

CHALLENGES IN THE INTEGRATION OF PERSONS GRANTED ASYLUM IN THE REPUBLIC OF SERBIA IN THE PERIOD 2019 - 2023

October 2023

The document was prepared by the Commissariat for Refugees and Migration of the Republic of Serbia in cooperation with the United Nations High Commissioner for Refugees (UNHCR)

I. INTRODUCTION

The Law on Asylum and Temporary Protection (LATP) stipulates that the Republic of Serbia shall, within its capabilities, provide support and assistance for the integration of persons who have been granted international protection. According to the above law, integration implies the inclusion of the persons who have been granted international protection into social, cultural and economic life, as well as resolving the issue of their naturalization.

The integration of persons granted asylum is a complex two-way process that implies multiagency coordination and requires both the readiness on the side of the local community and the state that provides international protection to accept these persons, and the readiness on the side of the refugees to adapt to the new environment and society, without the need to renounce their own culture and identity. Integration includes all segments of society and social order in the legal, economic, social and cultural terms. The ultimate goal of integration is a full inclusion of these persons in the society in the country that has granted them international protection.

The Commissariat for Refugees and Migration of the Republic of Serbia, in cooperation with the United Nations High Commissioner for Refugees (UNHCR), has prepared this document to ensure monitoring of the implementation of the Law on Asylum and Temporary Protection in the part that relates to assistance for the integration of persons granted international protection, and to fulfil the transitional criteria under the Negotiation Chapter 24 - Justice, Freedom and Security.

In the course of the preparation of this document, the Commissariat for Refugees and Migration of the Republic of Serbia established a joint team with the UNHCR, which during September and October 2023 conducted interviews with persons who were granted international protection from 2019 to October 2023. This report adds to the research on the condition and status of persons granted international protection, taking into account that in 2019 a research was conducted for all persons who had been granted international protection in the Republic of Serbia from 2008 to 2019.

II. LEGAL FRAMEWORK IN THE REPUBLIC OF SERBIA

Persons who have been granted international protection derive their rights from the following legislation of the Republic of Serbia:

- Constitution of the Republic of Serbia
- Law on Ratification of the United Nations Convention and Protocol Relating to the Status of Refugees
- Law on Asylum and Temporary Protection
- Law on Migration Management
- Regulation on Criteria for Setting Priorities for the Accommodation of Recognized Refugees or Persons Granted Subsidiary Protection
- Regulation on Inclusion of Persons Granted the Right to Asylum in Social, Cultural and Economic Life

- Regulation on the Manner and Procedure for Approval and Payment of One-off Cash Assistance

In addition to the above legislation that directly governs this matter, the relevant provisions of the following laws apply also to the position and integration of persons who have been granted international protection:

- Law on Foreigners
- Law on Healthcare Protection
- Law on Social Protection
- Law on Employment of Foreigners
- Family Law
- Laws in the field of education

III. INSTITUTIONAL FRAMEWORK

The Law on Migration Management and the Law on Asylum and Temporary Protection designate the Commissariat for Refugees and Migration as the competent authority for the integration of refugees. In accordance with these laws, the Commissariat establishes, proposes and undertakes measures for the integration of persons who have been granted international protection in the Republic of Serbia. According to the Law on Asylum and Temporary Protection, the rights of persons who have been granted asylum or subsidiary protection are equal. The legal framework for integration specifies also the competences of other authorities, particularly:

- **Ministry of the Interior** – issuance of valid identity cards for persons who have been granted international protection, their extension and processing of citizenship applications.
- **Ministry of Labour, Employment, Veterans and Social Affairs** - inclusion of persons in the labour market, help and support in job searching, ensuring social protection, supervising the work of Centres for Social Work.
- **Ministry of Health** - provision of healthcare services and ensuring access to the health insurance system in accordance with the legal regulations.
- **Ministry of Education, Science and Technological Development** - inclusion of persons who have been granted international protection in the education system, recognition of foreign school certificates.
- **Ministry of Family Welfare and Demography** - family legal protection.

In addition to the national authorities, local governments also have an important role in facilitating the integration of persons who have been recognized by international law. In addition, the role of civil society organizations, which provide significant support and assistance in the integration of persons granted international protection in the Republic of Serbia, is also notable.

