



**REFUGEE RIGHTS
EUROPE**

TRANSIT COUNTRY IN CRISIS

**THE DETERIORATING SHELTER SITUATION
IN BOSNIA-HERZEGOVINA**



ACKNOWLEDGEMENTS

REPORT AUTHOR

Selma Mešić

REPORT EDITOR

Marta Welander

PHOTO CREDITS

Chiara Fabbro
Tessa Kraan

GRAPHIC DESIGN

Pippa Stanton
Me And You Create
www.meandyoucreate.com
hello@meandyoucreate.com

DATE OF PUBLICATION

April 2021



Photo credit: Chiara Fabbro

TABLE OF CONTENTS

| | |
|--------------------------|-----------|
| EXECUTIVE SUMMARY | 04 |
|--------------------------|-----------|

| | |
|--|-----------|
| INTRODUCTION FROM TRANSIT COUNTRY TO THE LIPA CRISIS | 06 |
|--|-----------|

| | |
|---|-----------|
| KEY POLITICAL AND INSTITUTIONAL STAKEHOLDERS | 09 |
|---|-----------|

| | |
|-------------------------------------|----|
| The European Union | 10 |
| International organisations | 12 |
| Bosnia and Herzegovina's Government | 13 |

| | |
|---------------------------------|-----------|
| KEY LOCATIONS OF CONCERN | 15 |
|---------------------------------|-----------|

| | |
|-----------------------|----|
| Tuzla | 16 |
| Sarajevo | 17 |
| Una Sana Canton (USC) | 18 |

| | |
|---|-----------|
| ADDITIONAL AREAS OF SHELTER CONCERNS | 22 |
|---|-----------|

| | |
|--|----|
| Children, families and vulnerable groups | 23 |
| Adverse impact on access to asylum | 24 |

| | |
|--|-----------|
| CONCLUSION AND ALTERNATIVE PATHWAYS | 25 |
|--|-----------|

EXECUTIVE SUMMARY



THE RECENT CLOSURE OF CAMP LIPA IN BOSNIA AND HERZEGOVINA (BIH), WHICH LEFT THOUSANDS OF PEOPLE ON THE MOVE IN DESTITUTION AMID A FREEZING WINTER, HAS GARNERED SIGNIFICANT ATTENTION FOR ITS DISASTROUS CONSEQUENCES ON HUMAN LIVES.

Though catastrophic, it was an expected consequence of a growing humanitarian crisis that has been systematically mismanaged for years. The objective of this report is to offer an understanding of the shelter crisis within a wider context of the failing systematic response since its inception in 2018, and the role of key actors involved in the management of the situation.

The closing of the 'Balkan route' in 2016, which aimed to hinder the movement of displaced people through the Balkans and into Western Europe, led to Bosnia and Herzegovina (BiH) becoming a key transit country for onward movement through Croatia. From 755 entries in 2017 there was a steep increase to 24,067 in 2018, a trend that has not abated apart from the a dip in arrivals in 2020 due to Covid-19.¹

THE ALREADY DESPERATE SITUATION HAS BEEN INTENSIFIED BY BRUTAL PUSHBACKS OF DISPLACED PEOPLE AT THE CROATIAN-BOSNIAN BORDER.

The shelter situation in BiH since 2018 has been characterised by poor and overcrowded reception conditions, high rates of people living in abandoned buildings, in parks, tents in forests etc., and uncoordinated and insufficient responses by key state actors and international organisations. The already desperate situation has been intensified by brutal pushbacks of displaced people at the Croatian-Bosnian border,² creating a bottleneck in the northwest region of Una-Sana Canton (USC) and deteriorating humanitarian conditions. Though reported on for years, the pushback frequency and gravity of violations took particularly shocking forms in 2020.

Leading up the crisis in Lipa, an estimated 2,000-3,500 people were living in squats, tents and other improvised shelter throughout BiH 2020. In Sarajevo, the capital, hundreds of people were scattered across abandoned buildings, parks and insecure housing, while temporary reception centres (TRC)s remained frequently over capacity. In Tuzla, close to the Serbian border, CARE International estimated in 2020 that over three-quarters of displaced people lacked sufficient access to clean drinking water, sanitation and basic hygiene.

THE SITUATION BECAME EXPONENTIALLY WORSE WITH THE CLOSING OF BIRA CAMP IN SEPTEMBER 2020 AND SUBSEQUENTLY LIPA A FEW MONTHS LATER.

The developments in USC since last year have been particularly concerning, including the intensification of restrictive policies such as the barring of entries into the canton, forced re-accommodations and removals by bus into destitute areas far away from any services or support. A couple of thousand people lived outside the TRCs in squats, forests and other improvised shelters, without hygiene facilities, shelter or non-food items throughout 2020. The situation became exponentially worse with the closing of Bira camp in September 2020 and subsequently Lipa a few months later, in December 2020.

Lipa had been criticised by humanitarian actors since its inception for not meeting reception standards. After its closure, many displaced people returned to the burned down camp area, unable to use the freezing showers and toilets. NGOs warned of frostbite, hypothermia and other severe health problems. Basic tents for those on camp premises were installed a few weeks later, but by time of writing (February 2021) the capacity of the tents has been insufficient to house everyone in need and electricity and secure water provision are yet to be put in place. The government started construction work on a new centre on the site, but it is unclear how issues that plagued Lipa since it was set up will be avoided in the new centre.

The shelter situation reflects an existing dynamic of political responsibility shifting between different levels of governance in BiH, a lack of political will and a dysfunctional governance structure, all important deterrents to the establishment of an efficient reception system. International organisations (IO), most notably the IOM, have however had an exceptionally extensive mandate in managing the migration situation yet have evaded having to answer for the dire conditions inside and outside TRCs. The lack of clarity of responsibility and accountability between the two parties has perpetuated responsibility shifting, lack of coordination and inertia around the situation.

A SYSTEMIC POLICY SHIFT IS REQUIRED IN THE EU'S APPROACH TO THE SITUATION IN NON-EU COUNTRIES SUCH AS BIH.

Finally, though the EU has provided much needed funding, the existing humanitarian situation in BiH cannot be divorced from the EU's migration and asylum policies of externalisation; a prioritisation of border shielding at the expense of fundamental rights and a lack of decisive action against pushbacks. A systemic policy shift is required in the EU's approach to non-EU countries such as BiH, which are currently hosting displaced people.



Photo credit: Tessa Kraan / No Name Kitchen

¹ UNHCR Inter-agency [operational update](#), December 2018, 19 March 2019

² See End Pushback Partnership (EPP) [report](#), p. 39, for overview of evidence collated in 2020 on pushbacks at the Croatian-BiH border

INTRODUCTION

FROM TRANSIT COUNTRY TO THE LIPA CRISIS



WHEN BOSNIA AND HERZEGOVINA BECAME A KEY TRANSIT COUNTRY ON THE BALKAN ROUTE IN 2018, THE STATE WAS CAUGHT UNPREPARED FOR THE INCREASE IN NUMBERS OF PEOPLE ON THE MOVE ENTERING THE COUNTRY.

Both the international organisations involved and the state upheld the notion that BiH was only a transit country, precluding a preparedness and development of long-term solutions on matters such as integration and adequate reception conditions. This narrative was also used to discourage any sense of permanence in terms of hosting displaced people.³ The few government run facilities between them had capacity for just over 400 people. As the needs were starting to vastly outstrip available capacity, many people ended up sleeping in abandoned buildings, parks, squats etc. with most of the response coming from locals and locally based organisations.⁴

The aforementioned developments prompted the EU to allocate more funding to mitigate a budding humanitarian crisis, funneling it through international organisations, mainly the International Organization for Migration (IOM), in partnership with UNHCR, UNICEF and other actors.⁵ A network of temporary reception centres (TRC) in the Sarajevo and Una-Sana Cantons were eventually set up, but disagreements between key actors on the ground and opposition of local authorities to establish centres led to a slow process of haphazard solutions and makeshift camps. While BiH is formally responsible for migration management and to locate spaces for camps, IOM held the

funding - a setup which led to frequent blame shifting between the actors since the inception of the crisis. A OSCE report illustrated the low levels of cooperation between the various actors on the ground managing the situation.⁶

THE DETERIORATING SITUATION, COMBINED WITH A PERSISTENT USE OF ANTI-MIGRANT PROPAGANDA BY STATE AUTHORITIES AND THE IMPLEMENTATION OF STRICTER CONTROL MEASURES, ALL CONTRIBUTED TOWARDS A MORE HOSTILE AND ANTI-MIGRANT ORIENTED ATMOSPHERE.

Most importantly this left in its wake poor shelter conditions despite EU funding (including inadequate medical assistance, overcrowding, lack of heating and hot water), for people in TRCs and especially those sleeping rough. The crisis quickly became the most acute in Una Sana Canton (USC), the key region through which people are trying to cross into EU territory, and where initially only local volunteers and civil society actors were assisting people on the move. The deteriorating situation, combined with a persistent use of anti-migrant propaganda by state authorities and the implementation of stricter control measures, all contributed towards a more hostile and anti-migrant oriented atmosphere. This eventually provoked protests from the local population and checkpoints were instituted by police at entry points of the canton from which displaced people on public transport were removed and left in fields, barred from entry into the canton.⁷



Photo credit: Tessa Kraan / No Name Kitchen

³ Ahmetašević and Mlinarević, [Report](#), People on the move in Bosnia and Herzegovina in 2018: Stuck in the corridors in the EU, 2019

⁴ UNCT BiH, [Report](#), Refugee and Migrant Situation in Bosnia and Herzegovina Jan-Mar 2018: The Multi-Cluster/Sector Initial Rapid Assessment (Mira) Report, May 2018

⁵ IOM, [Press Release](#), €7.2 million in EU grants to support BiH in better responding to migration and border management issues, 30 October 2018

⁶ OSCE Mission to BiH, [Report](#), Assessment: Migrant and Refugee Situation in Bosnia and Herzegovina: An overview of the intervention of key actors in the field, 25 September 2018

⁷ Ahmetašević and Mlinarević, [Report](#), People on the move in Bosnia and Herzegovina in 2018: Stuck in the corridors in the EU, 2019



The summer of 2019 was peak movement season into the area, prompting the Bihać City Council to place people in camp Vučjak, where at peak times about 2,000 people lived. It became infamous for its horrid conditions. It was condemned by civil society, UN and the European Commission for the health risks of its position on a former landfill, the lack of sanitary facilities, running water and electricity.⁸ Upon her visit to the site, Dunja Mijatović, the Council of Europe Commissioner for Human Rights, called it “shameful” while also extending criticism to the IOM-run TRCs in the region (IOM and UN did not provide assistance in Vučjak) and the overall situation.⁹ In December 2019 the facility closed, relocating the residents to TRCs Ušivak and Blažuj near Sarajevo.¹⁰

While the situation had been extremely dire ever since 2018, in 2020 the situation in the region took a turn for the worse. At least a couple of thousand people were residing outside of the TRCs throughout the year, without recognised rights and no assistance by the government.¹¹ Lipa camp was set up by the IOM, with financial support from the EU and USAID, as a Covid-19 emergency response in April 2020 and at the end of August, the first positive cases of Covid-19 were registered in a TRC since the outbreak, in Bihać.¹² The emergence of the Covid-19 pandemic has been particularly concerning in view of the living conditions of both TRC and non-TRC residents. Due to overcrowding, residents were unable to socially distance, there were insufficient designated spaces for self-isolation,¹³ and the disproportionality of the lockdown measures imposed in relation to people on the move had been criticised by NGOs.¹⁴ UNHCR criticised that two thirds of the facilities operated well above their capacity – making isolation and distancing measures obsolete.¹⁵

THE CLOSURE OF THE CAMPS BIRA AND LIPA IN USC AT THE CLOSE OF THE YEAR, TOOK AN ONGOING CRISIS OVER THE EDGE INTO A FULL-BLOWN HUMANITARIAN DISASTER.

