



**REFUGEE RIGHTS
EUROPE**

NEW PACT ON MIGRATION AND ASYLUM

**PERSPECTIVES FROM THE 'OTHER SIDE'
OF THE EU BORDERS**

REPORT AUTHOR

Nidžara Ahmetašević

PHOTO CREDITS

Tessa Kraan
Abdul Saboor

GRAPHIC DESIGN

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

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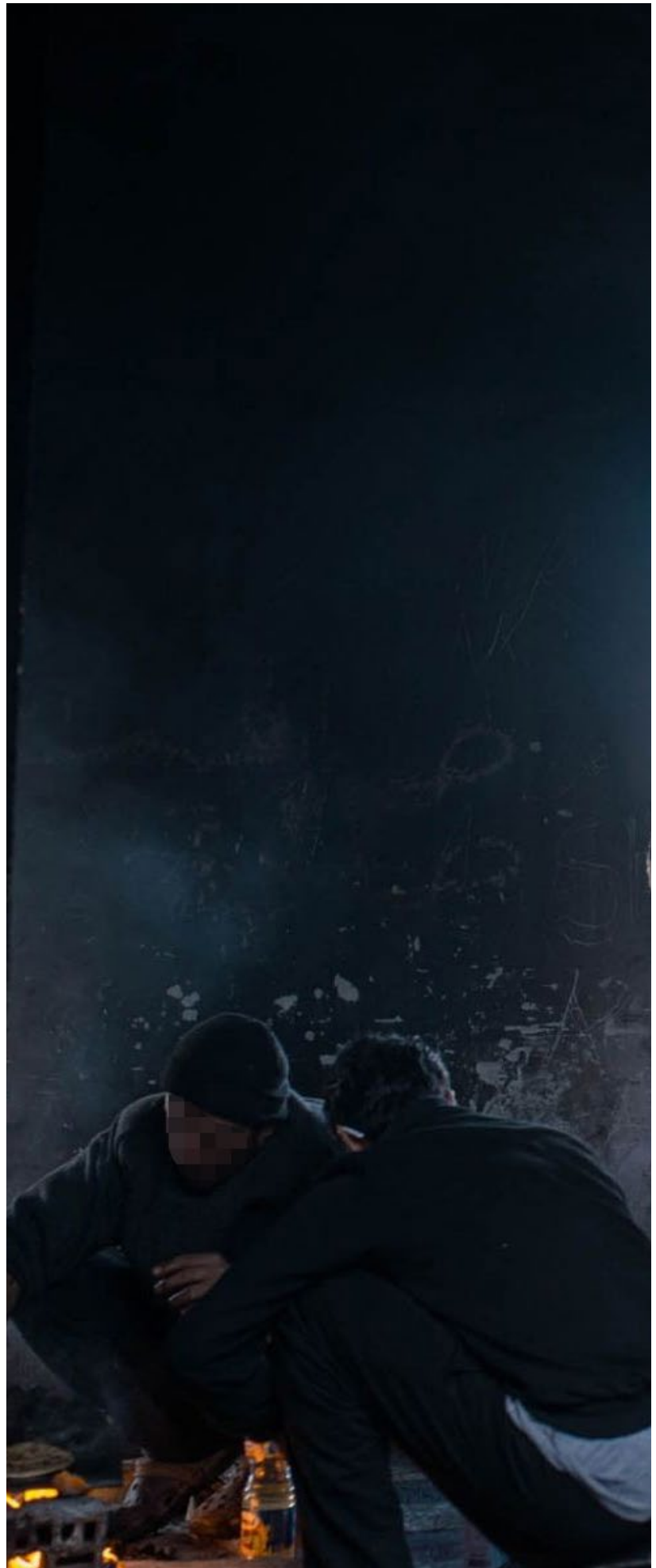


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HUNGARY

SLOVENIA

CROATIA

ROMANIA

BOSNIA & HERZEGOVINA

SERBIA

ITALY

MONTENEGRO

KOSOVO

BULGARIA

MAP OF THE BALKAN REGION



SCHENGEN COUNTRIES



NON-SCHENGEN COUNTRIES

NORTH MACEDONIA

ALBANIA

GREECE

**“RESPECT FOR HUMAN DIGNITY, FREEDOM,
EQUALITY, RULE OF LAW, HUMAN RIGHTS
— THESE VALUES ARE AT THE CORE OF
OUR EUROPEAN UNION. WE MUST LIVE BY
THESE VALUES, PROTECT AND DEFEND
THEM. THE EUROPEAN UNION MUST UPHOLD
THESE VALUES. OUR MEMBER STATES
MUST UPHOLD THESE VALUES. COUNTRIES
SEEKING TO JOIN US, MUST UPHOLD THESE
VALUES, TOO. AS MUST OUR AGENCIES.”**

