

SERBIA

GAMES OF VIOLENCE

UNACCOMPANIED CHILDREN AND YOUNG PEOPLE REPEATEDLY
ABUSED BY EU MEMBER STATE BORDER AUTHORITIES



INTRODUCTION

Today, more than one year after the so-called closure of the Balkan Road and the EU-Turkey Deal, Serbia remains one of the main hubs for people wishing to enter the European Union from the east and travel onwards to western and northern Europe.

Whilst providing primary and mental health care to refugees, asylum seekers and migrants, Médecins Sans Frontières medical teams based in Belgrade continue to treat the injuries, both psychological and physical, of those crossing towards the Schengen Zone. Whether they are living in unsafe and precarious conditions at Serbia's borders with Hungary and Croatia, or recently arrived from Bulgaria, the injured and

distressed are mostly young men and boys aged between 15 and 25 years of age.

Over and over again, they are violently pushed back from EU borders nursing wounds allegedly perpetrated by EU member state border forces in an endless cycle of border crossings they have dubbed "The Game". Regardless of their reasons for being in Serbia in the first place, they are left extremely vulnerable while waiting in camps, detention centres and informal settlements where they are repeatedly brutalised and neglected and ultimately made invisible by migration policies that push them onto more and more dangerous routes.



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GAMES OF VIOLENCE AT EU BORDERS

With no other legal or safe ways for people to seek asylum or migrate towards the European Union¹, men, women and children are forced in the hands of smugglers and onto dangerous, clandestine journeys where they are subject to repeated violence.

From Turkey to Italy these irregular border crossings are known as “Games”. Those who are pushed to play them must survive a series of violent events and endure abuse before reaching their long-awaited destinations. One person’s journey to cross into the European Union can cost thousands of euros², but the true price is much higher, with people of all ages putting their lives in danger to cross mountains, rivers and seas.

At each border crossing, instead of fair and protection sensitive border procedures asylum

seekers and other vulnerable migrants are pushed backs, robbed, beaten, humiliated and attacked by dogs. While smugglers and traffickers continue to be responsible for a small percentage of the violence 8% (5), the great majority of children³ cared for by MSF named state authorities as perpetrators (76%), of which majority (92%) were EU border forces: Bulgaria 48% (30), Hungary 27% (17) and Croatia 13% (8).⁴

In the first 6 months of 2017 69% (86) of MSF’s mental health patients under 18 reported experiencing direct violence. The majority 57% (71) had visible physical injuries, including cuts with razor blades and knives, severe beatings, food and water deprivation, sensory deprivation. The youngest patient treated was just 12 years old.



WHO SUFFERS THE MOST?

Excluding Greece, it is estimated that 8,000 to 10,000 people are sheltered in camps and informal settlements across the Balkans⁵. In Serbia, more than half of those registered in camps are minors (2,500 out of 4,500) 700 of whom were registered as unaccompanied or separated children⁶ at the end of June 2017.⁷ In the past two years, the majority came from Afghanistan, Pakistan, Syria and Iraq, countries with widespread violence.⁸

MSF teams have repeatedly met children as young as 10 years old living rough in improvised settlements and extremely poor sanitary conditions at border areas. Most have no knowledge of the official system which could have them living in a camp and under the protection of the state and are instead left to their own by institutions and specialised organisations, which fail to meet their needs. Furthermore in some

countries, like Hungary, young adolescents are officially considered as adults and from the age of 14 are refused the protection that should be granted to them until the age of 18 according to the UN Convention on the Rights of the Child.⁹

Likewise, many have lost family members during the journey or fled home after they were orphaned. For those with family in Europe or waiting at home, the process of family reunification can take up to a few years. On paper this process can be much faster within Europe but in Serbia, outside of EU borders, it is basically left to individual family initiatives. Due to the stringent family reunification criteria of each country, in 2016 UNHCR had very limited space for assistance and was only successful in reuniting one unaccompanied young person with their family.¹⁰



I was travelling with my brothers but we got separated in the journey. The eldest who is 18 is in Germany, the other one who is 16 is in Austria. I don't know how to get to them and I don't want them to get in trouble so I don't know what to do. They say I can't go legally, so I try "The Game".

