



**Beogradski centar**  
za ljudska prava

A Periodic Report for the Period of  
October – December 2016  
Right to Asylum in the Republic of Serbia

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## INTRODUCTION

Belgrade Centre for Human Rights provides free legal assistance and monitors the situation in the field of refugee law in the Republic of Serbia within the project “Support for Refugees and Asylum Seekers in Serbia”. The Belgrade Centre puts effort in raising awareness of citizens and institutions on the position of asylum seekers and refugees, and promotes solutions to problems observed in practice.

The report in front of you refers to the period of October to December 2016, and it portrays only data relevant for this period, whereas a more comprehensive analysis of the rules and practice for 2016 will be published in the report “Right to Asylum in the Republic of Serbia in 2016” at the beginning of 2017. This document has been compiled by the researchers of the Belgrade Centre for Human Rights.

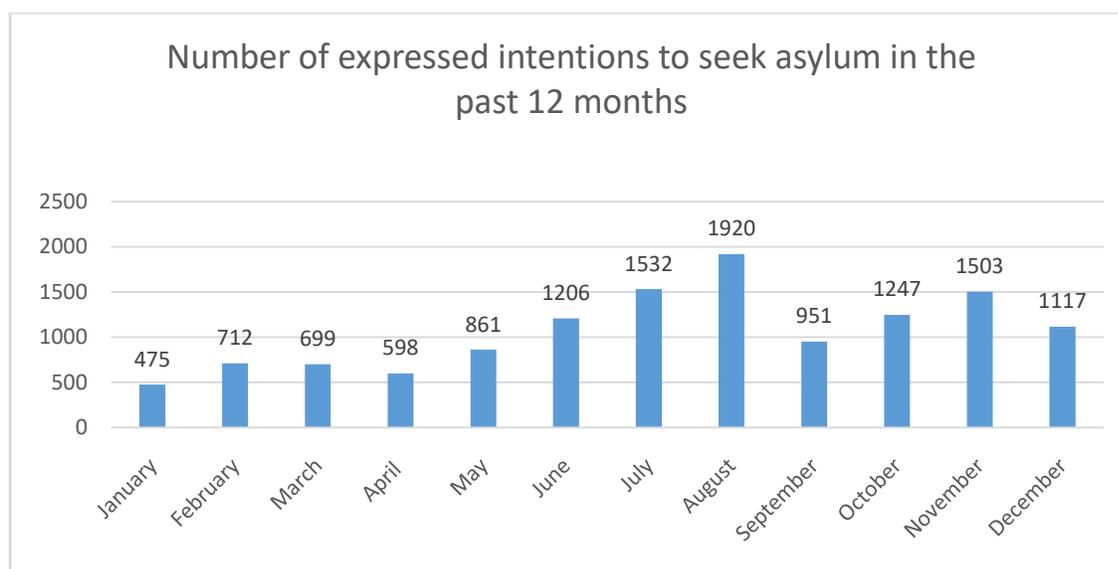
Masculine gender is used in this report, apart from particular cases referring to a female person. The authors of this report and the Belgrade Centre for Human Rights advocate gender equality and generally support gender neutral use of language.

