces of bread, a piece of cheese spread, pate and a piece of fruit for breakfast, lunch and

208   https://tuzlanski.ba/carsija/imamovic-poslao-jasnu-poruku-vladi-fbih-za-sm-jestaj-migranata-treba-odabrati-centre-na-kojima-nema-lokalnog-stanovnistva/

209   https://www.bljesak.info/vijesti/politika/Gradsko-vijece-i-gradonacelnik-Tuzle-os-tro-protiv-migrantskog-centra/292783

dinner. With the increase in capacities, access to water also became an issue, e.g. in March there was no place for doing laundry in the camp.

People who were living in unofficial, but IOM supported, shelters were not removed, while some of the people who lived in private accommodation, being guests of locals or paying for themselves, were taken to the camps close to Sarajevo. Since 2018, despite the fact that most of the local governments in the Federation of Bosnia and Herzegovina have refused to host people on the move, the EU as well as the international media have continued to stress that the government in Republika Srpska was that which was refusing to comply with requests from state authorities to permit the opening of centres.[210]

Living in IOM-run Centres

In 2018, one more document travelled from Brussels to Bosnia and Herzegovina. At the European Council meeting in February, the message was sent that "with sustained effort and engagement, Bosnia and Herzegovina could become a candidate for accession".[211] In May, at the EU–Western Balkans summit, this was confirmed. After the May meeting in Sofia, a document was adopted stating that the enhancement of cooperation in three key areas was a priority for the region, i.e. in security, rule of law and migration.[212] Soon after this

210 https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/644174/EPRS_ BRI(2019)644174_EN.pdf

211 https://ec.europa.eu/neighbourhood-enlargement/sites/near/ files/20190529-bosnia-and-herzegovina-opinion_en.pdf

212 https://ec.europa.eu/neighbourhood-enlargement/sites/near/ files/20190529-bosnia-and-herzegovina-opinion.pdf

meeting, the EU started sending donations also aimed at creating "temporary accommodation centres". By the end of 2019, six new centres run by the IOM had been opened, providing places for about 4,500 people.[213] Finally, at the beginning of 2020, construction of a new centre near Bihać began, 22 km away from the border. The centre will be run by the IOM.[214]

In the centres, only basic aid and services were provided, and many residents constantly complained about the lack of medical care, privacy, security-related issues, as well as violence from the private security agencies employed by the IOM. At the same time, the IOM claimed that the centres met international standards.

Cages in Line with EU Standards

In April 2019, volunteers from the NGO "Are You Syrious?" in Bosnia and Herzegovina received a video and photos made at the border crossing of Klobuk near Trebinje. These images showed people – a total of seven, including five children – being held in cage-like facilities in Bosnia and Herzegovina at the border crossing with Montenegro.[215]

The media reported on it, but the same day both the border police and IOM denied what was obvious from the videos and

213   http://www.europarl.europa.eu/RegData/etudes/BRIE/2019/644174/EPRS_
       BRI(2019)644174_EN.pdf
       Centres run by the IOM are located in the Sarajevo and Bihać area, while the state
       remined in charge of immigration centres and asylum centres in the Sarajevo area,
       and one centre in the Mostar area.

214   http://www.uskinfo.ba/vijest/video-gradonacelnik-bihaca-potvrdio-za-uskinfo-
       ba-kamp-lipa-u-punoj-funkciji-iduce-sedmice-evo-izjave/73816

215   https://medium.com/are-you-syrious/ays-daily-digest-2334-4--19-weekend-of-
       violent-push-backpushbacks-from-croatia-and-bosnia-herzegovina-e0482309b-
       7f9?fbclid=IwAR3YM_FKbz-02J6O38Iy0lRYWhl64ICWoCRjOJY1kF3vXeoAHx-
       4IUpVT-mo

photos. In their public statement, the border police denied any mistreatment, saying that the facilities had been built with an EU donation, and in line with EU standards. They also said that the facility was built with EU funding and was not a "classical" building and therefore does not have regular walls, but instead fence-like dividers. "[The facilities] are air-conditioned and heated, under video surveillance, with daylight and sanitary conditions, and the migrants were not locked in them", the police said in their statement.[216]

The head of the IOM for the Western Balkans stated that it is not possible to determine from the video whether the people were forced to stay inside or whether they were being held there since they had no other place to go.[217] The EU funded the building of this border crossing in 2010, as well as others in this area.[218]

Nevertheless, groups of various organisations' and institutions' representatives went to Klobuk on a fact-finding mission, but the broader public never received more information about these visits or the cages, and the story disappeared from the media and from human rights reports. Equally, nobody denied their existence. The IOM representatives insisted to be present during this visit, which, in the end, they led and organised.