In Sarajevo, a local organisation noted the swelling rates of people in TRC Blažuj during the initial stages of Covid-19 and called for better preparedness for a second wave. The frequency of police raids and forced transfers to TRCs during the beginning of Covid-19 restrictions in various places also resulted in a ping-pong effect of migrants moving between TRCs and returning to the city on foot.¹⁶ As we have seen, the closure of the camps Bira and Lipa in USC at the close of the year, took an ongoing crisis over the edge into a humanitarian disaster.

Throughout the last few years, the primary factor in the creation of the human bottleneck in USC, and the aggravation of an already fragile humanitarian situation, is the practice of pushbacks and border violence perpetrated by Croatia. These practices have established a nearly impenetrable wall for onward movement and caused immense human suffering to those affected. Though reported on for years, the gravity and frequency of the pushbacks at the Croatian-Bosnian border took new, deeply alarming proportions in 2020. The Border Violence Monitoring Network (BVMN) reported pushbacks affecting 2,475 male and female people on the move at the Croatian borders with Serbia and Bosnia in 2019.¹⁷ In May 2020, a new horrific method of violence and humiliation garnered attention of spray-painting red crosses on people’s heads.¹⁸

Organisations have reported a huge need for non-food items (NFIs) “mostly due to pushbacks” because of the Croatian police taking tents, shoes and clothes according to local actors in the ground. The NGO CARE noted that people sometimes come back completely naked.¹⁹ Meanwhile, the Danish Refugee Council (DRC) reported 1,943 pushbacks in the month of October 2020 alone, an all-time high. There was also a record spike in the amount of people that had experienced abuse during a pushback – 64% of all reported cases – including two cases of sexual abuse.²⁰ The humanitarian situation on the other side of the border, in Bosnia, despite all other factors which negatively impact the provision of basic shelter and protection, could not have become as acute as they are today if it were not for these border management strategies.

⁸ UN Country Team in BiH, [Joint statement](#) on relocation of migrants and refugees to a location near Bihać, 14 June 2019

⁹ CoE Commissioner for Human Rights, [Country visit statement](#), 6 December, 2019

¹⁰ UNHCR, [Refugee Brief](#) 11 December 2019

¹¹ See Care International [report](#); Balkan Insight [article](#); EU [Fact Sheet](#)

¹² Associated Press, [News article](#), Tensions grow as Bosnian authorities crack down on migrants, 27 August 2020

¹³ Ahmetašević, [Report](#), People on move deprived of human rights, April 2020

¹⁴ Amnesty International, [Article](#), Bosnia: Decision to confine thousands of migrants into camp inhumane and puts lives at risk, 27 March 2020

¹⁵ Global Detention Project, [Submission to the UN Committee against Torture: Bosnia and Herzegovina](#), 23 June 2020

¹⁶ Data collated using a semi-open questionnaire with a local respondent, August 2020

¹⁷ BVMN, [Report](#), Torture and cruel, inhumane, or degrading treatment of refugees and migrants in Croatia in 2019, January 2020

¹⁸ The Guardian, [Article](#), Croatian police accused of spray-painting heads of asylum seekers, 12 May 2020.

¹⁹ InfoMigrants, [News article](#), Growing concern over treatment of migrants and refugees in Balkans, 4 June 2020

²⁰ DRC, Border Monitoring [Monthly Snapshot](#) October, November 2020

KEY POLITICAL AND INSTITUTIONAL STAKEHOLDERS



THE EUROPEAN UNION

THE CLOSURE OF LIPA CAMP INCITED STRONG CONDEMNATION BY EU OFFICIALS.²¹ THEY HAVE FREQUENTLY CONTRASTED THE SITUATION WITH THE FINANCIAL FUNDING WHICH HAS BEEN OFFERED TO IOM, UNHCR AND DRC, WHO ARE OPERATING IN BIH TO MANAGE THE SHELTER SITUATION IN THE COUNTRY.

Officials have repeatedly reminded the state of the amount of funding that had been given to manage the situation, €88 million overall since the beginning of 2018. This includes the additional €3.5 million in humanitarian aid allocated to help the refugees and migrants without shelter in BiH, bringing the total of such aid to €13.8 million since 2018.²²

Though funding is vital, it has been defined by short-term cycles and ad hoc emergency funding rather than guided by long-term solutions, functional management and permanency.²³ Moreover, the European Commission noted that these sums were in addition to “the broader support to the law enforcement authorities that BiH has received since 2007, of which €38.5 million was specifically aimed at supporting border management”; funds which were also meant to achieve “effective coordination and management of migration and asylum at all levels of government”.²⁴ It is worth highlighting that funding for border management since 2018 has remained larger than that for humanitarian support, and is not to be re-directed into the building of better TRCs and more robust support for those sleeping rough.²⁵ The Commission strongly tied the border management objective to the EU membership application.²⁶

It is impossible to understand these type of funding streams and objectives outside of the context of the increasing focus of EU policy on deterrence of movement through the collaboration with third countries, which rely on externalisation²⁷ and preventative tactics of people on the move entering the EU.²⁸

In the case of pre-accession countries such as BiH, accession procedures are intrinsically linked to funding and other types of cooperation aimed at migration management through deterrence. In 2016 BiH became a potential candidate to be accorded the status of “candidate country” once it has gone through the legislative reforms to align it with the EU acquis, a process stipulated in the Stabilisation and Association Agreement (SAA). A requirement in this process is the enforcement of migration control, as per SAA (Article 81) which notes that “The Parties shall cooperate in order to prevent and control illegal immigration... the Parties also agree to conclude and fully implement an Agreement on

readmission, including an obligation for the readmission of nationals of other countries and stateless persons”. Furthermore “the Stabilisation and Association Council shall establish other joint efforts that can be made to prevent and control illegal immigration”.²⁹

THE GOVERNMENTS IN THE REGION “WILLINGLY SUBMIT TO CARRYING TO EXTREME VIOLENCE (MOST NOTABLY MASSIVE AND VIOLENT PUSHBACKS) TO PROTECT THE EXTERNAL EU BORDER.”

To that effect the Western Balkans accession countries have been receiving substantial donations directed at border management, including cooperation with FRONTEX. An analysis of the agreements made between the EU border agency and five countries on the Balkan route (Albania, Montenegro, Serbia, BiH and North Macedonia) showcases the expanding presence and mandate of Frontex missions in the region.³⁰ Some of the trade-offs for their willingness to comply have been liberalisations of visa regimes with the EU and economic opportunities. In exchange, the governments in the region “willingly submit to carrying to extreme violence (most notably massive and violent pushbacks) to protect the external EU border, or to comply with the newly assigned role of being an EU dumping ground for deterred migrants”.³¹

Each country is obliged to have national strategies for migration management in place, including the combating of ‘irregular migration’ and strategies for integrated border management and anti-trafficking, made in cooperation with other EU countries, and the IOM. Within this context, the issue of foreigners and asylum seekers is under the jurisdiction of the Ministry of Security, indicating that migration is primarily a security issue.

The financial involvement of EU and tension between the two objectives of stronger border control and humanitarian support is evident in Commission documents where funding is described as “providing adequate and protection-sensitive accommodation and basic services for refugee, asylum seekers and migrant” but also “strengthening capacity for border control and surveillance”. Since the start of the crisis a substantial amount of funding was funneled through the Pre-Accession Assistance II (IPA II), a financial instrument supporting reform in potential EU member states.³² At the same time, and as pointed out by civil society in the aftermath of the Lipa crisis, the European Commission not demanding concrete progress on accession criteria and working more directly with authorities to find durable solutions, disincentivises greater national ownership by the authorities in BiH.³³

²¹ IBNA, [News article](#), EU condemns the transfer of migrants in the overcrowded camp of Lipa, 1 October 2020

²² European Commission, [Press Release](#), Bosnia and Herzegovina: EU allocates additional 3.5 million euros to support vulnerable refugees and migrants, 3 January 2021

²³ Amnesty International et al, [Press Release](#), Bosnia and Herzegovina: Systemic solutions and meaningful EU support, including safe pathways, could prevent recurring humanitarian emergencies, 12 January 2021.

²⁴ N1, [News article](#), EC authorities need to provide shelter to all migrants “in need”, 22 October 2020

²⁵ Heinrich Boll Stiftung, [Article](#), Refugee crisis in Bosnia: Political failure, violence and hatred, 13 October 2020

²⁶ N1, [News article](#), EC authorities need to provide shelter to all migrants “in need”, 22 October 2020

²⁷ Refers to the practice of moving border controls outside of the country.

²⁸ Boswell, C. (2003), [Academic paper](#), The ‘External dimension’ of EU Immigration and Asylum policy, *International Affairs*, 79(3), 619-638

²⁹ [Stabilisation and Association Agreement](#) between the European Communities and their Member States, of the one part, and Bosnia Herzegovina, of the other part, 30 June 2015

See also Rosa-Luxemburg-Stiftung SEE & Institut Časopis za kritiko znanosti (2020), Report, The Dark Side of Europeanisation: Serbia, Bosnia and Herzegovina and the European Border Regime.

³⁰ Statewatch, [Briefing](#), External action: Frontex operations outside the EU, 11 March 2021.

³¹ Research Paper Series of Rosa Luxembourg Stiftung for Southeast Europe [No 8](#)

³² European Commission, Bosnia and Herzegovina – financial assistance under [Instrument for Pre-accession assistance II \(IPA II\)](#)

³³ Amnesty International et al, [Press Release](#), Bosnia and Herzegovina: Systemic solutions and meaningful EU support, including safe pathways, could prevent recurring humanitarian emergencies, 12 January 2021.

PUSHBACKS AT THE BORDER BETWEEN CROATIA AND BIH ARE PART AND PARCEL OF THE EU'S MIGRATION MANAGEMENT STRATEGY, ENCOURAGED BY A PERVERSIVE SILENCE ON HUMAN RIGHTS VIOLATIONS BY THE EU AND ITS MEMBER STATES.