*Belgrade, January 2017.*

# STATISTICS<sup>1</sup>

## STATISTICS ON THE NUMBER OF EXPRESSED INTENTIONS FOR SEEKING ASYLUM

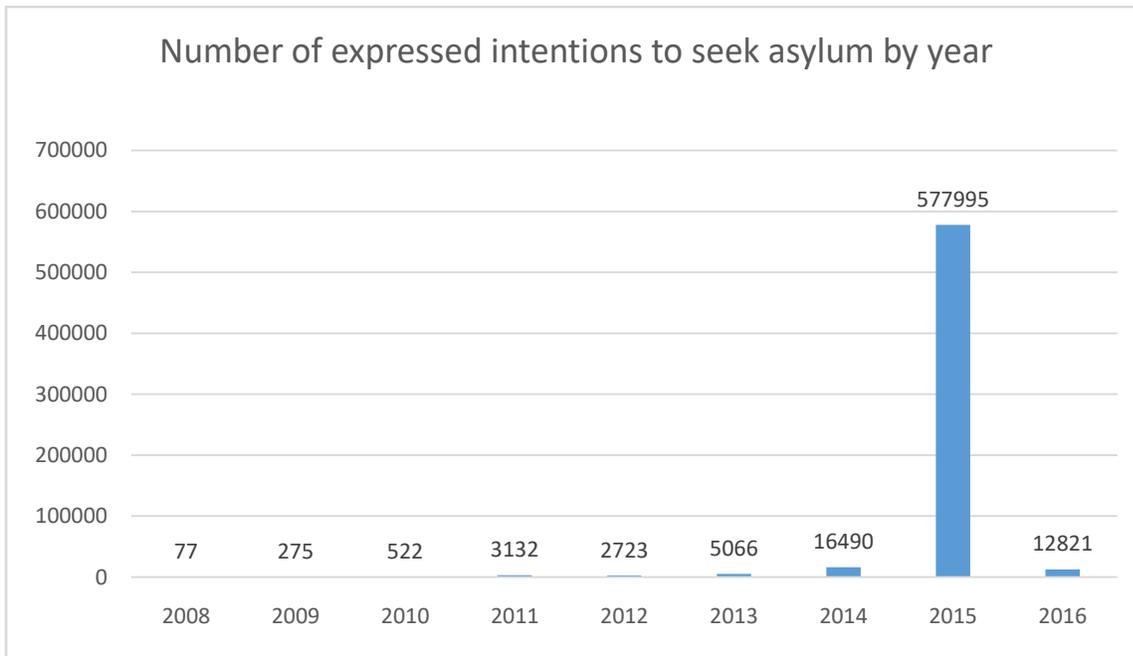
In the period from 1 October to 31 December 2016, 3,867<sup>2</sup> foreigners expressed intention to seek asylum in Serbia in front of the authorized police officer of the Ministry of the Interior and thus initiated the asylum procedure. Within this period, there were 2,588 men and 1,279 women among the asylum seekers. Also, out of the total number of foreigners who expressed intention to seek asylum, there were 1,855 children, 34 of which were identified as unaccompanied minors. According to the location where intention to seek asylum was expressed, during this reporting period, the greatest number of foreigners did so at local police departments (97%).



<sup>1</sup> All statistical data was obtained at the Belgrade UNHCR Office and the Asylum Office at the Ministry of the Interior of the Republic of Serbia.

<sup>2</sup> 1,247 in October, 1,503 in November and 1,117 in December.

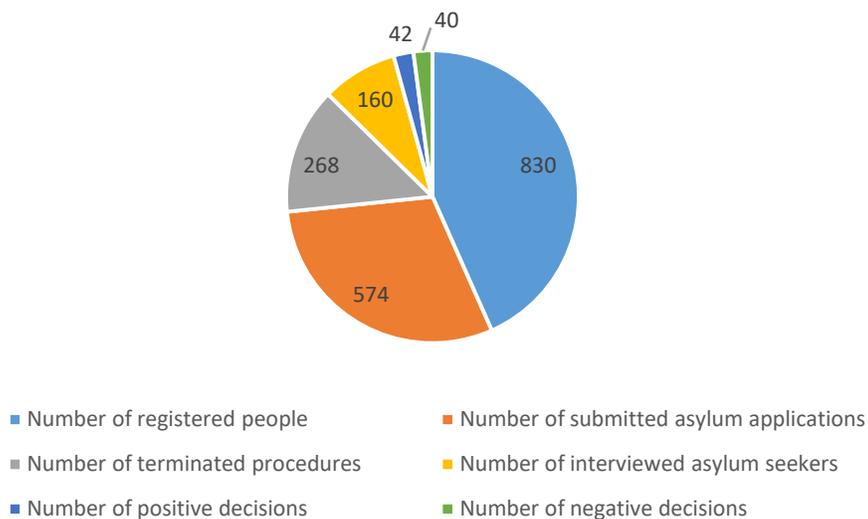
Since the implementation of the Asylum Act, 619,101 persons expressed their intention to seek asylum, in 2008 - 77; in 2009 - 275; in 2010 - 522; in 2011 - 3,132; in 2012 - 2,723; in 2013 - 5,066; in 2014 - 16,490; in 2015 - 577,995 and in 12,821 persons.



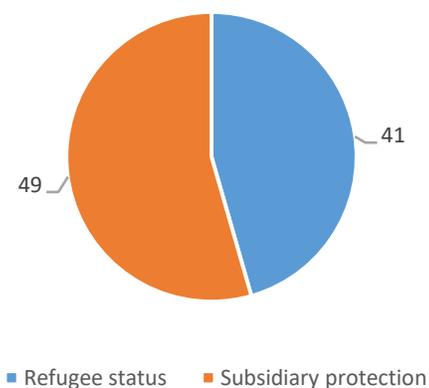
## STATISTICS IN REFERENCE TO THE ASYLUM PROCEDURE

In the last trimester of 2016, the Asylum Office registered 41 person, 34 asylum requests were submitted and 16 asylum seekers were interviewed. Thirteen asylum requests were granted, whereas five Libyan citizens and two Cameroon citizens were granted asylum and five persons from Libya and one person from Iraq were granted subsidiary protection. Since the beginning of the implementation of the Asylum Act, the Asylum Office granted asylum 41 times and subsidiary protection 49 times, and in 2016 alone, asylum was granted 19 times and subsidiary protection 23 times.