In August 2019, activists in Sarajevo obtained another video and photos, this time from the border crossing Kazanci, in the same area near Trebinje. The video shows a family, women and girls, kept inside the cage-like facilities. One of them was a 17-year-old girl who told local activists their story:

216   http://www.granpol.gov.ba/Publication/Read/937536?title=Informacija%20iz%20
      GPBiH%20u%20vezi%20objavljenih%20snimaka%20migranata%20u%20prostori-
      jama%20MGP%20Klobuk%20&pageId=57

217   http://ba.n1info.com/Vijesti/a340308/BiH-moze-biti-ponosna-na-svoje-grad-
      jane-zbog-odnosa-prema-migrantima.html

218   http://europa.ba/?p=34258

"We were locked inside, with no food and we had to ask to go to the bathroom. Of course we were afraid, especially the children, who were crying from hunger. The place was very small and we were many. The police found us in the mountains, in the first village after we entered Bosnia. They made the children who were with us very afraid, they searched our bags and then took us to prison. There were ten minors, three adult women and two men", reported B. over Skype from the EU country in which she was hoping to gain asylum.

She also explained that her family had left Greece after seven months in the notorious Moria camp on the island of Lesbos. After they had reached the mainland, they decided to continue walking towards another EU country. They passed through Albania and Montenegro easily, but it took them five attempts and many pushbacks to enter Bosnia at the end of March 2019. They reached the EU after ten attempts and pushbacks from Croatia and Slovenia. One of the arguments she will use in her asylum applications, besides life in Moria, is that she was kept in a cage in Bosnia.

Those who had the opportunity to visit the IOM-run centres, i.e. those whom the IOM had given permission to enter, could see the poor living conditions. The centres were largely established on private properties, former factories and old hotels, while one property is owned by the city of Bihać. The authorities could not reach an agreement on offering any public property,[219] but in this situation, none of the international organizations – i.e. the IOM, UNHCR, EUSR, OHR or any other – reacted or used the chance they had to push for sustainable solutions.

The conditions inside the centres remained very poor even in 2019. One of the explanations for the negligence could be found

219   http://vladausk.ba/v4/novost/od-mup-a-usk-zatrazeno-vracanje-autobu-
       sa-sa-migrantima-vijecu-ministara-rok-do-petka/575

in the fact that the centres were created as temporary solutions, as they were intended for people in transit. The IOM, as well as other international actors in Bosnia and Herzegovina, and many local actors, continually insisted on claiming that all the people who arrived in the country were only on their way toward the EU. The head of the IOM said in one interview that 95% of people considered Bosnia and Herzegovina as a transit country.[220] No available data to prove this statement exist. Van der Auweraert also kept repeating that most of the people who arrived in Bosnia and Herzegovina were economic migrants, illustrating this with the fact that the largest nationality among the 64 registered in 2018 alone were from Pakistan. Nevertheless, this statement completely undermines the 1951 Geneva Convention definition of refugee, as well as international and domestic legislation that offers the guarantee that everybody can make a request for asylum.

Hate Speech, Stigmatisation and Unexpected Solidarity

The hate speech that appeared almost out of nowhere in public discourse often resembled the one used by different warring sides during the wars in the post-Yugoslav states, which focused on divisions between "us" and "them", with "them" represented as a threat. It also resembled the language used by the far right in EU and Western countries. In this regard, the term "illegal migrants" was introduced not only in the media, but also in official documents such as the Strategy 2016–2020, which was written with technical assistance from the IOM. It is interesting to note that a similar term

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220   http://balkans.aljazeera.net/video/van-der-auweraert-broj-dolazaka-migrana-ta-u-bih-se-povecava

– "non-legal migrations"[221] is used in official translations of the IOM documents available from their website.

The first big media story about the existence of people on the move in Bosnia and Herzegovina came in January 2018, in which they reported on a fight between residents in the asylum centre – i.e. between asylum seekers.[222] The media relied on information and photos from the Asylum Sector and the Ministry of Security. In so doing, they contributed to the spread of fake news as well as xenophobic discourse. Without checking the sources, it was widely published in the local media, including via public broadcasters, that more than 40 people had participated in a big fight in the asylum centre, leaving bloody walls after they had run away. A month later, Marijan Baotić, the Deputy Minister of Security, speaking for the public broadcaster, stated that the centre had 35 available spaces after the massive fight a month ago. He also stated that among the people in the centre, 95% were drug addicts, or couriers transporting drugs from A to B.[223]

During 2018 and 2019, the Minister of Security, Dragan Mektić, spoke about the migrations in public on several occasions, stating that "it feels like" the EU wants to send people away from the border area where the refugee camps would be built.[224] On several occasions, different politicians mentioned the EU request that no camp be placed within 30 km of the border. However, people were heading there, and they could not be stopped despite draconian measures from the Bihać authorities, or the EU border guards in Croatia and Slovenia.