IV. RIGHTS OF PERSONS GRANTED INTERNATIONAL PROTECTION

Persons who have been granted international protection in the Republic of Serbia enjoy the following rights, which are guaranteed in accordance with the Law on Asylum and Temporary Protection:

- ~ The right to stay
- ~ The right to housing
- ~ The right to freedom of movement
- ~ The right to healthcare
- ~ The right to education
- ~ The right to access the labour market
- ~ The right to legal aid
- ~ The right to social assistance
- ~ The right to property
- ~ The right to freedom of religion
- ~ The right to family reunification
- ~ The right to documents
- ~ The right to integration assistance

To facilitate their integration into the existing Serbian society and ensure they can access their rights, persons who have been granted international protection are provided support through provision of full and timely information about their rights and obligations, Serbian language and alphabet lessons, Serbian history, culture and the constitutional order introduction courses, assistance and support in accessing to healthcare services, inclusion in the education system, and inclusion in the labour market.

In addition to providing free Serbian language and writing lessons, and Serbian history, culture and constitutional order introduction programme, the Commissariat for Refugees and Migration allocates funds from the budget of the Republic of Serbia for temporary accommodation and one-off cash assistance for persons granted international protection in the Republic of Serbia, which is an important form of support and assistance to refugees.

In addition, any family member of a person granted international protection has the same rights and obligations under the same conditions as the person granted international protection, with the exception of the right to family reunification.

In addition to the rights, persons granted international protection in the Republic of Serbia have to comply with the following obligations specified in the Law on Asylum and Temporary Protection, particularly:

- The Constitution, laws, other regulations and general enactments of the Republic of Serbia
- Attending Serbian language and writing classes

In addition, they are obliged to inform the competent authorities in a timely manner about any change that may affect their exercising their rights and obligations:

- Change of residence address
- Change of personal name
- Change of marital status
- Change of employment status
- Received financial or social assistance, employment income or other type of income.

V. FIELD DATA ANALYSIS

Survey methodology

The data necessary to determine the status and needs of persons granted protection in the integration process were collected through a structured questionnaire filled out in direct communication with the support users (interviews). The questionnaire content was harmonized with the previous questionnaire and with UNHCR, within the joint team established for the purpose of data collection.

Statistics

According to the data provided by the Asylum Office, the organizational unit of the Ministry of the Interior (MoI) responsible for refugee status or subsidiary protection determination, in the period from January 2019 to October 2023, 115 persons received a positive decision, i.e., were granted the right to international protection in the Republic of Serbia. Of this number, 54 persons were granted the right to asylum, while 61 persons were granted subsidiary protection.

One of the key survey questions is whether these persons avail of their right to stay in the territory of the Republic of Serbia, where they had requested protection. The survey has found that 38 of these persons had left the Republic of Serbia. Contacts were established and the Commissariat and UNHCR joint integration team conducted interviews with 53 of these persons. Contacts were established with four additional persons, of whom 2 persons refused to participate in the interview, and 2 persons were unable to attend the interview for personal reasons. The team was not able to get in touch with 20 persons, nor obtain information about their stay or whether they had left the Republic of Serbia.

	Number	%
Interviews held	53	46.09%
Persons who left the Republic of Serbia	38	33.04%
Inability to get in touch	20	17.39%
Interview refused	2	1.74%

Inability to attend the interview for personal reasons	2	1.74%
Total	115	

Table 1. – Statistical data on the persons granted international protection in the Republic of Serbia in the period from January 2019 to October 2023

1. National structure

The survey findings show that the largest number of all persons who were granted international protection in the Republic of Serbia from the beginning of 2019 to October 2023 came from the Near and Middle East countries, more precisely from Syria, Afghanistan, Iran and Iraq, followed by the African country of Burundi and Cuba in the Central America.