2016 Asylum Procedure Statistics



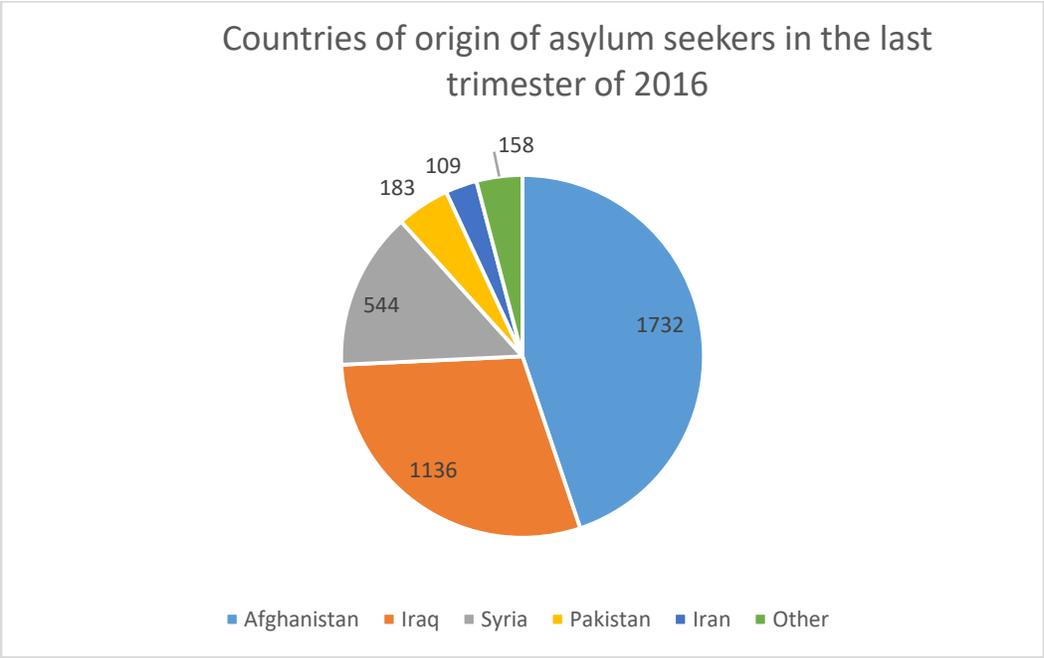
Total number of people granted asylum or subsidiary protection 2008-2016



## ASYLUM SEEKERS STRUCTURE ACCORDING TO THE COUNTRIES OF ORIGIN

In the last trimester of 2016, the asylum seekers have originated from Afghanistan (1,732), Iraq (1,136) and Syria (544), the intention to seek asylum within this period was expressed by persons coming from Pakistan (183), Iran (109), Cuba (60), Algeria (26),

Palestine (11), Libya (10), Sri Lanka (8), Ghana (5), India, Bangladesh and Cameroon (4 each), Eritrea, Tajikistan, Liberia and Nigeria (3 each), Morocco, Ruanda and Western Sahara (2 each), and one person from Bulgaria, Egypt, Greece, Guinea, Democratic Republic of Congo, Mauritania, Nepal, Pitcairn Islands, Slovenia, Tunisia and Ukraine each.



## GENERAL OVERVIEW OF ASYLUM SEEKERS' SITUATION IN SERBIA

The number of refugees, asylum seekers and migrants in Serbia continued to increase in this reporting period, from 6,300 in October to over 7,000 until the end of December 2016.<sup>3</sup> More than 80% out of the total number resided in one of the five asylum centres and ten asylum reception centres, whereas around 1,500 refugees and migrants, among whom there were children, daily resided at informal gathering places in the vicinity of the main bus station in Belgrade, in what can be described as inhumane and degrading conditions. By the end of September 2016, humanitarian organisations<sup>4</sup> managed to establish a system for delivering three daily meals to several hundred of refugees and migrants at the Bristol park in Belgrade. However, in early November 2016, the Ministry of Labour, Employment, Veteran and Social Affairs sent an open letter to international and non-government organisation providing support to refugees and migrants where it was stated that the provision of aid at places other than permanent asylum centres and reception centres was unacceptable. Such attitude of the Ministry is somewhat justified, having in mind that the Republic of Serbia is investing efforts to provide accommodation for refugees at reception centres and asylum centres, and that the foreigners who decide to reside at the informally organised accommodation are in fact contributing to the collapsing of the system the Government is attempting to establish.<sup>5</sup>

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<sup>3</sup> Source: UNHCR.