— COMMISSIONER YLVA JOHANSSON¹



INTRODUCTION

AT THE END OF SEPTEMBER 2020, AND AFTER CAMP MORIA ON LESVOS BURNED DOWN LEAVING OVER 13,000 PEOPLE IN AN EVEN MORE PRECARIOUS SITUATION THAN THEY WERE BEFORE, THE EUROPEAN COMMISSION (EC) INTRODUCED A PROPOSAL FOR THE NEW PACT ON MIGRATION AND ASYLUM.

While presenting it to the public, commissioner Ylva Johansson described it as “clear, fair and faster border procedures, so that people do not have to wait in limbo. It means enhanced cooperation with third countries for fast returns, more legal pathways and strong actions to fight human smugglers. Fundamentally it protects the right to seek asylum,” she said.²

For the EC,³ this Pact is “a fresh start” for the migration and asylum policies in member states, and it aims to “rebuild trust” inside of the EU and bring about “a change of paradigm” in cooperation with non-EU countries. Margaritis Schinas, the Commissioner for Promoting the European Way of Life, outlined ECs priorities in relation to the Pact as the following three areas:

- the external dimension, in other words relations with countries of origin and transit
- the management of external borders
- fair internal rules and solidarity

The New Pact is in fact a set of five legislative proposals for member states, which are currently being reviewed by the European Parliament. However, so far, the proposal was not met with big enthusiasm by neither member states or human rights organisations. Dr. Francois Gemenne, director of the Hugo Observatory, an interdisciplinary research centre which focuses on how environmental factors and climate change impact migration, described the proposal as a “*compromise between cowardice and xenophobia*.”⁴ Eve Geddie, Amnesty International’s EU Advocacy Director, said that while the Pact is pitched as a fresh start, “*in reality, it is designed to heighten walls and strengthen fences. Rather than offering any new approach to facilitate bringing people to safety, this appears to be an attempt to rebrand a system which has been failing for years, with dire consequences*”⁵.

As RRE stated in reaction to the pact proposal, any remaining glimmers of hope for a more humane European approach to asylum and migration faded with the publication of the Pact:

“In its current form, it is likely to replicate and exacerbate displaced people’s suffering on our doorstep and across Europe. Tragically, the Commission’s approach is deeply misguided; as the past years have undoubtedly proven, it is wrong to believe that the women, men and children fleeing their homelands to reach Europe will be deterred by the prospect of drowning at sea, being detained upon arrival, or being deported swiftly. People in displacement embark on treacherous migration journeys because anything appears safer than staying where they are, not out of choice.”⁶



“PEOPLE IN DISPLACEMENT EMBARK ON TREACHEROUS MIGRATION JOURNEYS BECAUSE ANYTHING APPEARS SAFER THAN STAYING WHERE THEY ARE.”

— REFUGEE RIGHTS EUROPE

Photo Credit: Tessa Kraan

¹ https://ec.europa.eu/commission/commissioners/2019-2024/johansson/announcements/commissioner-johanssons-speech-european-parliament-plenary-humanitarian-situation-refugees-and_en

² https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1706

³ https://ec.europa.eu/info/strategy/priorities-2019-2024/promoting-our-european-way-of-life/new-pact-migration-and-asylum_en

⁴ https://twitter.com/Gemenne/status/1308700151075176450?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1308700151075176450%7Ctwgr%5E%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fwww.infomigrants.net%2Fen%2Fpost%2F27540%2Fmixed-reactions-to-new-eu-migration-pact

⁵ <https://www.amnesty.eu/news/eu-migration-pact-is-not-a-fresh-start-but-a-false-start>

⁶ <https://refugee-rights.eu/2020/09/28/new-pact-on-migration-an-exacerbation-of-past-failures-in-shiny-new-packaging>

WARNINGS FROM BRUSSELS

THE PACT DOES NOT EXPLICITLY MENTION THE BALKANS, AN AREA SITUATED BETWEEN EU COUNTRIES AND A REGION THAT IS CURRENTLY THE LOCATION OF ONE OF THE MAIN MIGRATION ROUTES IN EUROPE FOR PEOPLE ARRIVING FROM THE GLOBAL SOUTH WITH THE AIM OF REACHING NORTH AND WESTERN EUROPE.