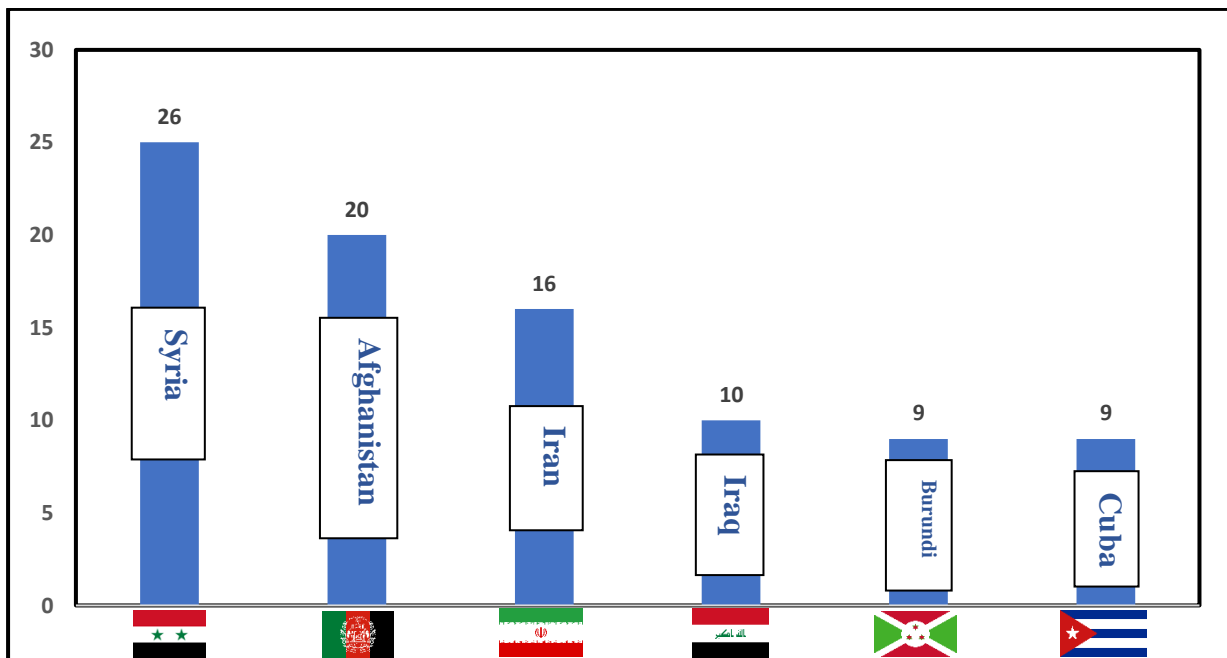


Chart 1. National structure of all persons granted international protection in the Republic of Serbia from January 2019 to October 2023 in numbers

The national structure of the interviewed persons is slightly different, i.e., the number of persons of various nationalities is almost equal (Syria, Afghanistan, Iran and Cuba with 9 persons each, and Burundi with 8 persons). On the other hand, if one takes into account the national structure of the persons who have left the Republic of Serbia, it is clear that the largest number of persons who have left the country is that of the nationals of Syria - 13 persons, Afghanistan - 8 persons, Iran - 5 persons, and Iraq - 3 persons. This indicates that most of Syrians and Afghans have left the country, while the persons granted protection from Burundi and Cuba have generally achieved a certain degree of integration.

2. Gender structure

According to the gender structure, the persons who were granted international protection in the period from 2019 to the date of interview are male in a significantly higher percentage, i.e., 66% of them (*Chart 2*).

The gender structure of the interviewed sample is identical, i.e., two thirds or 66% of the respondents are male, while one third or 34% are women and girls (*Chart 3*).