<sup>4</sup> Caritas, Save the Children, Refugee Aid Serbia.

<sup>5</sup> Many migrants are unwilling to report to the authorities to receive accommodation, fearing their freedom of movement would be limited and they would not be able to reach the desired destination state if they are recorded with the Serbian police.

On the other hand, due to the increased number of persons residing at the asylum centres and reception centres in Serbia, body lice and other skin diseases have appeared at these centres,<sup>6</sup> which lead to the deterioration of general humanitarian situation. The Ministry of Health organised a meeting dedicated to the health and epidemic issues in Belgrade on 27 October. In order to prevent spreading of infectious diseases at the centres where refugees, asylum seekers and migrants reside, the control has been enhanced during entering and exiting asylum and reception centres, and a special disinfection was performed.

In November 2016, Hungarian authorities changed the former practice when thirty persons could enter Hungary per day in two "transit zones"<sup>7</sup> at the Serbian border and seek asylum. Therefore, since the beginning of November 2016, only twenty<sup>8</sup> persons can cross the border per day, according to the scheduled lists created at the asylum and reception centres across Serbia. Prolonged waiting period for legal border crossing has caused the feeling of helplessness and a growing tension among refugees and migrants. Protesting against the closed borders, a group of migrants started walking from Belgrade to the Croatian border on 11 November,<sup>9</sup> whereas one person from Afghanistan was killed in a fight of migrants and refugees in Belgrade on 21 November, while two were injured.<sup>10</sup>

One more incident, which stands as an isolated case of this nature, since in the previous months and years migrants and refugees had not complained of maltreatment by the Serbian police, occurred in mid December. Namely, mixed patrols of the military and police, under unexplained circumstances, left a Syrian family of seven with a two-year-

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<sup>6</sup> „Kodmigranata registrovane vaši, opasnosti od tifusane ma“, *N1*, 9 November 2016, available at: <http://rs.n1info.com/a206940/Vesti/Vesti/Vaske-kod-migranata-opasnosti-od-tifusa-nema.html>.

<sup>7</sup> In the vicinity of Horgos I and Kelebia border crossings.

<sup>8</sup> In January 2017, that number was decreased to ten per day, that is five per each transit zone.

<sup>9</sup> „Migranti: Idemo na hrvatsku granicu, sigurno će je otvoriti“, *B92*, 12 November 2016, available at: [http://www.b92.net/info/vesti/index.php?yyyy=2016&mm=11&dd=12&nav\\_category=12&nav\\_id=1198570](http://www.b92.net/info/vesti/index.php?yyyy=2016&mm=11&dd=12&nav_category=12&nav_id=1198570).

<sup>10</sup> „Masovnatuča na Zelenom vencu: Dvadeset migranata sa noževima i motkama opkolilo i ubilo mladića“, *Blic*, 21 November 2016, available at: <http://www.blic.rs/vesti/hronika/video-masovna-tuca-na-zelenom-vencu-dvadeset-migranata-sa-nozevima-i-motkama-opkolilo/n4s7e81>.

old child in a forest, near the Serbian-Bulgarian border (this family was registered in the asylum procedure and directed to a reception centre in Bosilegrad, which means that they were residing in the Republic of Serbia legally with the status of asylum seekers).<sup>11</sup> This Syrian family managed to contact a humanitarian organisation Info Park from Belgrade, which informed the local police in Surdulica. At the time when a group of police officials and an ambulance arrived to the location where the family were waiting, two women had lost consciousness due to hypothermia. The family was then placed in the reception centre in Presevo. In the following days, the Basic Public Prosecutor's Office in Vladicin Han opened an investigation on this case, and the Ombudsman initiated a control procedure.<sup>12</sup>

It is a general impression that although the Republic of Serbia is investing efforts to provide humanitarian care for a large number of migrants, there does not exist a clear migration policy followed by adequate regulations adapted to the current situation and policies of neighbouring countries. Such situation can lead to arbitrary actions of authorities as well as the arbitrariness of migrants and elusion of the existing system.