12 year old boy from Afghanistan¹¹



FORCED INTO VULNERABILITY

Violence on the road combined with the traumatic events that made them leave their countries in the first place have often long term repercussions on the mental health of teenagers and children. From January to June 2017, 25% (31) children seen by MSF psychologists presented symptoms of

anxiety, 16% (20) adjustment and acute reactions, 11% (14) symptoms of depression. These issues are further exacerbated by precarious living conditions, brutal institutionalised violence and the harshness of the journey itself.



Everyone is slowly going crazy here; we're stuck with nowhere to go. They keep us like animals; the food they give us is not even good for animals. We are not allowed to rent a house. We can't buy and cook our own food. We are miles away from any town or city. There is nothing here for us. We can't go back, we can't go further and we can't stay here. You tell me what to do?

27 year old man from Pakistan¹²



From Afghanistan I travelled for three months to reach Europe, when I arrived in Bulgaria I was with a group of friends in the camp. I contacted a smuggler who promised to bring us to Austria, but he kidnapped me and kept me in a dark room in Sofia for eight days while trying to ask for money from my father. Luckily I managed to escape, but I don't know how many other people were left there.

16 year old boy from Afghanistan¹³



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THE BULGARIAN CASE

From January to June 2017, 48% of the physical injuries inflicted on the teenagers and children later presenting at MSF mental health clinic were attributed to various Bulgarian authorities. Those who crossed from Bulgaria to Serbia did not only report abuses that occurred at border areas, but also mentioned mistreatment in camps, police stations, detention centres and other premises. One such example occurred at Harmanli camp in east Bulgaria in November 2016. A few days after authorities decided to impose quarantine and deny

freedom of movement to those living there in order to respond to a high number of scabies cases, a protest erupted and riot police were deployed to the camp. Several people were severely wounded, many arrested and some forcibly deported with one young boy being hospitalised after sustaining a fractured skull during the violence. After a year the camp still bears the marks of those days and the distress associated with the extreme violence was still present in the accounts of MSF patients who reached Belgrade months later.¹⁴



I saw with my own eyes people getting beaten by the riot police with their heads cut open. Many were young, like teenagers and their faces were covered in blood. First they shot teargas and then they entered our room and beat everyone with sticks, many of us were injured.

30 year old man from Afghanistan¹⁵



THE HUNGARIAN CASE

Since last year MSF, UNHCR, Amnesty International, Human Rights Watch, Hungarian Helsinki Committee and other organisations have denounced violence and abuse at the Hungarian border¹⁶. Despite 44 investigations into brutality by the Hungarian border police only two border policemen have been sentenced for abuse of force¹⁷. From January to June 2017, MSF treated

and documented a total of 62 cases of intentional violence in people returned from the Serbia–Hungarian border. MSF has been treating such cases since 2016¹⁸ and injuries continue to follow the same recurrent patterns, mainly caused by beating 95% (59 cases) dogs bites 24% (15 cases) and the use of irritant spray 16% (10 cases).¹⁹



I was in a large group, perhaps around 60, but when we got on the other side of the border, inside Hungary; we split up into three small groups of 30, 20 and 10. I myself was in the group with 19 others. After some hours of walking the police saw us and caught us. There were maybe six or seven police men, five brown dogs, three of them had covered their mouths, while the other two had open mouths. They barked all the time and wanted to bite us. A friend of mine was bitten on the arm; there were holes on both sides of this wrist. I myself got a knee in the face, here at the eye, so I fainted for a few minutes and when I came to myself again, I saw that the policemen had bound the others together at the wrists with a plastic rope, and then they all stood on a line. While we stood in line without being able to do anything, we were beaten in the arms and legs. We were beaten a lot on legs. I have a lot pain in my right leg.