221   https://bih.iom.int/bs/nezakonite-migracije

222   https://www.dnevnik.ba/vijesti/tuca-marokanaca-i-alziraca-u-azilantskom-centru-kod-sarajeva-koristeno-i-hladno-oruzje

223   http://ba.n1info.com/Vijesti/a243712/Tuca-u-migrantskom-centru.html

224   https://www.faktor.ba/vijest/mekti-eu-ne-eli-finansirati-objekat-za-prihvat-migranata-u-usk-301343

In 2018, general elections were held,[225] and people on the move were not in focus of the election campaigns. This changed in 2019, a year before the local elections in 2020, when all the local governments started discussing the topic and presenting themselves in public as defenders of their communities from the foreigners, while refusing to play a constructive role in finding a solution to the existing problems.

In general, during 2019, the situation worsened. One huge effect resulted from the fact that after the elections in October 2018, up until the end of 2019, no new state government was appointed, which deepened the already existing political limbo.

All these people met with complicated state structures, international organisations whose priority was not humanitarian aid, hate speech fuelled by local politicians through the media, yet also with unexpected solidarity from the local population. Citizens from all over the country were providing support for the people who were arriving in their country, most of the time quietly or even secretly in 2019 when the pressure from the authorities began to rise. Self-organised groups in Tuzla, Sarajevo, Velika Kladuša, Bihać, but also in Banja Luka, Sanski Most, Mostar, Brčko and numerous other cities, towns and villages, went out in the streets and slowly started building a network of solidarity across the country. The town of Sapna, close to the border with Serbia, became busy in summer 2018, and remained so throughout the year, as well as in 2019. Hundreds of people passed through the town, only to be met by locals who provided them with basic help – mostly food, water and first aid. From Sapna, people continued on toward Tuzla where, again, the local population met them and offered support if needed.[226]

225 https://europeanwesternbalkans.com/2018/10/16/elections-bosnia-herzegovi-na-won-means-future/

226 Two local groups providing support to people on the move: https://www.facebook.com/pages/category/Community/Tuzlan-ski-volonteri-108916427190996/ or https://www.facebook.com/groups/144469886266984/?ref=bookmarks.

Citizens and volunteers were often in a situation to provide first aid, but also to help with identification, burial, as well as with the repatriation of the bodies of people who had died in Bosnia and Herzegovina.[227]

The EU approach to the increased number of people in Bosnia and Herzegovina contributed to the already very fragile situation in the country. One of the examples is that the IOM and the other organizations were insisting on providing support for short-term projects, instead of investing in strengthening local infrastructures. In this manner, the Danish Refugee Council (DRC) became involved in 2018 as an IOM partner, and later signed a contract directly with the EU with the obligation of providing medical healthcare for residents at the existing centres. The help to be provided depended on the agreements signed between the DRC and existing institutions, while access for people outside of the centres was almost non-existent and left for the local population and international volunteers to take care of. In this way, the EU through its partner organizations, made healthcare for people on the move a temporary project, and instead of helping local health institutions to provide regular care and incorporate this into their daily activities, they created a structure, which at the end separated and excluded people on the move, and provided grounds for discrimination. On numerous occasions, people on the move complained to volunteers about not having access to the health institutions, especially those living outside centres, or not receiving proper care for those staying inside the centres.

The number of people migrating from Bosnia and Herzegovina at that time was rising and reaching worrying numbers. According to some estimates, over 200,000 people left over a period of about four years.[228] The government – at all levels – was weaker than ever, while

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227   At a certain moment, volunteers developed a protocol for the burial of bodies found in Bosnia and Herzegovina, explaining how and who to contact, and the costs.