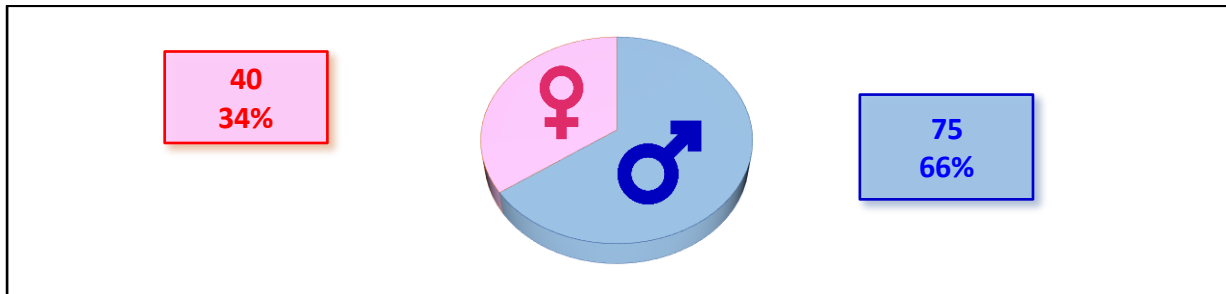


Chart 2 - Gender structure of all granted international protections

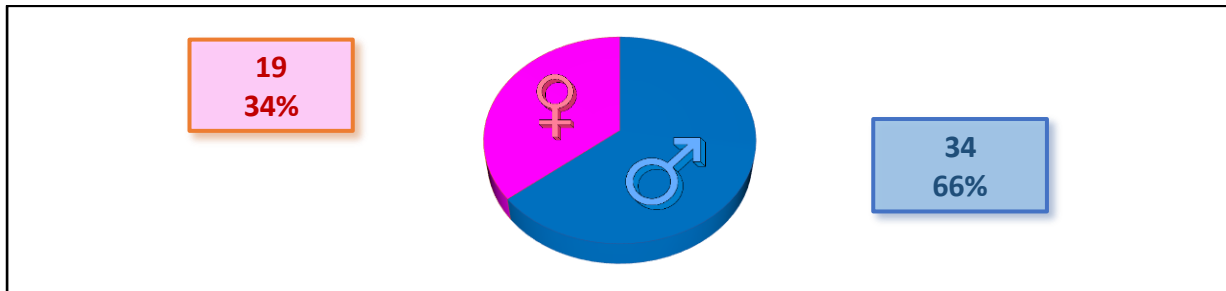


Chart 3 - Gender structure of all interviewed persons granted international protection

3. Household size

According to the number of household members, out of the total number granted international protections, there is a noticeable dominance of single person households, at 56 households, while the number of families is significantly lower, i.e., 12 families, with a total of 59 family members. Therefore, only slightly more than one half or more precisely 51.3% of the persons granted international protection are members of a family household.

Looking at this characteristic in the interviewed sample, it can be noted that there is a slightly higher percentage of persons who are members of a family household compared to single persons, and this percentage is 60.3%. (*Chart 4*).

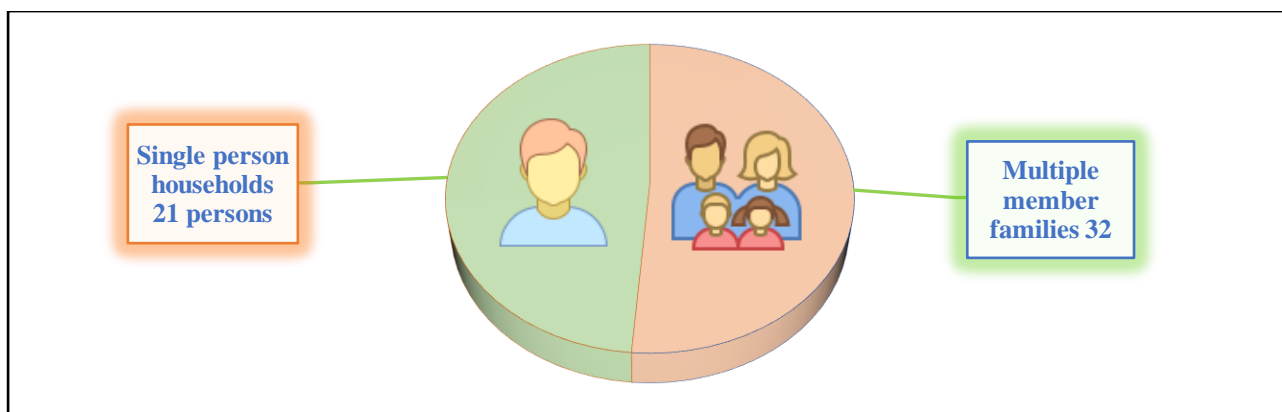


Chart 4 – Interviewed persons’ household size

4. Age structure

The age structure of all persons who have been granted international protection in the Republic of Serbia since 2019 shows that the largest number of persons, 68 of them (59.1%), are young adults or more precisely between 19-39 years of age.