Anonymous²⁰



After erecting a second border fence, which includes electric cables as further deterrence, Hungary has essentially legalised harmful physical barriers at EU borders. Such measures legitimise and support civilian vigilante groups, such as the

“Border Hunters” who are now an official part of Hungary’s border patrol team, employed by the state and openly promoting xenophobic discourse and violence against refugees, asylum seekers and other migrants in the country.²¹



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THE CROATIAN CASE

Across Serbia from January to June 2017, MSF treated and documented a total of 24 cases of intentional trauma of which 18 of them occurred between the end of May and June. Since then, MSF medical teams have continued to treat the

victims of violence in this border area. The injuries reported follow similar patterns to those observed in December last year: beatings with sticks, kicking and punching, robbery, and the destruction of personal items notably mobile telephones.



I am a student and two years of my life have been wasted here. I have been beaten a lot. Why is this cruelty happening to us? We are humans, not animals, we're not dogs. The dogs sleep on the garbage here and so do we. The last time I was beaten by the police I told him to just take his gun and kill me... just finish my life.

24 year old man from Afghanistan



DEADLY RETURNS

The rules of “The Game” include Member State and EU migration policies, which detain and forcibly move people from a state to another. In a real life game of snakes and ladders, human beings take one step forward and two steps back as they are forcedly moved from one place to

another by the Dublin regulation which requires that asylum seekers are returned to their first EU country of entry to complete their asylum claim.²² Seemingly blind-folded administrators continue to enforce Dublin returns even when they increase the risk for vulnerable individuals.



One and a half years ago I went to Austria via Iran, Turkey, Bulgaria, and Serbia. I have been six months in Austria. I reached there last year through passing through Croatia and Slovenia. Since I have mental problems I have been in hospital in Austria several times. However, I was deported from Austria to Bulgaria. They sent me back to Sofia last year summer, on a plane with about twenty other guys. They said I was deported because I had left my finger prints there. But in Bulgaria no one is taking care of us, in the camps conditions are horrible, the doctors they don't even want to see you. I have now managed to come back to Serbia and because of my health I need to be able to see a doctor.

29 year old man from Afghanistan²³



In order to avoid cases such as the one above, some European countries have suspended the Dublin agreement towards certain countries which could not guarantee care for those with special medical needs or other vulnerabilities. This was previously the case from Greece²⁴, but also Hungary²⁵ and Bulgaria.²⁶

This is not only the case of the Dublin regulation, but also the now legalised push backs from Hungary,²⁷ which continue to leave people unattended at the border with Serbia, without any coordination with the Serbian border authorities and in often extreme weather conditions. From January to June 2017, UNHCR in collaboration with other organisations observed 1,800 push backs from Hungary to Serbia. Similarly, unlawful

practices of push back were observed from the Croatian authorities and from January to June 2017, 1,100 people were reportedly returned from Croatia to Serbia.²⁸

Ultimately these numbers are mostly estimations, because it is unclear just how many people are collectively expelled along the multiple routes crossing the Balkans every day. What is clear however is that in 2017 across the Balkans, European Union and regional border authorities continue unlawful practices, allegedly accompanied by violence and degrading treatment, in order to deny people their individual right to claims asylum in complete disregard of national, European and international laws.²⁹



I was caught by the Croatian police, I was nearly at the border with Slovenia, and they beat me for a long time. They stripped me naked, it was very cold. They put me in the back of the car and drove me all the way to Serbia. The clothes I'm wearing now were given to me in Serbia.

15 year old boy from Afghanistan



CONFINEMENT FOR ALMOST ALL

Across the Balkans, harsh national legal frameworks, are promoting deterrence and physical barriers as well as forcing thousands of people into restricted special zones, or into what is legally defined as “administrative detention”. In this way, men, women and children are kept isolated from the rest of the society and prevented from any form of integration.