228   https://www.slobodnaevropa.org/a/bih-mladi-odlazak/29687049.html

the rule of law came under serious danger through the influence of the local political elite's games.[229] While insisting on security-related issues in relation to managing migrations in Bosnia and Herzegovina, the EU encouraged, and participated in, the militarization of society: police all over the country received equipment.[230] This introduced not only restrictions regarding people on the move, but also restrictions toward local civil society actors who at the same time came under pressure from different authorities, both at the local as well as at the state level. Journalists came to be more frequently targeted for what they were writing, as were public figures. The harshest situation was in the Bihać area where the media were often forced to stay away and not report on what was going on. In November 2019, a freelance journalist was escorted from the Cantonal government building by the prime minister himself, after posing a question about the violations of the human rights of people on the move.[231] At the same time, another journalist who reported on police violence was threatened not to come back to the Vučjak area.[232]

A very limited number of local NGOs became involved, too, while those who did were partners of the IOM or UNHCR. However, a number of local NGOs, with long experience in working with refugees, victims of trauma, victims of human trafficking, and so on, were never allowed to work with people on the move, and usually as the main obstacles they named the IOM and UNHCR. Nevertheless, several local branches of the Red Cross were active in distribution and occasionally in first aid. In general, the public had little chance of obtaining information about the actions taken by the authorities. It

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229   http://www.europarl.europa.eu/doceo/document/E-82-0180-05784_EN.html

230   https://www.sarajevotimes.com/head-of-eu-delegation-in-bosnia-and-herzego-vina-handed-over-vehicles-to-police-in-the-city-of-bihac/

231   http://safejournalists.net/ba/reports/other-threaths-to-journalists-ajdin-kamber-deutsche-welle-0661-1-112-2-019/

232   https://kosovotwopointzero.com/en/deleting-the-pain-at-bosnias-borders/

was also difficult to obtain information about international organizations whose work remains, after over 20 years of the country's semi-protectorate status, largely non-transparent. For observers in the field, it is clear that Bosnia and Herzegovina has become a kind of hot-spot, serving as a waiting area before the next "game" towards the EU.

The violence at the EU borders, primarily the Croatian border, significantly affected the situation in Bosnia and Herzegovina, as well. The different NGOs present in the area were recording thousands of pushbacks monthly, while on more than one occasion it was reported that the Croatian border police had entered the territory of Bosnia and Herzegovina without authorisation.[233] A number of high-ranking officials, as well as members of the European Parliament, also visited the border area warning about the violence and demanding action from the EU, but hardly anything changed.[234]

The Mystery of the Nigerian Students in Velika Kladuša

On 17 November 2019, two Nigerian student table-tennis players, who had regular visas issued by the Croatian authorities, were stopped in Zagreb under as yet unknown circumstances, and sent to Bosnia and Herzegovina where they had never been, nor did they want to go.

"The night before our departure, on the 17th, we checked out from the hostel and went for a walk in Zagreb", one of them told *The Guardian* speaking from the IOM-run centre in Velika Kladuša. "Suddenly … we were stopped by the police who asked us for our

233   http://hr.n1info.com/Regija/a443118/Dragan-Mektic-Zaustavit-cemo-ulaske-hr-vatske-policije-u-BiH-po-cijenu-konflikta.html

234   https://www.europarl.europa.eu/doceo/document/CRE-92-0191-11-4-ITM-002_EN.html

identification documents. We tried to explain that our passports were in the hostel and that we had a regular visa, but they paid no attention to what we were saying".[235]

The story became breaking news after the local web portal Žurnal[236] in December got in touch with the students who were staying in the overcrowded Miral camp in Velika Kladuša. It is not clear how the IOM staff let them inside the camp without alerting anybody to the case, or offering legal support, as well as the UNHCR and their legal organisation Vaša prava, which is present in the centres.

Abia Uchenna Alexandro and Eboh Kenneth Chinedu (both 18 years old), arrived in Croatia on 12 November, and were forcibly, according to their statements, sent to Bosnia and Herzegovina five days later. All their belongings, as with any pushback, were destroyed.

Speaking to the media, Alexandro and Chinedu recounted how they had been taken to a forest near the border with Bosnia and Herzegovina and forced at gunpoint to cross over to it. They also said that they were scared and did not know what to do, so other people who experienced a pushback in the same way helped them to reach Velika Kladuša. Apparently, they arrived at the camp on 21 November.

As in all other cases, the police in Croatia denied any wrong-doings, and suggested that the two boys were not telling the truth. "Police officers have already witnessed cases of individuals who make an attempt, even abusing their participation in sports competitions in Croatia, to remain in the country or continue their journey illegally to other European countries", the Croatian

235   https://www.theguardian.com/world/2019/dec/11/nigerian-students-table-tennis-players-croatia-deported-bosnia-plead-sent-home

236   https://zurnal.info/novost/22591/policajac-je-izvadio-pistolj-i-rekao-da-ce-me-upucati-ako-ne-potpisem

police said, according to The Guardian.[237] The Guardian obtained an original copy of the visa issued to Alexandro, while the validity of Chinedu's visa was also confirmed.