The age structure of the interviewed international protection beneficiaries is slightly different, i.e., the number of minors is higher - 15 (28%), the number of those in 20 to 39 age group is 28 persons (52.8%), while in 40-59 and over 60 age groups, the number is unchanged (*Chart 5*).

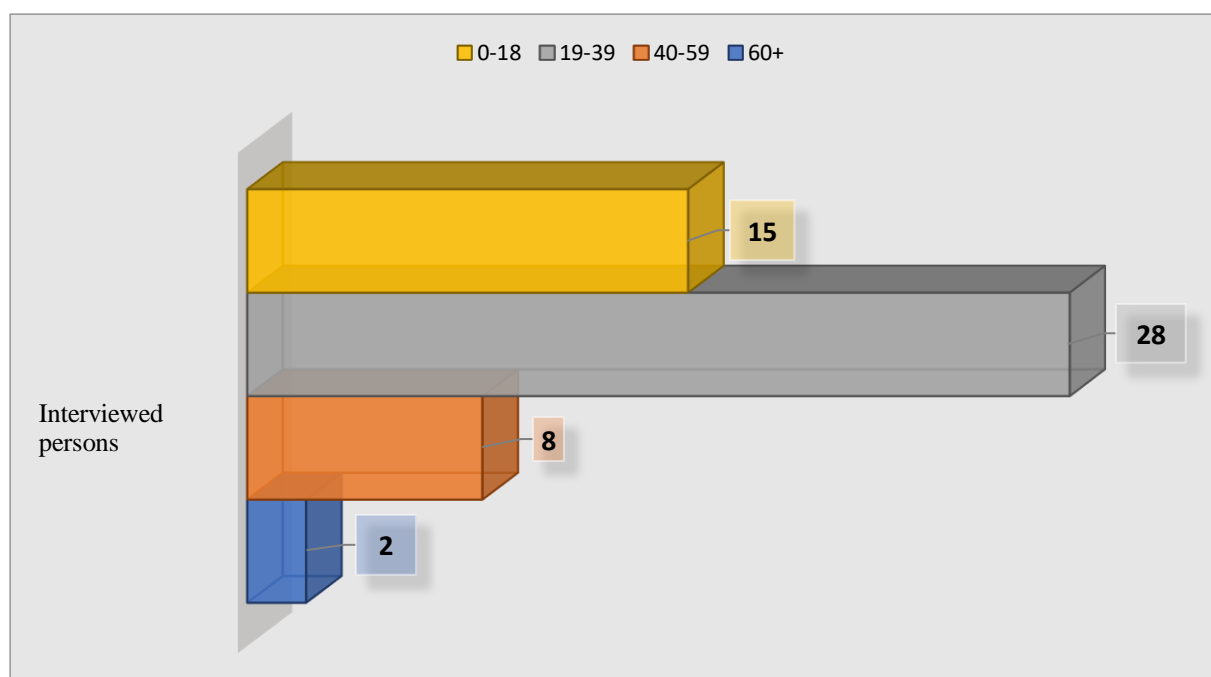


Chart 5 - Age structure of all interviewed persons granted international protection

5. Educational structure

With respect to the education profile, only the data for the interviewed persons are available. According to these data, 19 persons are currently attending school, namely 11 minors and 8 adults, of which:

- 2 children in preschool
- 7 children in primary school
- 7 persons in secondary school, of which 5 adults, 2 minors
- 3 persons in university (Chart 6).

All the interviewed families' children who are of school age attend school, 2 children are in preschool, while 4 children are 0-3 years of age.