In Bulgaria for instance, the administrative detention regime means that people are arrested for irregular entry and sent to detention centres. In these facilities several cases of unaccompanied minors have been considered as being attended by adults, even though they were travelling alone.³⁰

At the same time, in Hungary, the adoption of the New Asylum Act has de-facto institutionalised the criminalisation of those claiming asylum. Single men, families and unaccompanied children over the age of 14 are detained in areas named “Transit Zones” at the border with Serbia.³¹ During their time here they are held in a series of shipping containers, subdivided by internal barbed wire fences. In these areas even heavily pregnant women have to be handcuffed to visit the medical clinic inside the facility.³²

DEATH TOLL OF THE BALKAN ROUTE

Beyond the violence and abuse, the supposedly closed “Balkan Route” continues to claim lives. From January to June 2017, 78 asylum seekers and other migrants died from the Turkish shores to the Serbian, Croatian and Hungarian borders. According to collated data from media, NGOs and national authorities, the majority of casualties were due to drowning (38) and car accidents (12), but a significant number died of hypothermia (7) and suicide (4).³³

Beyond these 78 horrific stories, it is unknown how many people lost their lives crossing the Balkans, but it is clear that the most vulnerable take the greatest risks. At the end of June 2017 for example in the border area of Sid in Serbia, two Afghan teenagers aged 12 and 15 lost their lives jumping from a truck after they realised it was going in the opposite direction to the Croatian border.



WINTER AS A WEAPON

Last winter, when the temperatures across the Balkans dropped down to -20°C ,³⁴ many were left at risk of hypothermia and frostbite.³⁵ One such case was a group of several Syrians who had registered with the intention of seeking asylum in Serbia, being forced into a police van and later abandoned at the border of Serbia and Bulgaria in -11 degree temperatures.³⁶

It is unclear how many people were exposed to such conditions, but the harsh cold was also used as a tool for exacerbating the suffering of those pushed back in order to deter them from crossing again. Many who attempted to cross during the winter reported degrading and inhumane treatment, including being forced to strip naked, stand in the snow and walk barefoot back to Serbia in sub-zero temperatures.



We arrived near Horgos border, they ordered us to take off our clothes and leave our blankets, it was very cold, it was snowing, and we were shivering. They ordered us to be in a line, keeping our arms up in the air, for those who could not keep them in the air, a policeman was beating us on our ribs with a baton. While we were in the line they forced us to keep our eyes open, spraying them with a painful spray, dogs were all around us.

30 year old man from Afghanistan³⁷



With winter fast approaching concern is building over the fate of those who will endure another winter in the cold. Millions of euros continue to be spent to secure borders with anachronistic fences

and technological surveillance equipment but safe and legal routes are still a long way off and people will again be forced into the hands of smugglers and violent border guards.



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CONCLUSIONS

During each attempted crossing of European Union borders, asylum seekers and other migrants on the move become more vulnerable and are pushed once again onto more dangerous paths. Whether they're trying to cross borders whilst playing "The Game", facing border patrols, razor wires and electric cables or facing psychological distresses and anxiety while left waiting in transit zones, open camps, detention centres, or marginalised informal settlements, refugees, asylum seekers

and other migrants across the Balkans are abandoned in limbo. They are forgotten in invisible, marginalised and secluded areas, due to policies and regulations which continue to promote confinement and discrimination. Among them, thousands of unaccompanied children and young people are left by authorities and specialised organisations without any form of protection, trapped along what was once the "Balkan Road" and today risks becoming the "Balkan Prison".

MSF IN SERBIA

MSF has been working with refugees, asylum seekers, and migrants in Serbia since late 2014 and providing medical and mental health care, shelter and water and sanitation at the entry and exit points of the country. Since January 2016 MSF has been working in Serbia's capital Belgrade to provide primary health and mental

health care to those stranded in informal settlements in the city. In 2017 MSF opened a fixed clinic in the city centre of Belgrade and continues to advocate for access to health care, shelter and protection for the vulnerable population of men, women and children stranded in Serbia.