Yet, that the region will have a significant role, or that the EU will demand the non-member states in the region to comply with their rules, can be recognised in statements made by Josep Borell, the High Representative of the Union for Foreign Affairs and Security Policy, to the government of Bosnia-Herzegovina in December last year. He reminded them about the promise of an EU membership, as well as the conditions they have to fulfil, making reference to the New Pact while calling on the authorities to “work on sustainable solutions”. Moreover, he noted that failing to do so “would have severe consequences for the reputation of Bosnia and Herzegovina”⁷.

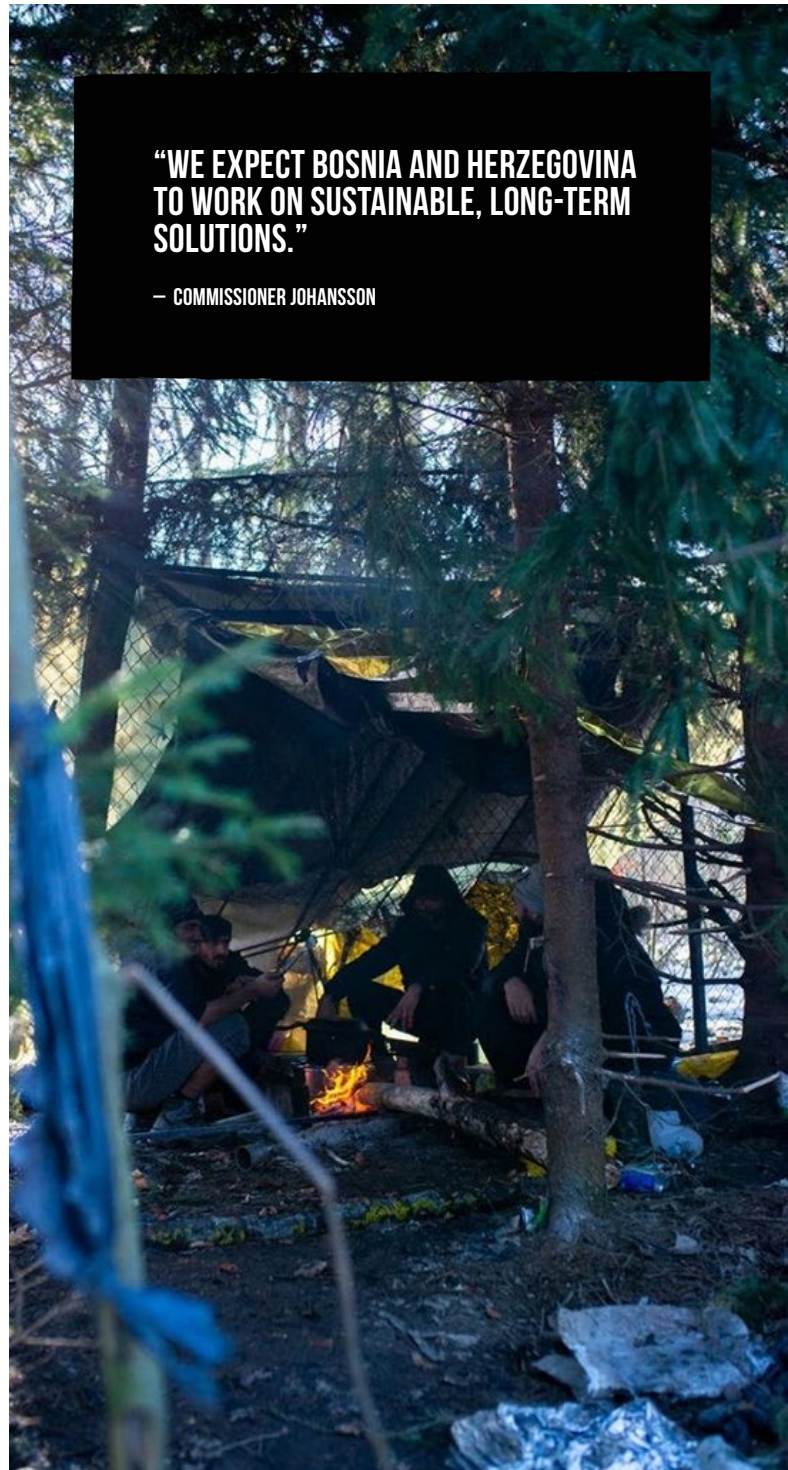
PEOPLE ARE PUSHED BACK FROM THE EU AT THE CROATIAN-BOSNIAN BORDER AND LEFT TO LIVE IN FORESTS AND CAMPS AND ACCOMMODATION CENTRES IN POOR CONDITIONS.