Moreover, the EU and its member states bear heavy responsibility for the pushback situation though an overwhelming prioritisation of making external borders impenetrable, at the detriment of human and fundamental rights. Pushbacks at the border between Croatia and BiH are part and parcel of the EU's migration management strategy,³⁴ encouraged by a pervasive silence on human rights violations by the EU and its member states.³⁵ Apart from concerns raised by the European Parliament,³⁶ other EU officials have praised Croatia for "fulfilling its commitment" to join the Schengen area.³⁷ Moreover, Croatia has received essential funding for border operations, including technology such as thermal vision cameras, drones, and other key resources.³⁸ They have been questioned regarding funding which was meant to be spent on an independent supervisory mechanism, something that was never set up.³⁹

Croatia is in the process of becoming a Schengen state, and thus eager to demonstrate its commitment to the EU, by decisively 'protecting' the EU's external borders. The Croatian authorities are, however, still expected to abide by the Schengen border code during the accession process, along with all relevant international conventions that protect the rights of people on the move.⁴⁰ Meanwhile, Croatia has denied and dispelled reports of pushbacks and abuse, despite published footage of illegal pushbacks.⁴¹



Photo credit: Tessa Kraan

³⁴. Ibid.

³⁵. InfoMigrants, [Article](#), Calls growing for EU action on migrant situation in Bosnia, 7 January 2021.

³⁶. Are You Syrious, [Daily Digest](#) 28 January 2020

³⁷. European Commission, [Communication](#) on the verification of the full application of the Schengen acquis by Croatia, 22 October 2019.

³⁸. BVMN, [OHCHR Submission](#), The role of technology in illegal pushbacks from Croatia to Bosnia-Herzegovina and Serbia, January 28 2021.

³⁹. The Guardian, [Article](#), EU 'covered up' Croatia's failure to protect migrants from border brutality, 15 June 2020.

⁴⁰. Amnesty International, [Report](#), Pushed to the Edge: Violence and Abuse against Refugees and Migrants Along the Balkan Route, 2019.

⁴¹. BVMN, [First footage](#) of pushbacks on the Croatian-Bosnian border, 16 December 2018.

INTERNATIONAL ORGANISATIONS

THROUGHOUT THE CRISIS SEVERAL INTERNATIONAL ORGANISATIONS (IO) HAVE BEEN CENTRAL ACTORS IN THE SITUATION, BUT MOST VITALLY IOM WHICH RECEIVES ALL THE DONATIONS FOR SHELTER MANAGEMENT FROM THE EU INSTEAD OF THE STATE.

Even prior to the crisis, international organisations retained a major influence in the country since the war in the 1990s. At the onset of the crisis, the EU decided in 2018 to cooperate directly with IOM and UN agencies as their partners instead of the state institutions, de facto putting them in charge of managing the situation despite the State de jure maintaining this responsibility. This was primarily motivated by assessments of the overall situation in BiH, especially factors such as corruption and ineffective governance.⁴²

THERE WERE FEW OPPORTUNITIES TO OVERSEE THE CASH FLOW, WHICH THOUGH ASSIGNED TO BIH, WAS NOT MANAGED BY THE GOVERNMENT, AND THEREFORE COULD NOT BE SCRUTINISED THROUGH DEMOCRATIC PROCESSES.

Once IOM received the brunt of the funding, they “became in charge for almost all questions related to managing the situation with people on the move... IOM also imposed rules and ways of working in the country, which led to a number of disputes with local and state level officials”. Once this system became entrenched there were few opportunities to oversee the cash flow, which though assigned to BiH, was not managed by the government, and therefore could not be scrutinised through democratic processes.⁴³

Moreover, since much of the funding is pulled from the IPA funds meant to strengthen the states “capacity to undertake the necessary reforms to align its political, institutional, legal, administrative and economic systems with the rules, standards, policies and practices in the Union” it seems counter intuitive to exclude the state. Despite the dysfunctions of the state, hybrid solutions could have been employed, e.g., funding being held by IOs while the state is fully involved and supported to fulfil obligations, and gradually can take a more central role where international organisations hold an advisory and monitoring role, ensuring key outcomes such as protection and human conditions.⁴⁴ This is not what took place in BiH.

The existing approach was described as a “mid-term solution” by the EU until the situation becomes stabilised with the aim to gradually handover responsibility to the authorities.⁴⁵ Since June 2018, the IOM has received nearly 77 million.⁴⁶ TRC Bira, which used to be a fridge factory before being converted into accommodation, cost 25,00 euros a month to run before the closure, yet the poor conditions were persistent, as they have been across TRCs overall.⁴⁷

THEY DID NOT CREATE DIGNIFIED AND HUMANE LIVING CONDITIONS PER GOVERNMENT LAW AND ENDED UP OVERSEEING PLACES WHERE PEOPLE FEEL INSECURE AND WHERE PSYCHOLOGICAL SUPPORT, HEALTH CARE, PROPER HYGIENE FACILITIES AND OTHER KEY SERVICES ARE LIMITED.

Furthermore, another key reason that the funding was given to the IOM, including 30 million euros in ‘special measures’ in 2018-19, was its “expertise in border management related programmes”.⁴⁸ The EU was in effect not only collaborating with the organisations for the purpose of alleviating a humanitarian situation but extended this cooperation to objectives pertaining to border management and related policies through the strengthening of BiH and border police.⁴⁹ International organisations provided and ran temporary accommodation centres, by renting private property, former hotels and factories⁵⁰ yet despite donations, they did not create dignified and humane living conditions per government law and ended up overseeing places where people feel insecure and where psychological support, health care, proper hygiene facilities and other key services are limited.^{51,52}

In addition to the adverse effect this is having on the displaced people, a key issue is the lack of accountability in relation to their operations, especially in relation to the wider public, and in extension also EU and member states which are not held accountable for the funding they provide to these actors. Equally activists and civil society actors objected to the fact that “lacking a mechanism for so doing, activists have been unable to hold the IOM or other international organisations accountable for poor management of the camps.”⁵³ These trends largely carry on the heavy post-war involvement of international organisations and EU bodies in the politics and management of the state, especially institutions such as that of The Office of the EU Delegation in BiH and the Office of the High Representative.

42. Transparency International, [2019 Index](#). BiH scored 36 on a 1-100 index scale, a 6 percentile drop since 2021

43. Ahmetašević and Mlinarević, [Report](#), People on the move in Bosnia and Herzegovina in 2018: Stuck in the corridors in the EU, 2019

44. Ibid.

45. European Commission, [Annex](#) to the Commission Implementing Decision amending Commission Implementing Decision C(2019)3189 on the adoption of a special measure on supporting Bosnia and Herzegovina in managing the migration flows for 2019

46. IOM, [Information Sheet](#), Information on the implementation of the projects related to Emergency Response to the Migrant and Refugee Situation in Bosnia and Herzegovina funded by the European Union, 31 January 2021

47. Euronews, [Article](#), What are the real reasons behind Bosnia's migrant crisis?, 20 January 2021

48. European Commission, [Annex](#), Commission Implementing decision adopting a special measure on supporting Bosnia and Herzegovina in managing the migration flows

49. Sarajevo Times, [News article](#), EU donates five vehicles to Bosnia-Herzegovina's border police, 16 December 2019

50. Ahmetašević and Mlinarević, [Report](#), People on the move in Bosnia and Herzegovina in 2018: Stuck in the corridors in the EU, 2019

51. Ibid.

52. Amnesty International, [Report](#), Pushed to the Edge: Violence and Abuse against Refugees and Migrants along the Balkans Route, 2019.

53. Oštra Nula et al, [Submission](#) to the UN UPR of Bosnia and Herzegovina, August 2019

BOSNIA AND HERZEGOVINA'S GOVERNMENT



Photo credit: Chiara Fabbro

THOUGH THE MANAGEMENT OF MIGRATION HAS LARGELY BEEN AT THE HANDS OF INTERNATIONAL ACTORS, DE JURE THE BOSNIAN-HERZEGOVINIAN STATE REMAINS ACCOUNTABLE FOR THIS WORK. THIS INCLUDES ENSURING THAT INTERNATIONAL ORGANISATIONS DO NOT BREACH INTERNATIONAL HUMAN RIGHTS AND INTERNATIONAL REFUGEE LAW.⁵⁴

Though some responsibility has been shifting onto the Ministry of Security when it comes to coordination and support of management of the centers, the government has not held full responsibility for managing accommodation and protection of people on the move, as outlined in the previous chapters.⁵⁵

The government directly runs only a couple of small centres: Delijaš for asylum seekers with the capacity of up to 150 people, and the immigration centre in Lukavica, which serves as a pre-removal detention centre. Additionally, the Ministry of Human Rights and Refugees⁵⁶ runs the accommodation centre Salakovac, near Mostar, which has about 200 places. The government has shown reluctance to increase capacity, however even at times when the government was proposing shelter options, such as in mid-2018 at the outset of the crisis, the suggestions were pushed back on by local authorities.⁵⁷ The Council of Europe

Commissioner for Human Rights Dunja Mijatović, after her visit to BiH in 2018, called on the government to respect the laws and provide accommodation, access to food, health care, and sanitation.⁵⁸

ALL THE RECEPTION CENTRES ARE IN THE FEDERATION OF BIH, WHICH HOLDS THE 10 CANTONS, EACH WITH THEIR OWN GOVERNMENTS WHICH ARE GRANTED SUBSTANTIAL INDEPENDENCE TO GOVERN ACROSS VARIOUS ISSUES, INCLUDING MIGRATION.

Aside from political will, this process is often halted due to ineffective administrative procedures, unclear institutional jurisprudence and a lack of institutional and political will.⁵⁹ BiH's complicated state structure, with a state government, three entity governments, ten cantonal governments and a high level of decentralisation, has caused deep fragmentation of law enforcement agencies across the country, an absence of rule of law and further strengthening of the mandate of various international bodies.⁶⁰ All the reception centres are in the Federation of BiH, which holds the 10 cantons, each with their own governments which are granted substantial independence to govern across various issues, including migration. The Republika Srpska (RS) entity, one of the two major entities that makes up the country, has consistently refused to build any reception facilities in order to keep the entity "refugee-free".⁶¹

⁵⁴ Ibid.

⁵⁵ IFRC, *Operation Update Report: Population Movement*, 13 March 2020

⁵⁶ The responsible ministry for recognised refugees solely

⁵⁷ Ahmetašević and Mlinarević, *Report*, People on the move in Bosnia and Herzegovina in 2018: Stuck in the corridors in the EU, 2019

⁵⁸ CoE Commissioner for Human Rights, *Letter to Minister for Human Rights and Refugees and Minister for Security of BiH*, 9 May 2018

⁵⁹ Oštra Nula et al, *Submission to the UN UPR of Bosnia and Herzegovina*, August 2019

⁶⁰ The Dayton Peace Agreement, signed in 1995 and ending the civil war, left the country with an extremely complicated structure based on war-time ethnic divisions. It is made up of the entities Republika Srpska, Federation of BiH, and District Brčko. Federation is composed of 10 cantons. Each of these units has its own government, parliaments, and laws. Additionally, the state government has 9 ministries, a parliament, and the Presidency with 3 members who rotate every 8 months for the mandate of 4 years. The question of asylum seekers is dealt with at the state level, under the Ministry of Security. The overarching entity is a body called the Office of the High Representative: a politically highly influential international institution responsible for overseeing implementation of civilian aspects of the Peace Agreement. It is represented by the internationally appointed High Representative. The Office of the EU Delegation in BiH, is equally highly influential in domestic affairs and one of the largest EU offices in the world.