NOTES

- 1 Apart from being physically present in the territory of the state in which they wish to apply.
- 2 A trip from Afghanistan to Italy can cost between 5000 to 7000 euros per person according to MSF Serbia's interviews with migrants and asylum seekers, June 2017.
- 3 This refers only to MSF patients at the mental health clinic from January to June 2017.
- 4 Romania accounts for 3%.
- 5 National authorities and the UNHCR estimate 4500 in Serbia, 2000 in Bulgaria, less than 1000 in Romania, about 600 in Croatia, about 500 in Hungary, less than 400 in Macedonia, Albania, Montenegro and Bosnia.
- 6 Separated children are usually those separated from their parents on the journey, while unaccompanied they are those children traveling alone. UNICEF, UNHCR and IOM definitions, Refugee and Migrant Children in Europe Accompanied, Unaccompanied and Separated, June 2017, p6. https://www.unicef.org/eca/Infographic_Children_and_UASC_2017_11July.pdf
- 7 UNHCR, Serbia Interagency Operational Update, June 2017. This figure does not include the hundreds of unaccompanied children estimated by the estimated Centre for Social Work to be left administrative limbo and not registered.
- 8 Belgrade Centre for Human Rights, Unaccompanied and Separated Children in Serbia, 2017 <http://azil.rs/en/wp-content/uploads/2017/06/Unaccompanied-and-Separated-Children-in-Serbia.pdf>. Hungarian Helsinki Committee, Best Interest Out of Sight - The Treatment of Asylum Seeking Children in Hungary, 2017.
- 9 *ibid.* UN Convention of Right of a Child. <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>
- 10 The Red Cross managed to reunite 44 young people with their families in 2015, 24 in 2016 and two so far in 2017. These cases were mostly across the border to Hungary or Croatia not further afield in Europe.
- 11 Testimony Anonymous N. 1 - 12 years old from Afghanistan
- 12 Testimony Anonymous N. 2 - 27 years old from Pakistan
- 13 Testimony Anonymous N. 4 - 16 years old from Afghanistan
- 14 Despite some of the main media have covered the stories, it is still unclear what happened into Harmanli Camp in November 2016. <http://www.bbc.com/news/world-europe-38090753>; <http://www.aljazeera.com/news/2016/11/bulgaria-refugee-protests-treatment-turn-violent-161124203041244.html>; <https://www.theguardian.com/world/2016/nov/25/bulgarian-police-fire-rubber-bullets-during-migrant-camp-riot>; <http://bulgaria.bordermonitoring.eu/tag/harmanli/>
- 15 Testimony Anonymous N. 5 - 30 year old from Afghanistan
- 16 MSF, Hungary: Widespread Violence Against Migrants and Refugees at Border, March 2017. <http://www.doctorswithoutborders.org/article/hungary-widespread-violence-against-migrants-and-refugees-border>; UNHCR, UNHCR urges suspension of transfers of asylum-seekers to Hungary under Dublin, April 2017. <http://www.unhcr.org/news/press/2017/4/58eb7e454/unhcr-urges-suspension-transfers-asylum-seekers-hungary-under-dublin.html>. Amnesty International, Hungary: Appalling treatment of asylum-seekers a deliberate populist ploy, September 2016. <https://www.amnesty.org/en/latest/news/2016/09/hungary-appalling-treatment-of-asylum-seekers-a-deliberate-populist-ploy/>. Human Right Watch, Hungary: Failing to Protect Vulnerable Refugees, September 2016. <https://www.hrw.org/news/2016/09/20/hungary-failing-protect-vulnerable-refugees>.
- 17 Reuters, Two Hungarian police officers fined for brutality against migrants, March 2017. <https://www.reuters.com/article/us-europe-migrants-hungary-police-idUSKBN16N161>