A similar message was relayed by Commissioner Johansson during the plenary in EP. She stressed that “as a country with the perspective of EU accession, we expect Bosnia and Herzegovina to work on sustainable, long-term solutions”⁸. Both Commissioners issued their statement in response to the situation of the increase of the number of displaced people entering the country since 2018, who are aiming to cross into the EU through Croatia. Most of them, are pushed back from the EU at the Croatian-Bosnian border and left in this area to live in forests and camps and accommodation centres in poor conditions. The situation particularly deteriorated at the end of December 2020, when the improvised camp Lipa, near Bihac, was burned down, leaving about 1000 people homeless. The EU put the blame for the current situation on local authorities.⁹

“WE EXPECT BOSNIA AND HERZEGOVINA TO WORK ON SUSTAINABLE, LONG-TERM SOLUTIONS.”

— COMMISSIONER JOHANSSON

Photo Credit: Tessa Kraan



⁷ <https://europa.ba/?p=71277>

⁸ https://ec.europa.eu/commission/commissioners/2019-2024/johansson/announcements/commissioner-johanssons-speech-european-parliament-plenary-humanitarian-situation-refugees-and_en

⁹ “The EU shifts the blame on the ethno-nationalist elites in BiH for ill and deprecating treatment of the people on the move (which we have already seen in relation to the concentration camp Lipa) in order to present itself (the EU) as “moral” and “ethical” in the eyes of its citizens (completely shifting the focus from closed borders and push factors for migrations that are caused by the EU colonial politics). In that sense, given that, at the moment, BiH is mainly “transit” country in between the EU countries we can expect that more and more people will be deciding to make Bosnia and Herzegovina their home country as it is going to be harder to go further to the West. The EU will continue giving the millions to pay off its bad conscious, but the money will most probably continue to be paid to the IOM and alike. And those will continue with the politics of concentration camps.” Gorana Mlinarevic, activist and scholar. Interview conducted in Sarajevo, January 2021.

Individuals and organisations who work on the ground with people on the move, see the proposal as yet another step toward fortification of the EU. Milica Švabi, a lawyer from Klikaktiv - Center for development and social policies Serbia, believes the region plays the role of the “guardian dogs” of the EU fortress¹⁰. Aigul Hakimova from InfoKolpa, a Slovenian collective working with people on the move, believes that the Pact is “a historical move towards a more closed system of refuge, which is also mirroring the current politics of the EU”.

“This politics cannot confront the rise of populism; politics that are closed inside of the nationally framed politics, anti-EU campaigns, rehabilitation of older border regimes, challenging and displaying power with threats to close internal borders of the EU, etc”, Hakimova concludes¹¹.