⁶¹ InfoMigrants, *Article*, Calls growing for EU action on migrant situation in Bosnia, 7 January 2021.

In Article 3(1)(f) of the constitution of BiH, it is affirmed that state level bodies hold competency and mandate to set policies concerning immigration, refugees and asylum, as held also in the Asylum Strategy and Action Plan 2016-2020.⁶² The BiH Council of Ministers functions as the main decision-making body, with implementation power granted to lower levels of government. Both central government and local administration are however responsible for ensuring human rights. This pertains also to all the international conventions on human and other rights which the country has signed.⁶³

THE LOCAL AUTHORITIES IN BIHAĆ TERMINATED THE SUPPLY OF WATER TO (THE SINCE CLOSED DOWN) VUČJAK MIGRANT CAMP IN A BID TO PRESSURE THE CENTRAL GOVERNMENT TO REMOVE MIGRANTS FROM THE AREA.

Within this institutional framework the coordination of a functioning reception system has often ended up in a deadlock. There has been significant fragmentation between governmental and local politicians, political unwillingness and lack of coordination between all levels in order to provide sustainable assistance, one example being when the local authorities in Bihać terminated the supply of water to the since closed down Vučjak migrant camp in a bid to pressure the central government to remove migrants from the area.⁶⁴

The fragmentation has been intensified by international organisations working directly with local authorities on the cantonal level, which has undermined the role of the state, and allowed local authorities to engage in practices that are both discriminatory and non-aligned with domestic laws and conventions.⁶⁵ Local authorities have the ownership of many prospective locations for reception centres, yet the European Commission has not been open to funding facilities or working directly with local levels of government, despite being called on by the Ombudsmen to urgently expand the accommodation capacity for people on the move in the country, along with capacity building of human resources and improved operations capacities.⁶⁶

This ad hoc, non-structured and politically motivated approach to managing shelter provisions for displaced people, especially those who reside outside of the established centres, has been detrimental to the establishment of long-term and effective solutions which provide both sufficient capacity and better conditions.⁶⁷ The government has garnered criticism from a range of actors, including the Commissioner for Human Rights of the Council of Europe in the last few years,⁶⁸ and the European Commission for the threats by the local authorities to close down existing TRCs and not allocate additional facilities.⁶⁹ Miral and Bira, two IOM managed TRCs in USC (the latter closed in September 2020) had been under threat of closure since October 2019 by the cantonal authorities.⁷⁰



Photo credit: Chiara Fabbro

⁶² Ministry of Security, [Strategy in the Area of Migrations and Asylum](#), 2016

⁶³ Ministry of Security, [Strategy in the Area of Migrations and Asylum](#) (p.23), 2016

⁶⁴ InfoMigrants, [Article](#), Bosnian authorities cut water to migrant camp near Croatian border, 22 October 2019

⁶⁵ Ahmetašević, [Report](#), People on move deprived of human rights, April 2020

⁶⁶ GIHR et al, [Position Paper](#), The situation at the EU external borders and the future European asylum policy, April 2020

⁶⁷ IFRC, [Operation Update Report](#): Population Movement, 13 March 2020

⁶⁸ CoE Commissioner for Human Rights, [Letter](#) to Minister for Human Rights and Refugees and Minister for Security of BiH, 9 May 2018

⁶⁹ Associated Press, [Article](#), EU slams Bosnia over its treatment of migrants, 17 June 2020

⁷⁰ IFRC, [Operation Update Report](#): Population Movement, 13 March 2020

KEY LOCATIONS OF CONCERN



TUZLA

WITH INCREASING ARRIVALS FROM SERBIA, AN INCREASING AMOUNT OF DISPLACED PEOPLE ARRIVING IN TUZLA FOUND THEMSELVES WITH NO FORMAL SHELTER PROVISIONS.

In early 2020, an estimated 345 people were sleeping in squats and at the bus station, while a small number of people were staying in facilities operated by local organisations. There are still no TRCs or official government initiatives in this region.⁷¹ A Red Cross operational overview in May of last year raised serious concerns about the lack of government initiative and provision of accommodation. The homeless population was predominantly made up of single men but there were also families sleeping rough, some being helped by local initiatives such as that of the small NGO Puz which runs small housing facilities for up to 40 people,⁷² and another one implemented by Emmaus.

THEY (CARE INTERNATIONAL) ESTIMATE UNOFFICIALLY THAT ABOUT A QUARTER OF THE PEOPLE THAT THEY SERVICE ARE FAMILIES, VULNERABLE OR MINORS.

A study by CARE international during the same time period showed that, in Tuzla, “over three-quarters of refugees and migrants do not have sufficient access to clean drinking water. There is also no adequate

access to sanitation and basic hygiene.”⁷³ A grassroots partner in Tuzla⁷⁴ described an extremely poor situation during the summer of 2020 with displaced people living in streets, abandoned houses and in tents in parks with no access to toilets and other basic provisions. What is particularly noteworthy is that they estimate unofficially that about a quarter of the people that they service are families, vulnerable or minors.⁷⁵

The organisation serviced about 30-50 people daily in a day centre with basic services and short-term accommodation, with priority given to families and vulnerable cases. Many activities were however halted since the outbreak of the pandemic.⁷⁶ During the Covid-19 outbreak, they noted that police had been transferring people sleeping outside in Tuzla to TRCs in Sarajevo and many also reported that they had been picked up by the police, driven 10-15 km and dropped off in desolate areas outside of the city.⁷⁷

The recent situation in USC has pushed some people to return to Sarajevo or Tuzla,⁷⁸ a local organisation stating they come across 20 returnees every day in December.⁷⁹ In October 2020, the DRC estimated that 200 people lived in insecure conditions in Tuzla,⁸⁰ though families tend to be less likely to stay on the streets for long and are referred to reception centres. Based on respondent information they collated of people sleeping rough in the city, 94% had stated that they had experienced days of not eating at all.⁸¹

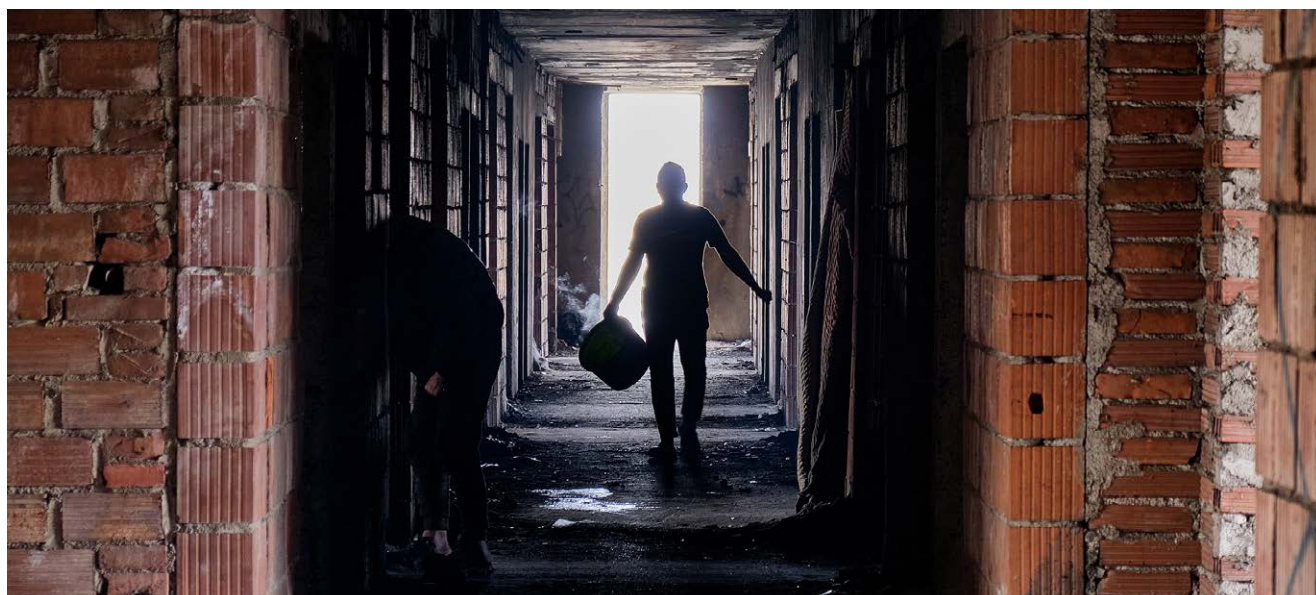


Photo credit: Chiara Fabbro

⁷¹ UN BiH, [Monthly Situation Report](#), February 2020

⁷² IFRC, [Operation Update Report](#): Population Movement, 28 May 2020

⁷³ Care International, [Press Release](#), Stranded and forgotten: Bosnia's migrants and refugees left to themselves, 12 May 2020

⁷⁴ The partner has requested to remain anonymous

⁷⁵ Data collated using a semi-open questionnaire, on 17 August 2020

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ ECRE, [News article](#), Bosnia and Herzegovina: Snowfall increases hardships of people stuck in Europe's borderlands, 11 December 2020

⁷⁹ The New Humanitarian, [News feature](#), Winter and growing animosity force migrants in Bosnia into retreat, 2 December 2020

⁸⁰ DRC, [Infographics](#) - Winter is coming, October 2020

⁸¹ DRC, [Rapid needs assessment](#) - Outreach response, September 2020

SARAJEVO

THERE ARE TWO TRCS IN SARAJEVO REGION, UŠIVAK AND BLAŽUJ. BOTH HAVE FREQUENTLY BEEN AT OR OVER CAPACITY.

In October 2020 there were 2739 people registered in Blažuj (with an initial capacity of 1400).⁸² Other local sources have set the figure at more than 3,200 people.⁸³

When interviewed by RRE in the summer of 2020,⁸⁴ an organisation which distributes non-food items to homeless single men in Sarajevo and makes referrals to other services, described an ongoing homelessness issue in Sarajevo. Another grassroots organisation,⁸⁵ estimated that, apart from fluctuations due to Covid-19, around 600-800 people live outside of TRC facilities at any given time. Many single men sleep in abandoned buildings or squats, which lack water, electricity, or even fully enclosed spaces, while a small group of people reside in hostels that do not require papers or with locals that rent out rooms.

CAMPS REMAINED OVERCROWDED THROUGHOUT THE PANDEMIC, AND THE GROUP RECOGNISED FOOD DISTRIBUTION AS A MAJOR SERVICE PROVISION GAP.

Camps remained overcrowded throughout the pandemic, and the group recognised food distribution as a major service provision gap, in particular for single men. At the height of the crisis police also routinely rounded up people and forced them into the camps.⁸⁶ During this period the grassroots group surveyed by RRE reported having serviced several hundred people weekly despite limited geographical reach, hence the real numbers can only be assumed to be even higher. The respondent deems existing government and NGO efforts insufficient, including the existing accommodation options but especially safehouse shelter accommodation for particularly vulnerable people (LGBTQ+, SGBV survivors, etc). People with mental health issues or vulnerabilities sometimes choose to leave TRCs without alternative suitable shelter.⁸⁷ In October 2020, the DRC estimated that 200 people live in insecure conditions in Sarajevo.⁸⁸



Photo credit: Tessa Kraan

⁸² IFRC, Revised emergency appeal report, December 2020

⁸³ Email conversation with commentator in BiH, February 2021.