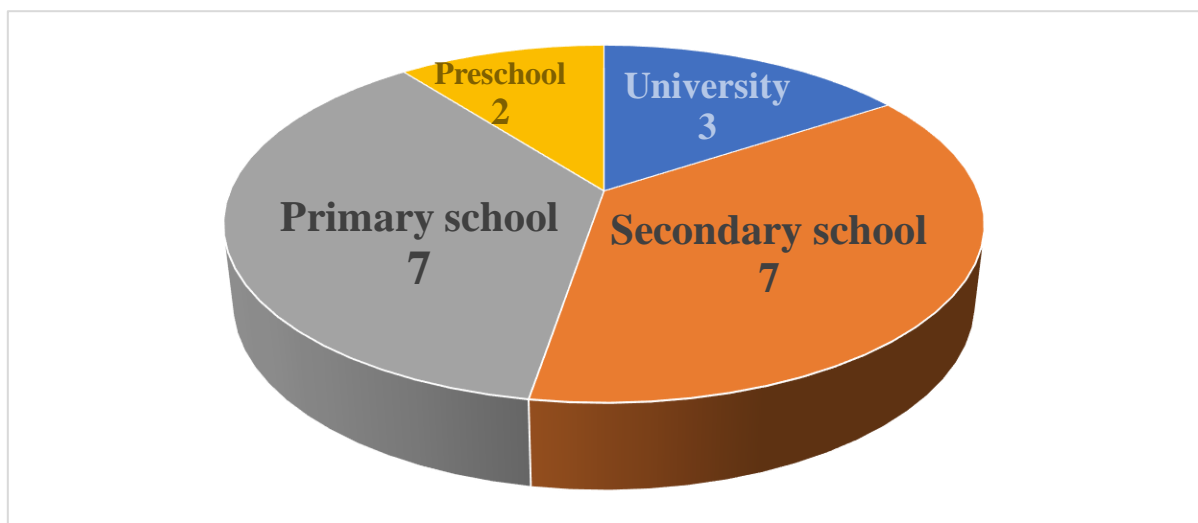


Chart 6 – Inclusion in the education system

In addition, in the interviews with the persons regarding their level of education in the countries of origin, it was registered that 11 persons had a university degree, 2 had a higher education degree, while the other persons had a lower education profile or did not wish to disclose that information.

6. Employment status

In the sample of interviewed persons, 37 of them are in the working age category (15-65 years of age). Of this number, 26 are currently employed, of which 20 are men and 6 are women. On the other hand, out of the 11 unemployed and able to work persons, 6 are women and 5 are men.

In addition, it is interesting to note that 5 of the above adults attending high school are also employed, and combine their daily school and professional work obligations.

One three-member family has been running a private business, i.e., catering, for a considerable period of time, and another three-member family owns its own agricultural farm, which is their main source of income.

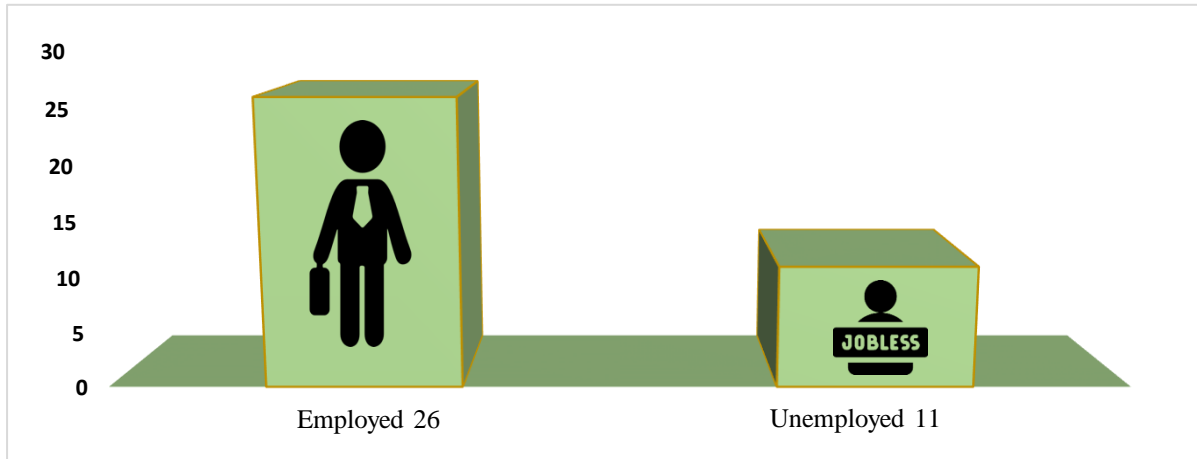


Chart 7 – Employment status of all interviewed persons granted international protection

7. Place of residence

The largest number of the interviewed persons reside in Belgrade, i.e., 44 of them. The others reside in towns/cities such as Subotica (4), Valjevo (3) and Novi Sad (2).