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<sup>11</sup> „Porodica iz Sirijenađena u šumi“, *B92*, 20 December 2016, available at: [http://www.b92.net/info/vesti/index.php?yyyy=2016&mm=12&dd=20&nav\\_id=1212155](http://www.b92.net/info/vesti/index.php?yyyy=2016&mm=12&dd=20&nav_id=1212155).

<sup>12</sup> „Ombudsman pokrenuo postupak kontrole zbog migranata ostavljenih u šumi“, *RTS*, 20 December 2016, available at: <http://www.rts.rs/page/stories/sr/story/125/drustvo/2569006/ombudsman-pokrenuo-postupak-kontrole-zbog-migranata-ostavljenih-u-sumi.html>.

## PRACTICE OF THE ASYLUM OFFICE

During this reporting period, the Asylum Office brought several decisions on the asylum requests of asylum seekers who were represented by the Belgrade Centre for Human Rights' legal team. However, at the same time, this body conducted official acts such as admission of asylum requests and conducting interviews less frequently, presumably lead by the assumption that many foreigners accommodated at the asylum centres in fact wish to remain in Serbia.

In one case, the Asylum Office brought the decision to accept the asylum request of the Libyan family K. and granted them asylum. This case is an example of good practice, as it represents a situation where prosecution on the basis of affiliation with a particular social group was recognized. During the decision making process, the Asylum Office took into account a series of relevant reports which indicated the situation of general insecurity in Libya<sup>13</sup> and the position of persons who do not hold up to traditional Muslim customs, the Berber position and the position of women/feminists who strive for emancipation. In other words, in the decision explanation it is evident that the Asylum Office adequately and thoroughly investigated all risks of prosecution and actions contradicting Art. 3 of the European Convention on Human Rights, and considered all relevant reports of international organizations which engage in the protection of human rights of refugees.<sup>14</sup>

Furthermore, the Asylum Office accepted the asylum request and granted asylum to an Iranian citizen Y.G.H. who was prosecuted in his country of origin because he converted from Islam to Christianity.<sup>15</sup> This case also presents an example of good practice, as the explanation of the decision shows a thorough examination of prosecution risk and risk of actions contradicting Art. 3 of the European Convention based on the quotations of relevant reports which describe treatment of converts as a separate social group in Iran. In addition, Y.G.H. entered Serbia from Macedonia, and the fact that the Asylum Office competently delved into the consideration of his

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<sup>13</sup> E.g. „UNHCR Position on Returns to Libya - Update I“, UNHCR, October 2015; „Report on the Human Rights Situation in Libya“, UNSMIL, November 2015, etc.

<sup>14</sup> The Asylum Office Decision no. 26-812/16 from 29 September 2016, delivered to legal representatives in October 2016.

<sup>15</sup> The Asylum Office Decision no. 26-1051/16 from 29 September 2016, delivered to legal representatives in October 2016.

asylum request shows that the acting official estimated (but did not explain) that Macedonia cannot be deemed a safe third country in that case.

In the third case, the Asylum Office brought the decision to deny the asylum request of a Libyan family B.R. (*sur place* refugees) in December 2105. The submitters of the asylum request pointed out that in the event of forced return to Libya they would be exposed to prosecution due to the fact that they belonged to the diplomatic corps appointed in Serbia by the deposed regime of Muammar al-Qaddafi.<sup>16</sup> Moreover, they included more circumstances as added risks: danger of abduction and rape of female family members,<sup>17</sup> state of general insecurity reflected in armed conflicts and uncontrolled operations of paramilitary formations which are not subject to the responsibility and control of the Libyan government.<sup>18</sup> In the explanation of their negative decision, the Asylum Office took the stand that the asylum request was submitted to avoid deportation i.e. forced return that was supposed to be conducted based on the decision of the termination of residence brought by the Ministry of the Interior on the basis of Art. 35 in relation to Art. 11, paragraph 1, item 6 of the Law on Foreigners which provides that a foreigner shall be terminated residence due to the protection of public order and safety of the Republic of Serbia and its citizens.<sup>19</sup> In the explanation of their decision, the Asylum Office pointed out that there is no dispute over the fact that confrontations are on-going in Libya and that the area in question is a war inflicted area. It remains unclear why a state of general insecurity was not enough of a reason to grant subsidiary protection at least,<sup>20</sup> and the interpretation of the motives of the B.R. family to seek asylum to avoid deportation is also at question. The B.R. family sought asylum the moment when the risk of *refoulement* appeared, since the MIA cancelled their residence in Serbia and asked that they return to Libya, where they would no longer be safe

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<sup>16</sup> The category of persons who are recognised as particularly endangered according to a UNHCR document, and whom the signatory states of the 1951 Refugee Convention should view as persons who fulfil the criteria provided in Art. 1, *UNHCR*, „UNHCR Position on Returns to Libya - Update I“, 2015, pp. 13 - 14, para 26.