⁸⁴ The organisation requested to remain anonymous

⁸⁵ The organisation requested to remain anonymous

⁸⁶ Data collated using a semi-open questionnaire, on 20 August 2020

⁸⁷ Data collated using a semi-open questionnaire, on 21 August 2020

⁸⁸ DRC, [Infographics](#) – Winter is coming, October 2020

UNA SANA CANTON (USC)

ASIDE FROM BORIĆI AND SEDRA, TRCS WHICH ACCOMMODATE FAMILIES AND UNACCOMPANIED AND SEPARATED CHILDREN (UASCS) AND TEND TO BE AT CAPACITY, OUT OF THE THREE TRCS FOR SINGLE MEN AND UASCS RUNNING LAST YEAR, ONLY MIRAL REMAINS.

The accommodation capacity for single males has continuously been stretched. Even prior to the closures of TRCs Bira and Lipa, informal tent camps, homelessness and squatting remained commonplace. Throughout 2020 the amount of people sleeping rough in USC fluctuated within the range of 2,000-3,000 people. In October 2020, after the closure of Bira camp, estimates of people sleeping was 2,200 according to UNHCR data, though the government provided higher figures.⁸⁹ In December, after the closure of Lipa, it was estimated up to 2,700 people slept rough across the country, primarily in USC.⁹⁰

By way of background, the IOM-run TRC Lipa was built in April 2020 on an open field in a desolate village 22 km outside of Bihać to accommodate around 1,000 people. It was primarily aimed to house single men sleeping outside of TRCs during the pandemic as an emergency shelter.⁹¹ It was however at capacity since the opening and the rate of people sleeping outside of TRCs nonetheless remained high. Civil society actors questioned how the facility could meet the reception standards in the Law on Asylum of “humane and dignified” accommodation, considering the isolation from towns, services, and the lack of hygiene facilities, hot shower water, and sewage management. The facilities in the camp were not even made of the commonly used containers but large plastic tents.⁹²

CIVIL SOCIETY ACTORS QUESTIONED HOW THE FACILITY COULD MEET THE RECEPTION STANDARDS IN THE LAW ON ASYLUM OF ‘HUMANE AND DIGNIFIED’ ACCOMMODATION.

As conditions deteriorated throughout the year, the lack of running water, basic facilities and over crowdedness was sharply criticised.⁹³ The Council of Ministers never designated Lipa to a permanent shelter, and hence it never achieved the basic requirements of a long-term accommodation, such as winterisation.⁹⁴

People residing outside of TRCs were forcefully moved into the facility.⁹⁵ Furthermore, NGOs criticised the enforcement of involuntary relocations of asylum-seekers in private accommodation in Bihać to Lipa by the local authorities. These enforced transfers had no legal or public health protection justification but were especially concerning as TRCs remained overcrowded during the pandemic.⁹⁶

The grassroots organisation No Name Kitchen (NNK) reported in July 2020 that an informal settlement outside of the official TRC Miral was cleared and destroyed by security forces, as also reported across media outlets. Around 600-700 people had been living outside of the centre in dire conditions, without hygiene facilities, proper shelter or NFIs, singlehandedly relying on help from volunteers. During the summer they had identified about 50-60 squats around the city, though people sleeping in parks and other public places had largely been moved to TRCs.⁹⁷ During the Covid-19 pandemic, Lipa residents were also barred from using public transport to travel to nearby cities. Those that defied the ban in order to buy food or access services were caught by police and frequently beaten before being taken back. Local volunteers also often received complaints about the lack of and subpar quality of the food and poor conditions in the TRCs.⁹⁸

At the end of August 2020, the Coordination Committee on Migration in Una-Sana Canton made the decision to adopt measures that placed serious restrictions on the freedom of movement of people on the move outside TRCs; a decision which has been widely criticised by the UNHCR and others.⁹⁹ This encompassed “the complete prohibition of new arrivals into the Canton, ban on transporting migrants and asylum-seekers including in public transport and taxis, ban on gathering of migrants and asylum-seekers in public places and prohibition of providing them with private accommodation.”¹⁰⁰ The measure was a misguided tactic to control the situation in the canton, a reaction to an overall situation which was insufficiently addressed by state authorities.¹⁰¹

BIRN REPORTED ON A SETTLEMENT OF 300-600 PEOPLE NEARBY LIPA, AND ONE BETWEEN THE RIBNIK AND KLJUČ WHERE A DOZEN PEOPLE LIVED, INCLUDED SMALL CHILDREN.

It was reported in August 2020 that people on the streets and in improvised shelters had been transferred to the ‘no man’s land’ in Otoka, an administrative demarcation line between the Federation and Republika Srpska, and had been left there in corn fields, without assistance. It took some local organisations a week to get permission to provide them basic assistance. In late August about 150 men were in this location, “subsisting mostly from the surrounding corn fields.”¹⁰² BIRN reported on a settlement of 300-600 people nearby Lipa, and one between the Ribnik and Ključ where a dozen people lived, included small children. They were stuck between the two government entities, pushed back from going back to USC while the police in RS was similarly returning people.¹⁰³

⁸⁹ UNHCR, October [Fact Sheet](#), October 2020

⁹⁰ UNHCR, December [Fact Sheet](#), December 2020

⁹¹ UN BiH, Monthly [Situation Report](#), April 2020

⁹² Ahmetašević, [Report](#), People on move deprived of human rights, April 2020

⁹³ Caritas, [News article](#), Migrant flow picks up in Bosnia and Herzegovina, 28 September 2020

⁹⁴ IBNA, [News article](#), EU condemns the transfer of migrants in the overcrowded camp of Lipa, 1 October 2020

⁹⁵ WILPF, Written [statement to UN Human Rights Council](#) 44th session on Bosnia and Herzegovina, July 2020

⁹⁶ UN Country Team in BiH, [Joint Statement](#) on relocation of migrants and refugees to a location near Bihać, 16 June 2019

⁹⁷ Are You Syrious (AYS), [Daily Digest](#), 18 July 2020

⁹⁸ WILPF, Written [statement to UN Human Rights Council](#) 44th session on Bosnia and Herzegovina, July 2020

⁹⁹ Email conversation with commentator in BiH, February 2021.

¹⁰⁰ Amnesty International, [News article](#), Bosnia and Herzegovina: Reckless restrictions of movement leave refugees and migrants stranded without protection, 25 August 2020

¹⁰¹ Andalou Agency, [News article](#), Bosnia and Herzegovina’s refugee crisis getting out of hand, 26 August 2020

¹⁰² Donate4Refugees, [Blog](#), Otoka - Bosnia’s No Man’s Land, 28 August 2020

¹⁰³ Balkan Insight, [News article](#), ‘No Man’s Land’: Migrants, Refugees Stranded at a Bosnian roadside, 2 September 2020

“FROSTBITE, HYPOTHERMIA AND OTHER SEVERE HEALTH PROBLEMS ARE ALREADY BEING REPORTED BY THOSE STRANDED ON LOCATION. DESPITE THE EFFORTS OF HUMANITARIAN ACTIONS, THEIR LIVES ARE AT IMMEDIATE RISK.”

— NGO'S



Photo credit: Chiara Fabbro

A grassroots respondent¹⁰⁴ noted also that a number of key services such as shops and money transfer services like Wester Union, had barred them from using the services.¹⁰⁵ The humanitarian provision of services had been so poor, especially the lack of water, that people were reported to be drinking water from the river, leading to severe health problems like diarrhea, infections etc. The respondent frequently came across people that have not eaten for days. There was barely any health service outreach in these communities, and those that approached TRCs Miral and Bira to seek medical help had reportedly been rejected and often severely beaten by the security guards,¹⁰⁶ employed by private security companies contracted by the IOM.¹⁰⁷

THE PROVISION OF SERVICES HAD BEEN SO POOR, ESPECIALLY THE LACK OF WATER, THAT PEOPLE WERE REPORTED TO BE DRINKING WATER FROM THE RIVER, LEADING TO SEVERE HEALTH PROBLEMS LIKE DIARRHEA, INFECTIONS ETC.

Bira was shut on 30 September 2020, ordered by the Ministry of Internal Affairs of USC, putting around 400 people into a state of destitution. Organisations such as Amnesty International reported of emptying of the camp and forcible removals by bus, which again drove them to the outskirts of Una-Sana Canton to be abandoned with no assistance. A few hundred were admitted to an overcrowded Lipa, the rest left to find shelter in squats and other improvised spaces.¹⁰⁸ The EU Delegation

to BiH condemned the situation and the forcible transfer of from Bira to Lipa, calling the decision ‘irresponsible’ and going against domestic legislation and respect for human rights.¹⁰⁹

Just prior to the closing of Bira, the amount of people staying in the centre has dropped significantly from the 1,500 in capacity, which IOM explained to be due to the government not allowing more than 500 people into the centre. The government had according to them repeatedly failed to keep the promise to identify locations for new facilities.¹¹⁰

Local officials at the time had said that they would move them to other facilities in the country. There have been ongoing claims by local officials of abandonment by the national government in managing the situation and the rationale for the closure was a lack of support. They had on occasions also threatened to close the Miral TRC.¹¹¹

In the weeks prior to the closure of Lipa, warnings were repeatedly issued in relation to the dangerous temperatures facing the people that were living in these conditions, both for those in Lipa and for those sleeping rough. This echoed similar warnings issued at the onset of winter season in the years prior. The Euro-Mediterranean Human Rights Monitor feared that people risked freezing to death in the existing conditions. The DRC estimated that there were about 250 improvised camps in the area with limited assistance, often tents made of nylon and held up by sticks placed on snow-covered ground, making the tents perpetually wet and cold.¹¹²

¹⁰⁴ The organisation wishes to remain anonymous

¹⁰⁵ Data collected using a semi-open questionnaire, on 26 August 2020

¹⁰⁶ Data collected using a semi-open questionnaire, on 26 August 2020

¹⁰⁷ Email conversation with commentator in BiH, February 2021.