After several weeks in the Miral camp, both were transferred to the immigration centre in Sarajevo, a closed facility to which access is very limited, with prison-like living conditions. It is not clear why they were transferred to this facility, where they remained with no access to a lawyer for one week. Eventually, a local activist got in touch with them, visited them and found a lawyer, who managed to help them to return home on 20 December.

Conclusion

The role of the EU and its member states in the plight of people on the move stranded in countries like Serbia and Bosnia and Herzegovina remains largely hidden. However, as we claim in this study, there are many ways in which the EU directly or indirectly influences and conditions how the Bosnian and Serbian authorities deal with people on the move. The EU's leverage in this regard includes the EU accession negotiations, financial contributions (with conditions attached) to tackle the humanitarian crisis related to the growing number of people stranded on the route, the special relationship with organisations such as the IOM in governing mobility and violence on EU borders (the Hungarian, Croatian and Slovenian borders) with systematic pushbacks and the denial of the right to apply for asylum. Nevertheless, the high number of people stuck in deplorable conditions, facing violence and dehumanisation, is often presented

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237   https://www.theguardian.com/world/2019/dec/13/nigerian-student-student-table-tennis-players-deported-croatia-had-visas

as a result of "failed" Balkan states, and not as a direct consequence of the policies and governing tactics characteristic of the EU. These perspectives are based on a neocolonial imaginary that must be challenged, as it is the EU's policy of protecting its external borders that first and foremost keeps people stranded in countries like BiH and Serbia. Although the EU and its member states act as if they are not connected with the repression of people on the move in the EU neighbourhood, this report unambiguously highlights these actors' responsibility.

The gradual inclusion of Western Balkan states into EUropean border control, most notably through the EU and Schengen accession processes, is part and parcel of the externalisation of the EUropean border regime. Similarly, as with other aspects of the EU negotiation process, Western Balkan states have not had the sound possibility of negotiating either the terms of their inclusion or the migration policy they were to implement. However, even though the Western Balkan states only have a limited influence on the path to their EUropean objective, they are using these legislative and institutional transformations as well as the resources that arrive to sustain the comprador approach of the local ruling classes. They often use the inferior position of Western Balkan states in relation to European centres of power to consolidate their domestic dominant position, which can also be clearly observed in the role the concerned states have assumed in the restoration of the EUropean border and migration regime. The story of the predicament of people on the move stranded in Serbia and Bosnia and Herzegovina is also the story of the deterioration of local and national forms of government and demonstrates the negative impact that the processes of so-called Europeanisation have had on democracy, human rights and socio-political cohesion. Maybe the most eloquent example of the disintegrative tendencies of EUropean integration in relation to the role Western Balkan countries assume in migration control in the interest

of EU, is the introduction of police checkpoints on the internal administrative borders in Bosnia and Herzegovina.

The role of the Western Balkan states in the restoration of the EUropean border and migration regime that has taken place since the closure of the formalised corridor in 2016 highlights the features of Europeanisation as relating to the hierarchical inclusion of this region in European integration mechanisms (Beznec and Kurnik 2020, Kurnik and Razsa 2020). While this process of Europeanisation allegedly brings higher standards of democracy and human rights protection, exceptionalism applied to mobility control in the region shows the opposite. Postliberal and postconstitutional forms of governance that manage and filter human mobility introduce zones of exception where human rights are deactivated (Papadopoulus et al. 2008) and provide the unexpected legitimation of local forms of ethnonational exclusivism and supremacism. The dehumanisation of people on the move caused by systematic and violent collective expulsions from Croatia and further north from Slovenia, as well as criminal neglect by authorities in countries such as Bosnia and Herzegovina certainly add to corrupt forms of government in the affected region.

The dramatic situation for people on the move in the Western Balkans therefore reveals the dark side of the transfer of European – presumably democratic – norms to the region. It would be difficult not to see the ways in which EU policy makers circumvent local and national authorities and relate almost exclusively to the IOM while addressing the dire humanitarian situation of the people stranded in Bosnia and Herzegovina. This demonstrates the existence of colonial prejudices according to which "Others" are not capable of governing themselves (Beznec and Kurnik, 2020; Kurnik and Razsa 2020). Islamophobia as expressed by European officials such as the high-ranking official in the Austrian Ministry of the Interior, Peter Weber, who stated that the Balkan Route was re-baptised as the

Mosque Route in late May 2018,[238] delights local Islamophobic nationalists and places additional pressure on the authorities of Bosnia and Herzegovina not to adopt a more humane attitude towards people on the move (Ibid.). Highlighting the dark side of Europeanisation certainly does not mean that local responsibility for the systematic dehumanisation of illegalised transit migrants does not exist and that the EU is exclusively to be blamed. It rather shows that Europeanisation leads to its opposite as it supposes and highlights the fact that the insistence on the EU-border and migration regime as a mode of managing human mobility in the exclusive interest of the EU and its member states leads to a substantial degradation in and corruption of standards of democracy.