<sup>17</sup> Claim supported by numerous reports and newspaper articles which clearly point out the status of women in post-conflict Libya.

<sup>18</sup> *H.R.L. v. France*, application no. 24573/94, para. 30, Decision from 29 April 1997 and *N. v. Finland*, application no. 38885/02, para. 161 – 167, decision from 30 November 2005.

<sup>19</sup> Specific reasons which indicate that the B.R. family poses safety risk to Serbia were never listed in any of the five decisions of the cancellation of residence.

<sup>20</sup> As it was done in the Decision 26 – 4099/15 from 7 August 2015 in which due to the state of general insecurity the Asylum Office granted subsidiary protection to a six member Libyan family, and as it was done in several other decisions where Libyan citizens were granted international protection (subsidiary protection or asylum). December 2016 inclusive, the Asylum Office and the Asylum Commission brought decisions which granted asylum or subsidiary protection to 23 Libyan persons.

having in mind that the situation had drastically changed since their last period of residence in that country. Until that moment, there was no reason to apply for international protection, since they had the possibility of residence in Serbia on a different legal ground, and there was no danger of return to the war dilapidated Libya.

In several of its decisions, the Asylum Office determined that there is a state of general insecurity in Libya, as 23 Libyan citizens were granted asylum in Serbia (sixteen cases of subsidiary protection due to the state of general insecurity and seven cases of asylum). Therefore, it is unclear why in the case of the B.R. family a different decision was made.

In terms of the asylum request of the Cameroon citizens, K.N.L. and her daughter, in December 2016, the Asylum Office brought a decision which adopted their asylum requests and asylum was granted to them.<sup>21</sup> K.N.L. left Cameroon to avoid forced marriage where she would face abuse, rape and possible death. Furthermore, K.N.L. feared prosecution due to political conviction. Namely, her political opinion was expressed in her attitude not to comply with the tribal traditions and not to enter into forced marriage. In this case, the Asylum Office, quoting relevant international documents which qualify forced marriage as human rights violation and forbid position similar to slavery, reached a positive decision. The Asylum Office recognised the “women” from Cameroon as a specific social group exposed to prosecution. This is the first case in which legal aid was provided by the Belgrade Centre for Human Rights, that the Asylum Office adopted the asylum request on the basis of gender based violence, which is by all means an example of good practice. Numerous reports of the UN treaty bodies which support claims of the asylum seeker were quoted in the Decision.

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<sup>21</sup> The Asylum Office Decision no. 26-536/16 from 30 December 2016.

## ACCOMMODATION OF MIGRANTS AND ASYLUM SEEKERS

In cooperation with the Belgrade UNHCR office, the Belgrade Centre for Human Rights legal team carried out project activities directed at the provision of legal aid to refugees and asylum seekers at the asylum and reception centres in Serbia in the last trimester of 2016. There are five asylum centres in Serbia, in the towns of Krnjaca, Bogovadja, Banja Koviljaca, Sjenica and Tutin, and around ten reception centres founded during the refugee crisis.

Asylum centres are envisaged for accommodating asylum seekers and they are under the jurisdiction of the Commissariat for Refugees and Migration. Due to the increased influx of migrants in 2016, in some cases asylum seekers were accommodated at the reception centres while migrants were accommodated at the asylum centres. The Asylum Office conducts official acts only at the asylum centres and primarily at the Asylum Centre in Krnjaca. This practically means that the asylum seekers accommodated at different asylum or reception centres do not have the possibility to submit asylum requests in a timely manner.

The quality of accommodation and enforcement of the regulations is not uniform at all asylum centres, primarily due to the insufficient coordination at the national level as well as the size of the centres. The Rule Book on the Conditions of Accommodation and Provision of Basic Life Conditions at the Asylum Centre which regulates the rules of residence (hereafter: Rule Book on House Rules),<sup>22</sup> including the beneficiaries' obligations and necessary rooms that the centre should have, is not implemented consistently at all centres, nor is the obligation to introduce each beneficiary with this document at reception.