¹⁰⁸ Amnesty International, [News](#), Bosnia and Herzegovina: Authorities create gratuitous suffering for hundreds left without shelter, 1 October 2020

¹⁰⁹ IBNA, [News article](#), EU condemns the transfer of migrants in the overcrowded camp of Lipa, 1 October 2020

¹¹⁰ Associated Press, [News article](#), UN official: Bosnia authorities expose migrants to suffering, 24 September 2020

¹¹¹ InfoMigrants, [News article](#), Migrants: Bosnia, hosting center in north-west shuts down, 8 September 2020

¹¹² Euro-Mediterranean Human Rights Monitor, [Article](#), First heavy snowfall on flimsy migrant tents in Bosnia warns of impending humanitarian crisis, 8 December 2020

Media reports¹¹³ and humanitarian organisations described a “situation that is fast taking crisis proportions.”¹¹⁴ Due to the freezing weather, the toilets and showers had frozen, which meant that people had to use the forests around the camp as a bathroom.¹¹⁵ Dunja Mijatović urged in a letter to Bosnian officials in December 2020 for action and better coordination between the various levels of government.¹¹⁶ High Representative/Vice President Josep Borrell and Commissioners Johansson and Varhelyi, raised the urgency for basic shelter provisions and urged authorities to open Bira TRC or other facilities.¹¹⁷ The Council of Ministers rejected the building of another centre in the Federation, insisting that the rest of the country (mainly Republika Srpska) should also take responsibility for shelter. So far there has been a reluctance both by RS and other cantons to burden share with USC and Sarajevo canton.¹¹⁸

Lipa was finally closed on 23 December 2020 by IOM after repeated failures by authorities to install water and electricity in a bid to winterise the shelter (i.e., adding thermal floor mats and insulations, hating stoves and fuel, and distributing blankets)¹¹⁹ or any of the basic services the local officials had assured would be provided.¹²⁰ As the camp was being closed and evacuated, it was set on fire.¹²¹

700 PEOPLE RETURNED TO THE BURNED DOWN CAMP, UNABLE TO USE THE FREEZING SHOWERS AND TOILETS. WHILE 500 PEOPLE JOINED THE SURROUNDING SQUATS, FORESTS AND SHIPPING CONTAINERS.

Residents were initially meant to be driven to other locations such as Bradina, south of Sarajevo, and nearby Bihać, but the plans were terminated, in part due to protests by local residents, many of whom highlighted the highly unsuitable standard of the buildings which lacked running water and other basic provisions. After a night on the buses people went back to the camp.¹²² 700 people returned to the burned down camp, unable to use the freezing showers and toilets, while 500 people joined the surrounding squats, forests and shipping containers.¹²³ NGOs warned that “frostbite, hypothermia and other severe health problems are already being reported by those stranded on location. Despite the efforts of humanitarian actions, their lives are at immediate risk.”¹²⁴

People were sustaining themselves only on “meagre food parcels provided by aid groups”, and large crowds formed at the water and distribution points organised by the Red Cross. The only way people could try to keep warm was by setting up open fires and used cardboard to avoid sleeping directly on the snow-covered soil.¹²⁵ There were protests as well as a

hunger strike which ended after a couple of days.¹²⁶ Some people made their way to Serbia and Sarajevo, while others tried to get into Bihać itself to get basic amenities like water and food but were oftentimes blocked from doing so.¹²⁷

EU officials lamented the existing situation as “completely unacceptable” and called on the BiH authorities to “work further on a longer-term solution, based on shared responsibility.”¹²⁸ The EU Special Representative to Bosnia and Herzegovina, Johann Sattler, along with the Austrian, Italian and German Ambassadors, held talks with Minister of Security, Selmo Cikotić, requesting for the building of Lipa as a long-term centre and the reopening of Bira while the work was being completed.¹²⁹

EU OFFICIALS LAMENTED THE EXISTING SITUATION AS “COMPLETELY UNACCEPTABLE” AND CALLED ON THE BIH AUTHORITIES TO “WORK FURTHER ON A LONGER-TERM SOLUTION, BASED ON SHARED RESPONSIBILITY”.

After a series of initial negotiations, the government agreed that work would be done to turn Lipa into a permanent accommodation centre by April, though this seems unlikely in the current political climate. A re-opening of Bira camp was supported by Bosnia’s Security Minister, the EU and the US Embassy,¹³⁰ as well as the Council of Ministers and Mustafa Ružnić, PM of the Una-Sana Canton on the 31 December.¹³¹ This plan nonetheless continues to face major resistance by many locals and the mayor of Bihać due to ‘security concerns.’¹³² The Mayor of Bihać Šuhret Fazlić has in the past stated that he does not “want them there” in relation to people on the move, and has staunchly opposed the relocations.¹³³ He has also claimed that he had not seen any of the EU funding and that they had been “effectively abandoned by the central government in Sarajevo.”¹³⁴

The EU Commission stated on the 3 January 2021 that despite ongoing negotiations, there was no decision to reopen Bira.¹³⁵ The military was called on to put down basic tents for those on camp premises, some thermally insulated and heatable while others are rudimentary and unsuitable for winter conditions.¹³⁶ 30 tents were set up close to the campsite, with a total capacity for 900 people. 750 migrants are residing in the tents but there were ongoing challenges with full winterisation of the site.¹³⁷ USC local government assured the camp would be connected to the electricity grid which would provide proper heating, hot water for showers and water for the toilets.¹³⁸

¹¹³ The Independent, [News article](#), Bosnia: hundreds of migrants evicted from UN-run camps, 30 September 2020;

¹¹⁴ Euronews, [News article](#), Makeshift camps grow outside Bosnian towns, 30 September 2020

¹¹⁵ The Guardian, [News article](#), Fire destroys migrant camp in Bosnia, 23 December 2020

¹¹⁶ CoE Commissioner for Human Rights, [Letter](#) to Chairman of the Council of Ministers and Minister for Security of BiH, 7 December 2020

¹¹⁷ European Commission, Bosnia and Herzegovina: [Statement](#) by High Representative/Vice President Josep Borrell, Commissioner for Home Affairs Ylva Johansson and Commissioner for Neighbourhood and Enlargement, Oliver Varhelyi, 21 December 2020

¹¹⁸ Balkan Insight, [News article](#), Bosnia succumbs to pressure to adapt tent camp for winter, 21 December 2020

¹¹⁹ BBC, [News article](#), Bosnia migrant camp closure leaves 1,400 in cold, 23 December 2020

¹²⁰ Balkan Insight, [News article](#), IOM closes migrant camp after Bosnia ignores warnings, 18 December 2020

¹²¹ DW, [News article](#), Fire at Bosnia migrant camp, authorities blame residents, 23 December 2020

¹²² Klix, [News article](#), Humanitarne organizacije o migrantskoj krizi u Krajini, 30 December 2020

¹²³ The Guardian, [News article](#), Fire destroys migrant camp in Bosnia, 23 December 2020

¹²⁴ Save the Children, [Joint Statement](#), 26 December 2020

¹²⁵ Al Jazeera, [News article](#), ‘We will die’: Hundreds of refugees freezing in Bosnia camp, 26 December 2020

¹²⁶ Dunya Collective, [Tweet](#), 4 January 2021

¹²⁷ No Name Kitchen, [Tweet](#), 25 December 2020

¹²⁸ European External Action Service, [Statement](#) by the High Representative Josep Borrell on the migrant situation in Una Sana Canton, 31 December 2020

¹²⁹ InfoMigrants, [News article](#), EU officials call for humane conditions for migrants at Bosnian camps, 4 January 2021

¹³⁰ Balkan Insight, [News article](#), After camp fire, Migrants and Refugees in Bosnia fend for themselves, 24 December 2020

¹³¹ [Statement](#) by Ylva Johansson, EU Commissioner for Home Affairs on migrant winter shelter crisis in Lipa, 31 December 2020

¹³² Klix, [News article](#), Suhret Fazlić o povratku migranata u Biru: To je glupa odluka i ja je neću provesti, 31 December 2020

¹³³ The New York Times, [News article](#), Hundreds of migrants stranded in freezing weather in Bosnia, 31 December 2020

¹³⁴ DW, [News article](#), Refugees stuck in hopeless situation at EU border, 10 January 2021

¹³⁵ European Commission, [Press Release](#), 3 January 2021

¹³⁶ Euronews, [News article](#), Around 850 being moved to heated tents amid freezing conditions in Lipa camp, 9 January 2021

¹³⁷ RFERL, [News article](#), NGOs call for long-term solutions, 12 January 2021

¹³⁸ Euronews, [News article](#), Around 850 being moved to heated tents amid freezing conditions in Lipa camp, 9 January 2021

The site is being managed by the Bosnian Service for Foreigners Affairs, which is part of the Ministry of Security.¹³⁹ A government official explained, in winter 2021, that no relocation will likely take place, but that additional tents would be provided, eventually to be placed by containers, as a short-term housing solution.¹⁴⁰

IN JANUARY 2021 BOSNIAN SECURITY MINISTER SELMO CIKOTIĆ SPOKE OF A COORDINATED MECHANISM TO MANAGE THE CRISIS, AS IT WAS BECOMING A SERIOUS POLITICAL CRISIS

Upon his visit to the site in January 2021 Bosnian Security Minister Selmo Cikotić spoke of a coordinated mechanism to manage the crisis, as it was becoming a serious political crisis,¹⁴¹ acknowledging a lack of solidarity and universal values but that there was no effective mechanism to bridge the resistance by cantonal authorities, and that force would not be used to enforce a new accommodation centre.¹⁴² High Representative/Vice President Josep Borrell has already made it clear that a failure to meet demands would “have consequences”, including to the prospects of accession to the EU.¹⁴³

Zoran Tegeltija, the Chair of the Council of Ministers, similarly echoed this statement in asking for more support by the EU in managing the situation beyond financial support. He claimed that once the work on Lipa was done everyone would have accommodation and that the Council of Ministers would try to forge a compromise between the two main entities, out of which RS predictably rejected any responsibility to provide shelter.¹⁴⁴



Photo credit: Tessa Kraan

As of mid-February 2021, work was being done on clearing of the old site for a new temporary centre. It remained unclear, however, what kind of reception conditions and capacity could be expected and how previous issues in Lipa would be circumvented. IOM stated that talks have been held on “capacity building initiatives with the aim to handover management and full responsibility of the migration response to the State.”¹⁴⁵

At the time of writing (March 2021) there is no electricity and stable water supply, drinking water is being transported on tank trucks. The provided heaters are not sufficiently effective in retaining heat. The Red Cross bring around food once a day, for which people to stay in line for hours, exposed to the elements. The few chemical toilets are affected by the freezing temperature which frequently makes them unusable.¹⁴⁶ Caritas announced that construction work is progressing in Lipa on a heated canteen where two hot meals a day would be distributed to 600 people. As the capacity in the military tents is for 900 people, many hundreds of others are still residing in makeshift shelters in the forest or in abandoned buildings where living conditions continue to be disastrous. Organisations furthermore report an alarming health situation, with high numbers of cases of scabies, hypothermia and illnesses caused by exposure to freezing temperatures.¹⁴⁷

Various EU officials frequented the area in the aftermath of the Lipa crisis. The Council of Europe Special Representative for Migration and Refugees, Drahošlav Štefánek visited at the end of January 2021, attempting to convince local authorities to re-open Bira with no success.¹⁴⁸ A group of Italian MEPs from Italy’s Democratic Party accused Croatia of not letting them visit the border region to BiH to investigate the conditions, with the Croatian police refusing them access to a border point. This has been denied by the Croatian Interior Minister.¹⁴⁹ Ylva Johansson paid a visit to the camp on 18 February 2021, during which she stated that migration is “one of the 14 priority areas that need to be addressed to have a future together with the European Union.”¹⁵⁰

ABOUT 2,500 PEOPLE WERE STILL FINDING THEMSELVES WITHOUT ANY BASIC SHELTER SECURITY IN THE COUNTRY AT THE TIME OF WRITING.