The implications of the newest securitarian turn of the EUropean border regime on transit migration movements in Serbia and Bosnia and Herzegovina, and the fulminant increase of border controls in the region challenge conceptualisations of transit migration and migrant routes. These developments effectively changed the role of Serbia and, eventually, Bosnia and Herzegovina within the EUropean border regime from predominantly being a space of transit to a buffer zone (Stojić Mitrović and Vilenica 2019). However, this situation is much more complex: the topography of the Balkan Route, as mostly unidirectional transit from southeast to northwest characteristic of the period before 2016, gave way to the Balkan Circuit, characterised by erratic and profoundly multidirectional migration movements across and within the borders of the Balkan states (Ibid.). As directly produced by the practices of the EUropean border regime, these intensified and proliferated migration movements actively erase differences between exiting and entering borders, being in transit and residing, forced and voluntary migration.

Another challenge for scholars and activists is the predominant discourse of emergency that engulfs the situation on migrant

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238   https://www.slobodnaevropa.org/a/29265324.html

routes such as the Balkan Route. For some time, conceptualisations that were driven and influenced by migrant movements attempted to portray migration as a continuous socio-historical fact, with a focus on transnational communities, migration practices and mobility struggles as driving forces of migration. Such a perspective, supported by the theory of the autonomy of migration (Casas-Cortes et al. 2015; Hess 2010; Papadopoulus et al. 2008), affirmed migrants' protagonism and their political subjectivity. If one understands mobility struggles as constitutive of a border and migration regime, then migrant agency is to be understood as the factor that challenges the deeply undemocratic nature of borders. Emergency discourses that relate to the management of human mobility by introducing exceptional measures eclipse such agency (Kurnik, 2020). The discourse of the "refugee" and "migrant crisis", violent pushbacks, criminal neglect and the criminalisation of solidarity are political technologies that dissolve migrants' protagonism and legitimise sovereign power, which is either imperial (as in the case of the EUropean approach to "crisis" promoted by EU institutions and core-EU states) or national supremacist (as in the case of the growing right-wing populist camp in Europe). One of the biggest challenges that solidarity activism faces along the Balkan and other migration routes is that of how to respond to the emergency produced by human-rights-denying policies while affirming migrant agency and protagonism as a radical critique of borders functioning as operators in the hierarchisation of rights and populations. As research into solidarity on the Balkan Route has suggested (Beznec and Kurnik, 2020; Kurnik and Razsa 2020), mobility struggles form assemblages of mobility with local struggles against neocolonial domination and the hierarchical inclusion of peripheral societies into the global capitalist market.[239] For this reason it is important to include migrant struggles for freedom of movement into agendas and struggles of emancipatory organisations, such as social movements and trade unions.

239   https://medium.com/are-you-syrious/letter-to-citizens-of-the-eu-from-the-periphery-politics-of-the-closed-borders-are-bringing-us-5e0f7012436e

The recent history of the Balkan Route from the emergence of the refugee corridor to its closure and the re-criminalisation of transit migration, i.e. the restoration of the EUropean border and migration regime, is also the history of weaving a transborder solidarity tissue and the attempts of various authorities to rip it up. The marginalisation and criminalisation of solidarity contributes to and is simultaneously symptomatic of the degradation and corruption of public authorities in the region. To stop the plight of people on the move stranded in the Western Balkans due to the EU and its member states' policies, and to strengthen the capacity of populations in the region to govern themselves, migrant agency and the solidarity potentials of local civil society must be recognised, affirmed and strengthened. The result of the EU's cynical approach to the humanitarian crisis that stranded people on the move are facing, is perhaps most visible in Velika Kladuša, a Bosnian town close to the Croatian border. People there still remember the countless solidarity gestures with transit migrants that occurred in the first half of 2018. But this solidarity with local citizens – who still have a vivid memory of their being refugees twice in the 1990s – received no institutional support. Instead, the EU decided to circumvent the Bosnian state and local authorities as well as the local civil society. It forged a partnership with the IOM and gave the local political caste an opportunity to harness the growing frustrations of the local population caused by the mismanagement of the humanitarian situation by inscribing it into a narrative of local antagonism to central government in Sarajevo. In a populist manner, local authorities, while pointing to the so-called migrant crisis as a crucial problem, undermined the potential for local solidarity by criminalising and ostracising it. All this gave rise to xenophobic and racist sentiments that further inhibit attempts to achieve the accountability of local authorities. The situation would certainly be different if the EU accepted its responsibility for stranded people on the move in the Western