The policy of admission to the asylum centres was altered throughout the year so at in the periods of increased inflow of migrants, the asylum centres also accepted persons with a certificate on the expressed intention to seek asylum, although their primary purpose was the

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<sup>22</sup> *Official Gazette of RS*, 31/08.

accommodation of asylum seekers.<sup>23</sup> According to the data collected by the Belgrade Centre in interviews with refugees and migrants accommodated at asylum centres, the principle of family unity was respected during provision of accommodation at the centres.<sup>24</sup>

The asylum centres are open and the beneficiaries have the right to leave them without permission during the day (between 6 a.m. and 10 p.m. in the winter period, and 6 a.m. and 11 p.m. in summer) with the obligation to always be present for the evening check in order to save a place at the centre and remain in the asylum procedure in Serbia.<sup>25</sup>

The available information and practice of the authorities do not provide a clear idea of the aim to establish reception centres other than urgent humanitarian accommodation of migrants. Moreover, some reception centres are under the jurisdiction of the Commissariat for Refugees and Migration, where others are under the jurisdiction of of the Ministry of Labour, Employment, Veteran and Social Affairs. The Belgrade Centre for Human Rights sent a letter to the Ministry of Labour, Employment, Veteran and Social Affairs<sup>26</sup> where this Ministry was requested to list the reception centres under its jurisdiction, the legal status of these centres, the regulations based on which the functioning and life regime of migrants are regulated, and the basis on which individual act the accommodation of asylum seekers at the reception centres is determined. In their response to this letter,<sup>27</sup> the Ministry stated that they had submitted the request for further procedure to the Commissariat for Refugees and Migration, and Belgrade Centre for Human Rights did not receive the answer until the end of 2016. At the meeting with the Commissariat for Refugees and Migration, the Belgrade Centre for Human Rights was informed that the reception centres were established based on a Government's decision,<sup>28</sup> which was brought at the suggestion of the Commissariat which is authorised to suggest the

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<sup>23</sup> See more on the reception conditions at the Asylum Centre in Krnjaca during 2016 at: "Right to Asylum in the Republic of Serbia – Periodic report for April - June 2016", Belgrade Centre for Human Rights. Available at: <http://www.bgcentar.org.rs/testimonial/pravo-na-azil-u-u-republici-srbiji-periodicni-izvestaj-za-april-jun-2016/>.

<sup>24</sup> The authorities will take all available measures in order to maintain the family unity during the asylum procedure as well as upon granted right to asylum (Art. 9 of the Asylum Act).

<sup>25</sup> If a foreigner leaves the asylum centre without being approved a residence at a private address, based on the decision of the Asylum Office, the asylum procedure shall be suspended (Art. 34 of the Asylum Act).

<sup>26</sup> The letter was sent on 28 October 2016.

<sup>27</sup> Number: 117-00-03048/2016-16 from 23 November 2016.

<sup>28</sup> The authors of this report did not have an opportunity to get closely informed about the content of this decision.

Government certain measures in order to achieve the effect of legal and prevent illegal migrations.<sup>29</sup>

Along with the existing<sup>30</sup> reception centres, in the period from October until the end of 2016, several new private migrant centres were opened in Serbia. The towns of Sombor, Kikinda, Bujanovac, Dimitrovgrad, Pirot, Divljana and Bosilegrad got reception centres. The opening of these centres was provided in the Government's *Plan to react in case of an increased number of migrants for the period from October 2016 to March 2017*.

The Reception Centre in Sombor was opened on 5 November 2016, at a former fire brigade barracks, whose renovation and change of use was funded by non-government organizations *Help* and *Mercy Corps*. This Centre, with the capacity of 120 places, is under the jurisdiction of the Commissariat for Refugees and Migration, and it mainly accommodates families with children.

The Reception Centre in Bujanovac started operating in mid-October 2016, in the premises of the former battery factory "DP Svetlost", in the close vicinity of the Belgrade-Skopje motorway. The Centre is under the jurisdiction of the Working Group for solving the problem of mixed migration flows at the Ministry of Labour, Employment, Veteran and Social Affairs. The capacity of the Reception Centre in Bujanovac is 250 places, and at the moment of the Belgrade Centre for Human Rights' visit on 1 December 2016, there were 161 migrants accommodated there, most of whom were vulnerable groups, families, women and children.

The construction of the Reception Centre in Dimitrovgrad, in the vicinity of the Gradina border crossing towards Bulgaria, started in summer 2016, and the Centre was officially opened on 1 December 2016. The capacity of this reception centre is 66 places, but there were 90 persons residing there in mid-December, originating from Afghanistan, Iraq, Syria, Cuba and other countries. Owing to the means from the German Ministry of Foreign Affairs, the *ArbeiterSamiter Bund* organization provided three cooked meals per day for all persons residing at this reception centre, whereas other organizations, including the Belgrade Centre for Human Rights, donated clothes and shoes and other necessities for children.

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<sup>29</sup> Article 10 of the Law on Migration Management.