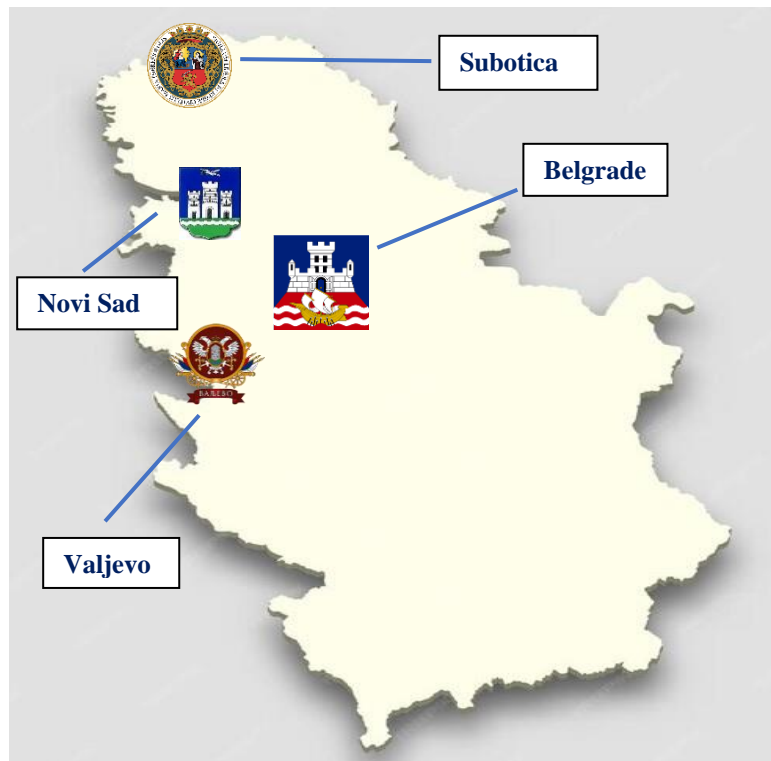


Figure 1 – Distribution of interviewed persons by place of residence

VI. INTEGRATION CHALLENGES AND PROBLEMS

In accordance with the legal provision and the obligation to apply individual approach within the framework of integration, the Commissariat for Refugees and Migration of the Republic of Serbia develops individual integration plans in accordance with the needs and problems of the individual beneficiaries. The main problems that the beneficiaries face on a daily basis have been identified through monitoring the integration plan implementation, interviewing the beneficiaries, and in cooperation with UNHCR and other organizations working on the integration of beneficiaries in the field.

01. Identity card and other personal documents

One of the most common and serious problems faced by the persons granted international protection in the Republic of Serbia is the quality and the design of the identity card. The fact is that various institutions and organizations do not recognize these documents and distrust the existing personal documents. This applies to both the public and the private sector and creates a serious problem for these people in carrying out their daily life activities. The reason for this is the visual appearance of the document itself, which is different from the personal documents issued to Serbian citizens, as well as the foreigner's unique registration number not indicated in the document itself. Due to these facts, officers and other employees do not recognize the identity card as a valid document and often refuse to provide the service. This applies most often to banks, but also to health institutions.



Figure 9 – Design of the identity card for persons granted international protection

In addition to this, in conversation with the integration programme beneficiaries, the impossibility of obtaining a travel document (passport) of the Republic of Serbia was mentioned as one of the obstacles, which is an additional barrier for travel, be it business or private.

02. Exercising the right to healthcare and health insurance

As in the previous survey from 2019, a large number of problems faced by these persons relate also to accessing healthcare services, including obtaining the health insurance status. Pursuant to the Law on Healthcare Protection, Article 236, as well as the Law on Asylum and Temporary Protection, Article 63, which regulate the right to healthcare for persons granted international protection in the Republic of Serbia, this is a right that is guaranteed by law. However, despite the legal regulations, there are often obstacles in practice. These persons face barriers in the use of healthcare services primarily due to their identity card not being recognized as a document that is sufficient for the provision of services by health institutions, i.e., the absence of a health card similar to the one that is issued to Serbian citizens. In addition, it is evident that the health institution officials are not aware of the instructions regarding the use of healthcare services by persons granted international protection.