Balkans and intervened to address this humanitarian challenge in a way that would lead to the accountability of public authorities and the inclusion of local solidarity practices and migrant protagonism in the governance of the migrant route through the Western Balkans. Such a mobilisation of local and municipal solidarity potentials for the democratisation of borders was, for example, articulated in the framework of the Palermo Charter Platform Process, the networking of local solidarity initiatives, associations of people on the move and local authorities.[240] This would certainly be a turn from a securitarian approach to one of the democratisation of borders. A necessary turn, if we would like to avoid the further degradation of democracy and human rights in the Western Balkans, in other regions that are EU neighbours, and in the EU itself.

240   The Palermo Charter Platform Process was initiated as part of the International Human Mobility Charter of Palermo 2015. From migration as suffering to mobility as an inalienable human right, it was issued by the mayor of Naples, Leoluca Orlando (2015). For further reading on the Palermo Charter Platform Process see: https://alarmphone.org/en/2019/10/12/joint-press-release-of-the-palermo-charter-platform-process/

Makeshift camp Borići, where during summer 2018 several thousands people lived, Bihać, BiH, 2018, photo: Nidžara Ahmetašević

Part of the city cemetery where migrants and refugees are buried, including Madina Husseinkhel, Šid, Serbia, 2017, photo: Nidžara Ahmetašević
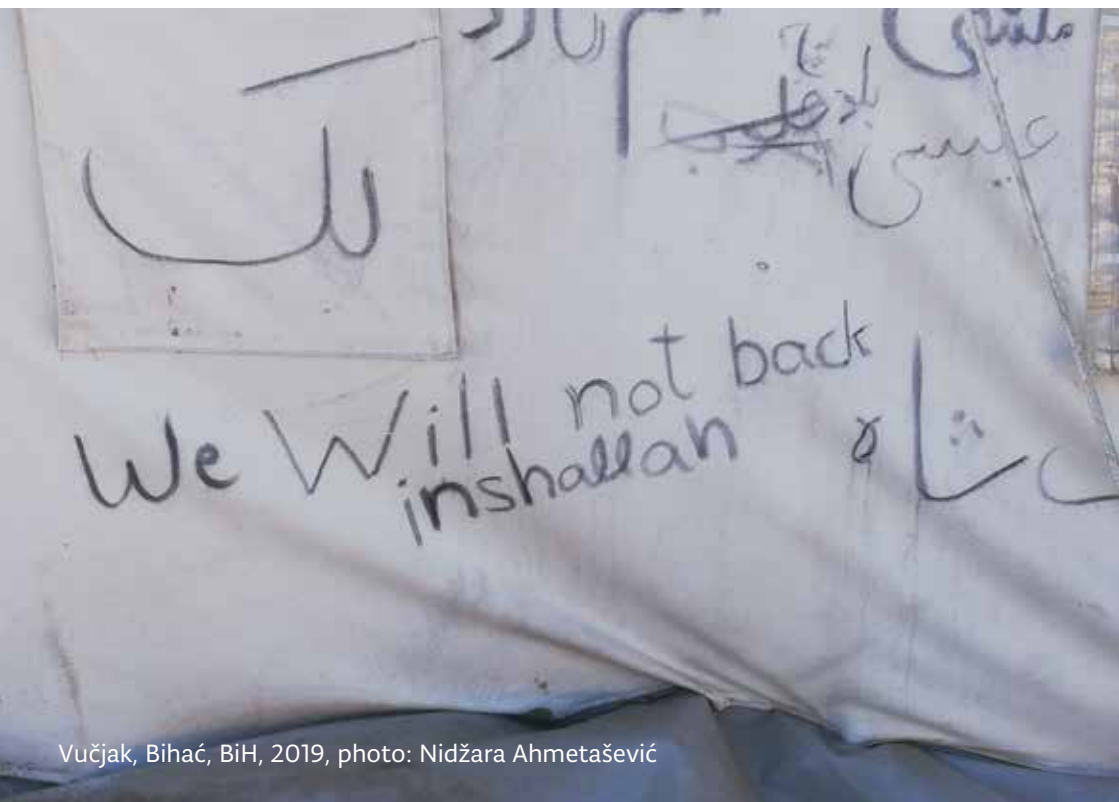
Miral, Velika Kladuša, BiH, 2019, photo: Nidžara Ahmetašević