Subsequently, on 24 February 2021, it was reported that police in USC had relocated a few hundred individuals from two of the main abandoned buildings in Bihać to Lipa which were used for shelter.¹⁵¹ The reasons stated for the transfer were to provide better living conditions, but it remained unclear how this would be provided considering that the Lipa tents, could only house 900 people and were at near capacity. A journalist based locally reported that press was denied access, and that many people were already walking back from Lipa to Bihać due to lack of space.¹⁵² About 2,500 people were still finding themselves without any basic shelter security in the country at the time of writing.¹⁵³

¹³⁹ Human Rights Watch, [Statement](#), Bosnia and Herzegovina: Migrants left in the cold, 21 January 2021

¹⁴⁰ Al Jazeera, [News article](#), A refugee crisis brews in Bosnia’s bitter winter, 13 January 2021

¹⁴¹ Ansaned, [News article](#), Migrants: Bosnia, EU diplomats visit Lipa camp, 14 January 2021

¹⁴² The New York Times, [News article](#), Many migrants still stranded in Bosnia as freezing cold sets in, 14 January 2021

¹⁴³ RFERL, [News article](#), NGOs call for long-term solutions, 12 January 2021

¹⁴⁴ InfoMigrants, [News article](#), ‘We can’t make it on our own’ Bosnian premier says, 19 January 2021

¹⁴⁵ IOM, [Situation Report](#), 29 January–4 February 2021

¹⁴⁶ IPSIA, [News article](#), Emergenza Bosnia – I nuovi interventi per i migranti di Lipa, 12 February 2021

¹⁴⁷ IBNA, [News article](#), BiH: Caritas builds new canteen for migrants in Lipa camp, 15 February 2021

¹⁴⁸ InfoMigrants, [News Article](#), Council of Europe representative for refugees visits Bosnia, 27 January 2021

¹⁴⁹ Al Jazeera, [News article](#), Croatia police ‘blocked’ MEPs investigating treatment of refugees, 1 February 2021

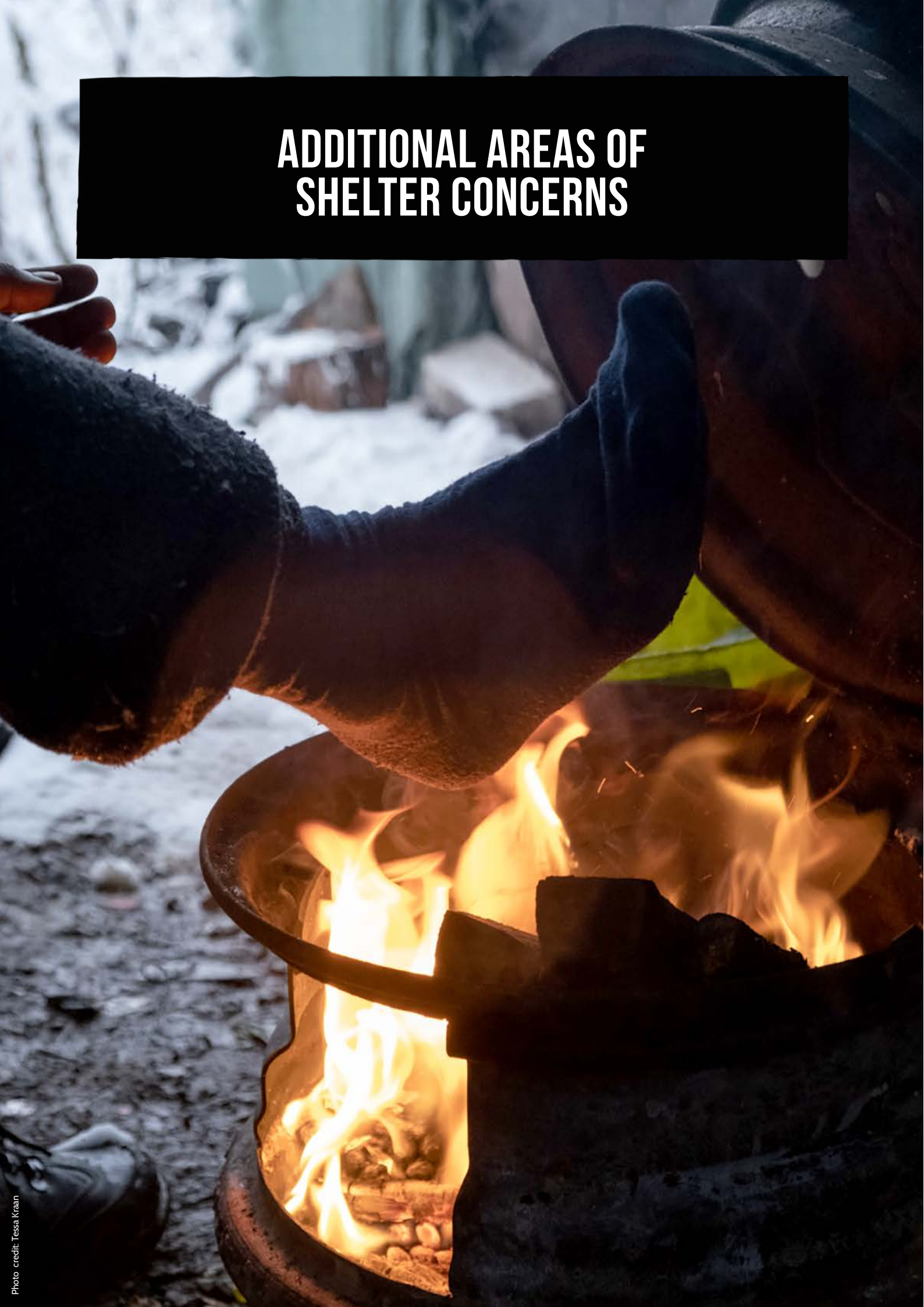
¹⁵⁰ Reuters, [News article](#), EU Commissioner tells Bosnia to manage migration better, 18 February 2021

¹⁵¹ IBNA, [News article](#), BiH: Police relocates migrants from Bihać centre to Lipa camp, 24 February 2021

¹⁵² Franziska Grillmeier, [Twitter post](#), 24 February 2021

¹⁵³ Amnesty International, [News](#), Bosnia and Herzegovina: Long-term solutions needed to end recurring humanitarian crisis, 12 January 2021

ADDITIONAL AREAS OF SHELTER CONCERNS



CHILDREN, FAMILIES AND VULNERABLE GROUPS

As of February 2021, there were 500 unaccompanied and separated minors (UASCs) in TRCs in the country. In this context, Save the Children reported a fluctuating number of about 50 displaced children were sleeping rough across the country,¹⁵⁴ left without any official support and residing in squats, abandoned buildings, or in private residencies where they were lacking adult supervision and were at high risk of abuse.¹⁵⁵

Centres such as Borići, Sedra, Bira, and Salakovac accommodate families and vulnerable cases, however the need for expanded protection and shelter appropriate for vulnerable groups remained throughout 2020. Services during the first wave of Covid-19 have notably been insufficient in meeting the needs of UASCs and establishing appropriate safeguarding.¹⁵⁶ In a submission made by RRE to the United Nations Committee on Economic, Social and Cultural Rights (CESCR) in September 2020, it was noted that designated zones for UASCs had been built out in TRC Miral yet UASCs were still very often housed with single men.¹⁵⁷ The number of UASC is high in Sarajevo Canton, with 200 registered in TRC Usivak in August 2020.¹⁵⁸

“THERE IS A LACK OF APPROPRIATE ALTERNATIVE HOUSING PROVIDED BY THE STATE FOR UNACCOMPANIED OR SEPARATED CHILDREN AND VICTIMS OF ABUSE AND EXPLOITATION”.

– SPECIAL RAPPORTEUR, UN

Systematic gaps were also echoed by the UN Special Rapporteur on the human rights of migrants, from his visit in 2019. Apart from the few placed in low-capacity safe houses, he concluded “there is a lack of appropriate alternative housing provided by the State for unaccompanied or separated children and victims of abuse and exploitation”. The lack of ‘family-based care’ alternatives for children, e.g., community-based and foster care, was also observed. There are many recorded cases of SGBV in camps where the victim cannot be separated due to a lack of safe houses.¹⁵⁹

Some transfers have taken place to a safe house run by Zene sa Une, a UNHCR partner.¹⁶⁰ It should be noted here, however, that Zene sa Une is far from the only organisation in Bosnia running a shelter. In fact, over the years, capacities for supporting survivors of SGBV during the war have been built up, with many organisations operating on this issue and that of trafficking in human beings. It therefore appears as a missed

opportunity that the UNHCR and IOM do not appear to engage them in the context of migration, given that many of them have more than 20 years of experience.¹⁶¹

In Sarajevo, one of the interviewed organisations estimated that approximately one in ten people whom they had worked with during the summer of 2020 were UASCs; all of whom they have been attempting to refer to appropriate services. They also came across about 25 LGBTQ+ individuals in total, a group which nationally lacks specialised facilities or safe accommodation. Some groups, including individual activists, improved their outreach to vulnerable populations; nonetheless, long term and appropriate accommodation for UASCs and other vulnerable categories need to improve substantially. In Sarajevo and Tuzla there are no safe houses for SGBV survivors, or separate provisions for other vulnerable groups such as the UASCs or LGBTQ+.¹⁶²

ABOUT 3-4% OF THE 3,000 PEOPLE LIVING IN INSECURE ACCOMMODATION WERE UASCs, NOTING HOWEVER THAT THE REAL NUMBER MIGHT BE HIGHER, ESPECIALLY IN LARGER SQUATS.

In an assessment carried out by the DRC in October 2020, it was reported that a lack of access to reception centres and registration was not only a challenge for single men, but also increasingly an issue for unregistered families in USC. Typically, families with children are not residing outside reception centres for long, however an increase was noted due to overcapacity in centres in Sarajevo Canton. More families were registered at disembarkation points and squats in Una Sana Canton. They also estimated that about 3-4% of the 3,000 people living in insecure accommodation were UASCs, noting however that the real number might be higher, especially in larger squats.¹⁶³

IFRC similarly showed larger numbers of families at entry points of Una Sana Canton at the end of the year, including pregnant women. When there are available spaces in the family TRCs, they are transferred by IOM teams but in cases of full capacity authorities do not allow entry. As a consequence, these people needed to stay at checkpoints for longer without warm clothes, basic shelter, adequate food provisions and first aid materials for treating scabies and wounds from walking. In October they similarly reported an increase of families with children on the move and staying outside of TRCs.¹⁶⁴

A local activist and subject matter expert reported that families, in particular from Afghanistan, started arriving following the fire in Moria camp in Lesvos, Greece. It was reported that around 200 people arrived in a single night; most of whom ended up in the border area, in Bojna, where they would stay in old houses, supported by local people, but also under constant attacks and subjected to harassment by the police and local vigilante groups.¹⁶⁵

¹⁵⁴ Save the Children, [Press Release](#), 21 January 2021

¹⁵⁵ Ibid.

¹⁵⁶ UN BiH, [Monthly Situation Report](#), April 2020

¹⁵⁷ Ibid.