<sup>30</sup> In Preševo, Subotica, Šid, Adaševci, Principovac.

Although the work on the reconstruction of the old military barracks and old hospital in Bosilegrad for the purpose of accommodating and registering migrants and refugees was completed back in April 2016, the first migrants were accommodated there in mid-December. This reception centre has the capacity of 50 places and it is under the jurisdiction of the Commissariat for Refugees and Migration.

Towards the end of December 2016, the reception centre in the municipality of Divljane near Niš started operating and the opening of reception centres in the towns of Kikinda, Vranje, Zaječar and Aleksinac is planned for 2017.

# INTEGRATION OF PERSONS GRANTED ASYLUM IN SERBIA

At the suggestion of the Commissariat for Refugees and Migration, on 24 December 2016, the Government adopted a By-law on the integration of the persons granted the right to asylum in social, cultural and economic life<sup>31</sup>(hereafter: by-law on integration) which will be implemented during 2017. The by-law on integration provides a series of measures which will be implemented both on the formation of the individual integration plan and the cooperation between the Commissariat for Refugees and Migration and the civil society organizations in the creation and implementation of that plan.

Article 7 of the by-law on integration prescribes that the person who was granted right to asylum will be provided with assistance with the inclusion to the labour market in terms of: assistance with the obtaining of necessary documents for application to the registry of the National Employment Service and employment agencies; assistance with the initiation of the procedure of the recognition of foreign school documents; enabling of inclusion in additional education programmes and training sessions in accordance with the labour market needs and assistance in the inclusion in measures of active employment policy. Retraining and supplementary training is enabled with the service providers providing certified training programmes. All listed measures are provided in cooperation with the National Employment Service.<sup>32</sup>

The by-law on integration(Art. 4) prescribes that the Commissariat for Refugees and Migration will provide Serbian language and script learning for the person granted the right to asylum, as well as the person not included in the regular schooling system of the Republic of Serbia, the person attending a public school and the person over 65 years of age. Such persons will be

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31 *Official Gazette of RS*, no. 101/2016.

32 Art. 6 of the by-law on integration.

provided with 300 school lessons of the Serbian language within one academic year. The by-law on integration also prescribes that persons who fulfil conditions to perform jobs which require a university degree, can be provided with additional 100 lessons apart from the 300 lessons of the Serbian language and script within one academic year at language schools certified for teaching Serbian. One more positive decision from the by-law on integration proscribes the possibility for the transportation costs to be covered at the amount of the public transportation cost for persons who attend Serbian lessons outside of their place of residence, and due to the lack of possibility to organize language lessons at their place of residence.<sup>33</sup>

The Commissariat for Refugees and Migration refers a person who was granted right to asylum to Serbian language and script lessons within two months of the day of the validity of the decision which granted their right to asylum the latest, keeping in mind the first day of the summer or winter semesters at public schools or language schools.

Children included in preschool, primary or secondary education and adult illiterate persons who are granted right to asylum are provided with assistance with the inclusion in the educational system of the Republic of Serbia in terms of: provision of textbooks and school supplies, assistance with the initiation of the procedure of recognition of foreign school documents, provision of learning assistance, financial aid for the inclusion in extracurricular activities. The assistance is provided in cooperation with schools and associations. Adult illiterate persons are provided with assistance for the inclusion to programmes for literacy in cooperation with the Ministry authorized for the matters of education.<sup>34</sup>

However, text interpretation of the Decree on inclusion leads to the conclusion that this Act will be implemented *pro futuro* that is, it will provide e.g. learning of Serbian only in case that two months of the validity of the decision granting asylum have not expired.<sup>35</sup> Furthermore, the implementation of the by-law on integration will require coordination and cooperation of

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33 Art. 4 of the by-law on integration.

34 Art. 6 of the by-law on integration.

35 The Commissariat refers a person granted right to asylum to Serbian language and script lessons within two months of the day of the validity of the decision which granted their right to asylum the latest, keeping in mind the first day of the summer or winter semesters at public schools, that is language schools (Art. 4, para. 7 of the by-law on integration).

numerous institutions authorized in the fields of labour and education, so the question arises whether they have the capacity for its implementation which will be initiated in 2017.

Despite the fact that the asylum system, hence the inclusion system, in Serbia is insufficiently developed the integration of refugees in the economic, social and cultural life is extremely important for their achieving a dignified and quality life in our society. Untimely inclusion of persons granted asylum in the labour market can have a negative effect in the long-term chances for the economic and social integration, leaving the beneficiaries of the international protection in the position of isolation and existential minimum.