Due to the healthcare workers' lack of awareness about the rights of persons who have been granted international protection, and the inability of these persons to explain their rights in the Primary Healthcare Centres, misunderstandings occur between the beneficiaries and the healthcare workers, and the integration advisor and legal representatives have to intervene.

03. Obtaining citizenship

The Law on Asylum and Temporary Protection stipulates that the Republic of Serbia shall facilitate the naturalization of refugees. This is an obligation that the Republic of Serbia has assumed by acceding to the Convention on the Status of Refugees, which stipulates that the contracting states shall facilitate, with the minimal costs, the assimilation and naturalization of refugees in the shortest possible time and to the greatest extent possible.

In practice, regardless of the form of protection, whether it is subsidiary protection or asylum, in conversation with the persons who have been granted international protection, they state that they are aware that obtaining Serbian citizenship is a long-lasting process, but they also state that that makes it difficult and discourages them on their path to integration into the existing society.

Significant progress in solving this problem was achieved by amending the Law on Foreigners, specifying the conditions for obtaining permanent residence by persons granted protection, which is a prerequisite for obtaining Serbian citizenship.

VII. CONCLUSIONS

The Commissariat for Refugees and Migration of the Republic of Serbia, in cooperation with other competent institutions, international organizations and civil society organizations, strives to improve the overall system for the protection of persons granted international protection and respond to the challenges that arise in the course of these persons exercising their rights.

To ensure that the competent services are informed, the Commissariat, together with the Ministry of Health, UNHCR and the Danish Refugee Council (DRC), participated in the production of information leaflets on access to healthcare services for persons who have been

granted the right to asylum or subsidiary protection, and asylum seekers staying in private accommodation, after access to healthcare services has been recognized as a challenge and a problem for persons granted international protection. Despite this effort, access to healthcare services remains a challenge. Accordingly, there is a need for further activities to be implemented in coordination between all the authorities. In this regard, the coordination between the Commissariat and the Ministry of Health, as well as other relevant actors that provide healthcare services will continue with the aim of developing additional measures to ensure unobstructed provision of healthcare services to persons granted international protection and their inclusion in the health insurance system.

Similar coordination will be established with respect to access to banking services. This will be facilitated by the announced adoption of a bylaw by which the Ministry of the Interior will regulate the new design of personal documents for persons who have been granted asylum as a form of international protection, and persons who have been granted subsidiary protection.

In terms of obtaining citizenship, progress has been made with the adoption of the amendments to the Law on Foreigners, which ensured the first steps towards the full naturalization of refugees. In order for them to be able to fully exercise this right, there is a need to continue applying the existing regulations governing this area in accordance with the international law and recommendations.

The Republic of Serbia is a signatory to the Convention and Protocol on the Status of Refugees and has extensive and significant experience in their application, particularly if one takes into account that in the previous decades Serbia accepted more than 600,000 refugees from the region, the largest number of whom have found their permanent solution in integrating in their place of displacement. In addition, as a country that has initiated the EU Accession Negotiations, Serbia has significantly harmonized the national legislation with the EU acquis, and the state of human rights in the country is continuously monitored and evaluated. The key challenges and problems faced by persons granted international protection in relation to integration do not require significant changes of the legal framework. Rather, there is a need for changes of by-laws and a strict application of the law. Regular monitoring of access to the rights of persons in the process of integration, and particularly the economic, social and cultural rights, would also contribute to the facilitated integration. In that respect, there is a need to ensure concrete coordination and cooperation between the competent state authorities, in this case the Ministry of the Interior, the Commissariat for Refugees and Migration of the Republic of Serbia, the Ministry of Health, the Ministry of Education and the Ministry of Labour, Employment, Veterans and Social Affairs, in the implementation of both the Law on Asylum and Temporary Protection and other specified laws of importance for the population of persons granted asylum.