¹⁵⁸ UN BiH, [Monthly Situation Report](#), June 2020

¹⁵⁹ OHCHR, [Visit to BiH, Report of the Special Rapporteur](#) on the human rights of migrants, Human Rights Council 44th session, 12 May 2020

¹⁶⁰ UN BiH, [Monthly Situation Report](#), June 2020

¹⁶¹ Information provided via email by a local subject matter expert.

¹⁶² Data collated using a semi-open questionnaire, on 21 August 2020

¹⁶³ DRC, [Rapid needs assessment](#) - Outreach response, September 2020

¹⁶⁴ IFRC, [Revised emergency appeal report](#), December 2020

¹⁶⁵ Email conversation with commentator in BiH, February 2021

ADVERSE IMPACT ON ACCESS TO ASYLUM

Beyond the most immediate purpose of accommodation as physical shelter, the accommodation situation is also a determining factor in whether people can start and sustain their asylum procedure. As noted in a recent RRE report,¹⁶⁶ accommodation is the main obstacle for people to fulfil the legal obligation to find and register an official address within 14 days as required by the Law on Asylum, in order to request asylum in one of the offices within the Service for Foreigners' Affairs (SFA), which operates under the Ministry of Security.¹⁶⁷

A SIGNIFICANT NUMBER OF PEOPLE (INCLUDING THOSE IN CENTRES) ARE BECOMING PEOPLE WITHOUT PAPERS AND WITHOUT REGULATED STAY, AND AS SUCH ARE OFTEN CRIMINALISED AS 'ILLEGAL MIGRANTS'.

The UN Special Rapporteur on the Human Rights of Migrants has in the past warned that 14 days is “a very short period for asylum seekers to submit formally a claim considering that the Ministry of Security has not allocated sufficient resources to process registration during mass influx.”¹⁶⁸ Many people fail to find an address, which then leads to their police paper (issued at the initial registration) to expire. Getting it re-issued is highly challenging, firstly due to the reluctance of the SFA to do so, and secondly because the law is not clear on their obligations which

allows for continued institutional inaction on this issue. As a result, a significant number of people (including those in centres) are becoming people without papers and without regulated stay, and as such are often criminalised as ‘illegal migrants’.¹⁶⁹

WITH THE LACKING REFERRAL MECHANISMS, MORE CHILDREN ARE EXPECTED TO SLIP THROUGH THE CRACKS OF THE SYSTEM.

Unaccompanied children who are unable to provide an official address and register, cannot gain access to a legal guardian and other protection services; a situation no child should face regardless of their accommodation situation. This will become an even bigger barrier with the recent closures of TRCs in USC, where many unaccompanied children will choose to stay due to the proximity to the Croatian border. With the lacking referral mechanisms, more children are expected to slip through the cracks of the system. Save the Children have therefore called on the authorities to “ensure immediate official registration, referral and accommodation for all children, including unaccompanied children.” They added that “registration is an essential first step in providing protection to the most vulnerable and it cannot depend on available reception capacities. All children, including those without their caregivers, have the right to be safe, and be protected.”¹⁷⁰



Photo credit: Chiara Fabbro

¹⁶⁶ Refugee Rights Europe, [Report](#), Limits to access to asylum along the Balkan route, July 2020

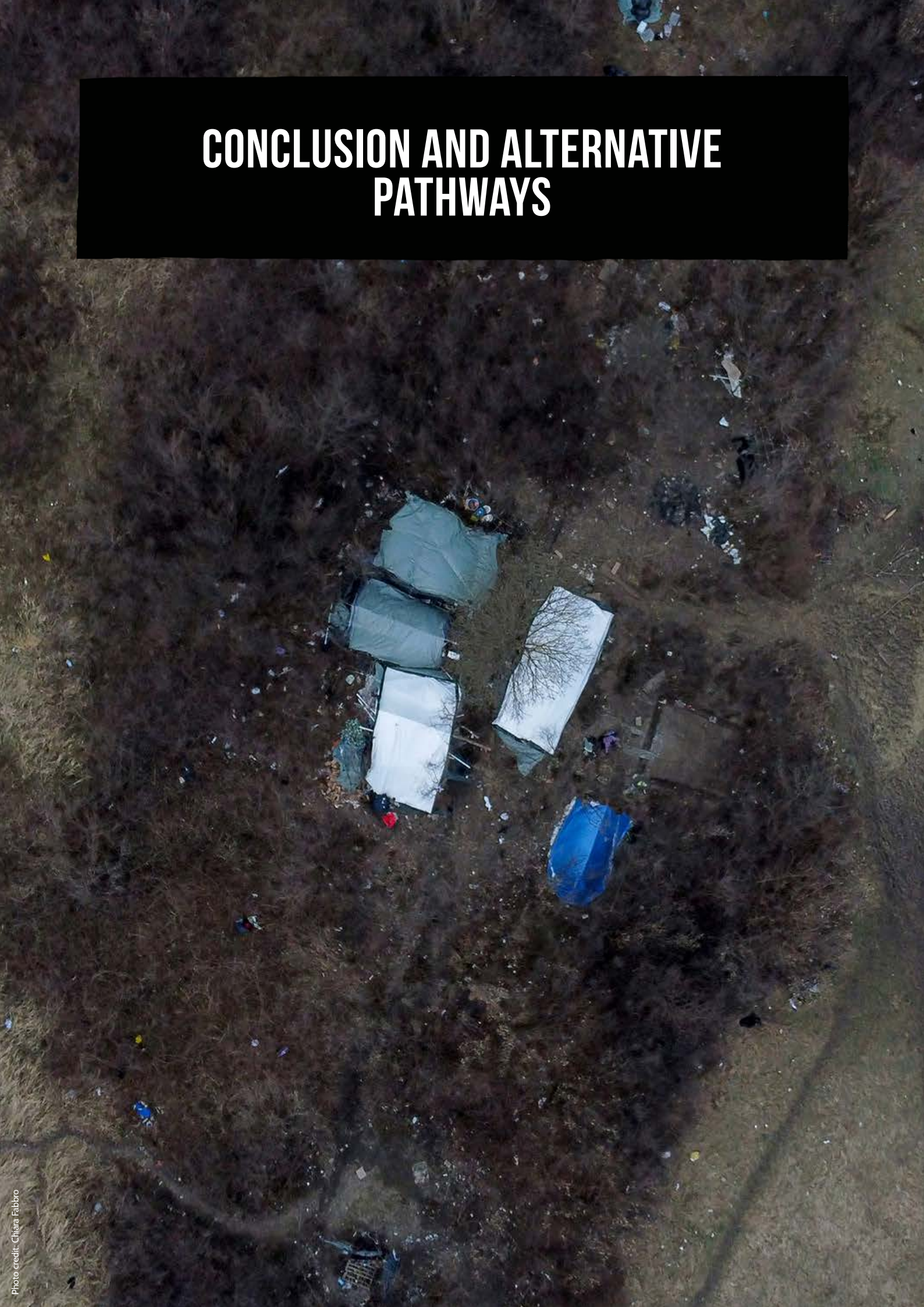
¹⁶⁷ Bosnia and Herzegovina: [Law on asylum](#), Number 11/2016, 19 February 2016

¹⁶⁸ OHCHR, End of visit [statement](#) of the UN Special Rapporteur on the human rights of migrants, Felipe Gonzalez Morales, 1 October 2019

¹⁶⁹ European Commission, Bosnia and Herzegovina [2020 Report](#), Communication of EU enlargement policy, 6 October 2020

¹⁷⁰ Save the Children, [Press Release](#), 21 January 2021

CONCLUSION AND ALTERNATIVE PATHWAYS



What we are seeing transpire in BiH is intrinsically linked to EU's migration and asylum policy, which is led by external border protection and responsibility shifting in regard to protection of people on the move. What is desperately needed is concrete actions and solidarity on the part of EU member states in establishing safe and regular pathways to Europe.

Though sorely needed, solely providing emergency funding is an insufficient solution, as is the heavy earmarking of major funding for border management related activities instead of capacity building for a better functioning humanitarian response and the necessary political, institutional, legal and other key areas of reform as part of the EU pre-accession process.

A MORE SYSTEMIC, COORDINATED AND SUSTAINABLE ASYLUM SYSTEM AND HUMANITARIAN RESPONSE UNDERTAKEN BY ALL ACTORS RESPONSIBLE FOR SHELTER PROVISION IN BiH IS ESSENTIAL.

Furthermore, a more systemic, coordinated and sustainable asylum system and humanitarian response undertaken by all actors responsible for shelter provision in BiH is essential to prevent the ongoing suffering of people on the move who pay the price for the existing politicised and piecemeal practices. EU's calls on Bosnia-Herzegovina to "not play politics" with the lives of people on the move is reasonable. Furthermore, BiH must comply with its international obligations, the EU acquis and enforce its own laws, including taking full responsibility for securing and managing accommodation, protection of people in need and developing an effective asylum system.

The EU however has an important role to play by supporting BiH to take on a more central role and develop a more vigorous institutional response to the situation, including between central government and the entity and cantonal levels, with clear expectations. This requires a shift from the existing crisis management approach of the EU towards one based on sustainability and long-term strategy, something which unfortunately is

likely to remain a challenge, in particular with the introduction of the new EU Migration and Asylum Pact which is reinforcing the current migration management strategy of externalisation to the external borders of the EU. It also requires a system of funding which does not exclude state bodies and is solely managed by international organisations, most notably the IOM. This is essential for the government to fulfil their obligations in line with national and supra-national obligations.

EU MEMBER STATES HAVE FOR YEARS UNLAWFULLY PREVENTED DISPLACED INDIVIDUALS FROM ENTERING THEIR TERRITORY AND FORCIBLY RETURNED THEM TO NEIGHBOURING OR THIRD COUNTRIES.

Essentially, the EU member states have for years unlawfully prevented displaced individuals from entering their territory and forcibly returned them to neighbouring or third countries, in violation of the right to seek asylum and the principle of non-refoulement. The EU institutions contribute to these 'pushbacks', firstly by continuously failing to hold Member States accountable for them. Secondly, by financially, operationally, and politically supporting third states who perpetrate human rights violations to stop individuals from reaching EU territory. EU has to take resolute action to stop pushbacks and end impunity, both in respect of their legal obligations, but also in order to be able to credibly hold prospective EU member states such as Bosnia-Herzegovina to account in relation to their own obligations to fundamental and human rights etc.

The political stalemate and blame game among key actors can furthermore only be improved by delineating clearer responsibilities against which all actors can be held to account. For International organisations like IOM that were granted an exceptionally extensive responsibility in the provision of shelter provision for people on the move and the management of migration situation overall, their democratic legitimacy, accountability and ability to ensure proper reception conditions needs to be scrutinised and improved, both in relation to the citizens of Bosnia and Herzegovina and the wider civil society.



Photo credit: Chiara Fabbro



Photo credit: Tessa Kraan



WWW.REFUGEE-RIGHTS.EU

| INFO@REFUGEE-RIGHTS.EU

| [@REFUGEE_RE](https://www.instagram.com/REFUGEE_RE)