- 18 MSF, Hungary: Widespread Violence Against Migrants and Refugees at Border, March 2017. <http://www.doctorswithoutborders.org/article/hungary-widespread-violence-against-migrants-and-refugees-border>.
- 19 These cases were all documented (January - June 2017) by MSF medical teams issuing medical certificates, which describe the injuries and attach a short testimony of the patient in relation to his/her injuries.
- 20 Testimony Anonymous N. 7 - Beaten in Hungary - Anonymous
- 21 Reuters, Hungary's 'border hunters' target migrants, March 2017. <https://www.reuters.com/news/picture/hungarys-border-hunters-target-migrants-idUSRTS127JY>
- 22 The Dublin III Regulation was adopted in January 2014. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0604>
- 23 Testimony Anonymous N.3 - 29 year old from Afghanistan
- 24 European Court of Human Rights, M.S.S. v Belgium and Greece [GC], Application No. 30696/09, January 2011. <http://www.asylumlawdatabase.eu/en/content/ecthr-mss-v-belgium-and-greece-gc-application-no-3069609>
- 25 Amnesty International, Stranded Hope, 2016, p. 10. https://www.amnesty.org.pl/wp-content/uploads/2016/02/Stranded_hope_EUR2748642016.pdf
- 26 Asylum Information Database, Italy: Council of State suspends transfer to Hungary and Bulgaria, September 2016. <http://www.asylumineurope.org/news/28-02-2017/italy-council-state-suspends-transfers-hungary-and-bulgaria>
- 27 Push backs were legalised in Hungary in July 2016 introducing new measures on deterring migration flows, by establishing a 8 km strip in which every individual would have been pushed back to the fence, regardless of their individual claim. This was further expanded in March 2017 when the new Asylum Act was extended to the entire country. "Poland, Bulgaria, Czech Republic, Hungary and Slovenia: Pushed Back at the Door | European Council on Refugees and Exiles (ECRE)," 12, accessed February 19, 2017, <http://www.ecre.org/poland-bulgaria-czech-republic-hungary-and-slovenia-pushed-back-at-the-door/>.
- 28 UNHCR and other sources, MSF June 2017.
- 29 European Convention on Human Rights. http://www.echr.coe.int/Documents/Convention_ENG.pdf
- 30 Bulgarian Helsinki Committee, Detention Mapping Report, October 2016, p. 17 - 18. http://www.bghelsinki.org/media/uploads/documents/reports/special/2016-10_Detention_mapping_report_2016_EN.pdf
- 31 Hungarian Helsinki Committee, Information update, 28 March 2017 <http://www.helsinki.hu/wp-content/uploads/HHC-Info-Update-rule39.pdf>
- 32 Index, Hungary's transit zones are prisons where pregnant women are handcuffed and children go hungry, August 2017. http://index.hu/belfold/2017/08/03/hungary_s_transit_zones_are_prisons_where_pregnant_women_are_handcuffed_and_children_go_hungry/
- 33 This data have been compiled from various sources, including official available statistics, UNs data and main news agency.
- 34 MSF Press Release - Hungary: Widespread Violence Against Migrants and Refugees at Border, March 2017. <http://www.doctorswithoutborders.org/article/hungary-widespread-violence-against-migrants-and-refugees-border>
- 35 Foreign Policy, In Asylum Limbo, Europe's Forgotten Refugees Are Dying of Cold, January 2017. <http://foreignpolicy.com/2017/01/13/in-asylum-limbo-europes-forgotten-refugees-are-dying-of-cold-migration-crisis-european-union-greece-serbia/>
- 36 Belgrade Centre for Human Rights, Dangerous Game, April 2017. https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bp-dangerous-game-pushback-migrants-refugees-060417-en_0.pdf
- 37 Testimony Anonymous N.8 Warm clothes off and Water on your head! - 30 years old from Afghanistan