Former military barracks turned into centre run by the IOM,
Ušivak, Hadžići, Sarajevo, BiH, 2019, photo: Nidžara Ahmetašević

Ušivak, Hadžići, Sarajevo, BiH, 2019, photo: Nidžara Ahmetašević

Vučjak, Bihać, BiH, 2019, photo: Nidžara Ahmetašević

Squat in Šid, 2018, photo: Nidžara Ahmetašević

Sarajevo squat, BiH, 2020, photo: Nidžara Ahmetašević

. Bihać squat, BiH, 2019, photo: Nidžara Ahmetašević

Bihać squat in an abandoned factory where over 150 people lived for several months, Bihać, BiH, 2019, photo: Nidžara Ahmetašević

More than 10,000 people passed through Tuzla in 2018 and 2019, and several hundred lived in the bus stations for months in winter 2019, Tuzla bus station, BiH, photo: Nidžara Ahmetašević

An entrance to Miral, Velika Kladuša, BiH, 2019, photo: Nidžara Ahmetašević

Vučjak, Bihać, BiH, 2019, photo: Nidžara Ahmetašević

One Stop Centre Preševo, 2015,
photo: Marta Stojić Mitrović

"Pre-transit Zone" Kelebija-Tompa, 2016, photo: Marta Stojić Mitrović

"Pre-transit Zone" Kelebija-Tompa, 2016, photo: Marta Stojić Mitrović

"Pre-transit Zone" Kelebija-Tompa, 2016, photo: Marta Stojić Mitrović

Belgrade Barracks, 2017, photo: Marta Stojić Mitrović

Belgrade Barracks, 2017, photo: Marta Stojić Mitrović

"Pre-transit Zone" Kelebija-Tompa, 2016, photo: Marta Stojić Mitrović

Belgrade Barracks, 2017, photo: Marta Stojić Mitrović

Belgrade Barracks, 2017, photo: Marta Stojić Mitrović

North Macedonia Border with Serbia, 2017,
photo: Marta Stojić Mitrović

One Stop Point Miksalište, Belgrade, 2019,
photo: Marta Stojić Mitrović

#rumours
about
germany
facts for migrants

Who is allowed to stay in Germany and who is not?

Who is a refugee? Who is entitled to asylum or another form of protection and may stay in Germany? And who is in Germany illegally and needs to return home? There is a lot of confusion between everyday language and the correct legal terms. There are four forms of protection that grant people a right to stay in Germany.

Entrance to an NGO Office in Belgrade, 2019, photo: Marta Stojić Mitrović

Belgrade Barracks Demolished, 2019, photo: Marta Stojić Mitrović

Sending/Receiving Western Union transactions is allowed once in ten days per person!

استقبال أو إرسال - أيام عشرة في الواحد للشخص واحدة معاملة

It is not allowed sending / receiving money via Western Union on refugee ID issued in Greece!

- استقبال أو لإرسال صالحة وثيقة ليست للاجئين هوية بطاقة اليونان

TENFORE
PLATNA INSTITUCIJA

Inscription on a Shop in Šid, 2019,
photo: Marta Stojić Mitrović

Thousands of people were forcibly taken from the public buses by the police in this place and left in the care of local people, Velečevo, Ključ, BiH, 2019, photo: Nidžara Ahmetašević

Belgrade Barracks, 2017, photo: Marta Stojić Mitrović

Road from Banja Koviljača to Mali Zvornik, 2019, photo: Marta Stojić Mitrović

"Pre-transit Zone" Kelebija-Tompa, 2016, photo: Marta Stojić Mitrović

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While the external borders of the European Union have remained largely closed for people on the move since 2016, the two neighbouring states, Serbia, and Bosnia & Herzegovina, have become the main transit countries in Southeast Europe, with migrations taking place in a clandestine manner, often back and forth and exposed to brutal border pushbacks. Examining migration movements, policies, public discourses and struggles in the Balkans between the summer of migration in 2015 and the pandemic crisis in 2020, this study provides an analysis of the impact of the EUropean border and migration regime in the region, which has become a buffer zone for people on the move. Tracing the complex interplay of EU, state and local institutions, it offers insight into how policies of the securitisation and militarisation of the EU's external borders are intertwined with the region's EU accession process.