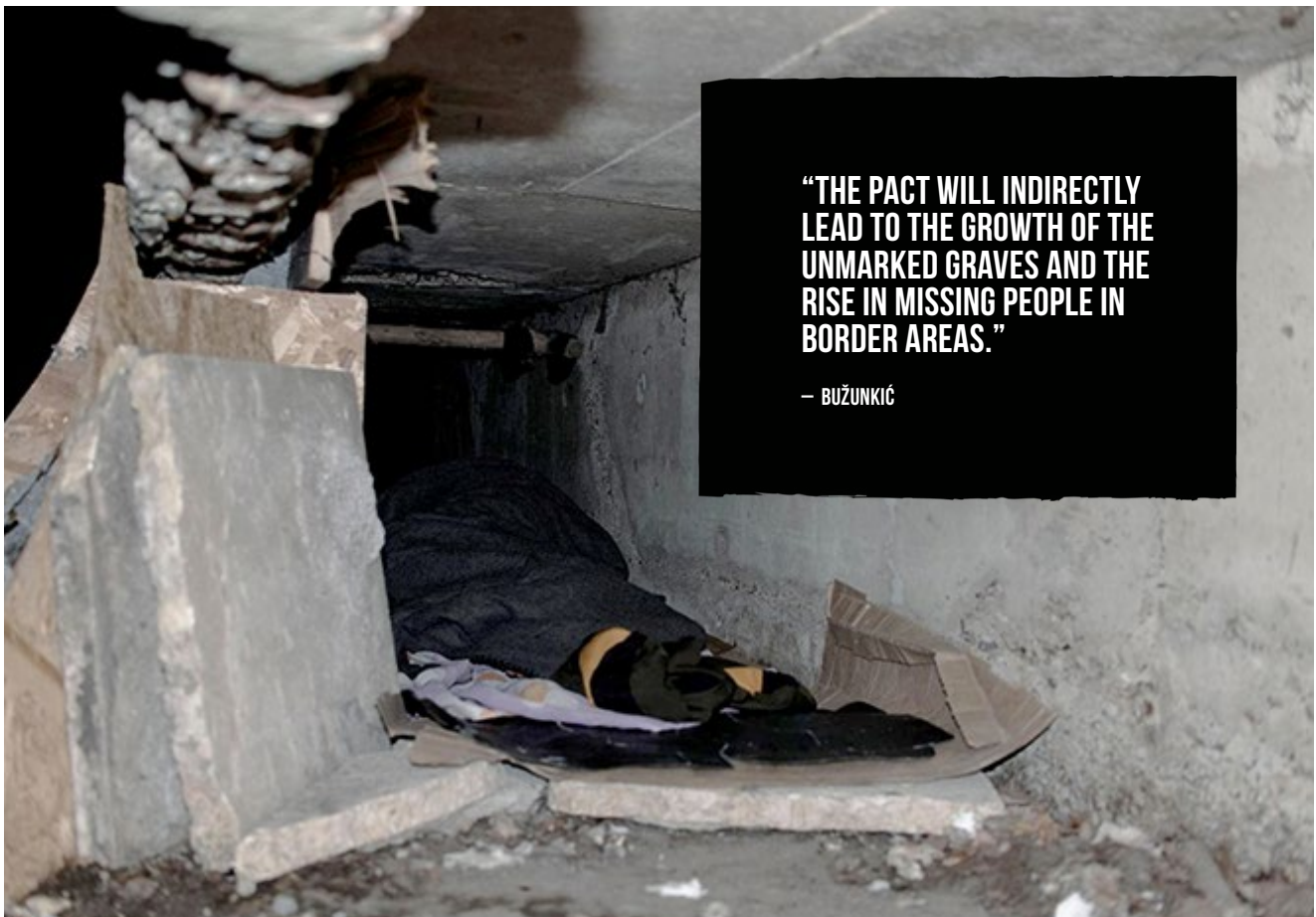
THE NEW PACT PLACES MORE EMPHASIS ON THE PROCESS OF SENDING PEOPLE BACK TO THEIR COUNTRIES OF ORIGIN, THAN ON INTEGRATION IN COUNTRIES OF ARRIVAL.

Emina Bužinkić, an independent scholar and activist from Croatia, as well as member of the TransBalkan Solidarity Network, in her interview with Croatian-based magazine Novosti, said that the new Pact places more emphasis on the process of sending people back to their countries of origin, than on integration in countries where people already are. In this context, she sees Croatia as a possible “morgue or a place that will be used for the selection of the people”.

“The Pact will indirectly lead to the growth of the unmarked graves and the rise in missing people in border areas because it will result with the increase in deaths on the route. Possibly, Croatia will be used as a place where many people will be screened, the procedure that will require careful monitoring due to the possible discriminatory approach,” Bužunkić said.¹²

TWO KEY CONCLUSIONS OF THE RESEARCH IS THAT THE PUBLIC IN THE REGION IS LARGELY UNAWARE OF THE PROPOSAL, AND FURTHERMORE THAT NONE OF THE ACTIVE NGOS AND ACADEMICS WERE CONSULTED IN THE PROCESS OF ITS CREATION OR THE AFTERMATH OF ITS LAUNCH.

This report further explores the role of the Balkans in relation to the New Pact on Migration and Asylum. Even though the region is not mentioned in the proposal, being the main migration route since 2018 - after the Mediterranean route took so many lives and became too dangerous - the regions very important role in EU’s plans for the “migration management” of its external border cannot be ignored. For the purpose of this research, RRE surveyed the reactions of civil society, activists and scholars to the pact. Two key conclusions of the research is that the public in the region is largely unaware of the proposal, and furthermore that none of the active NGOs and academics were consulted in the process of its creation or the aftermath of its launch.



“THE PACT WILL INDIRECTLY LEAD TO THE GROWTH OF THE UNMARKED GRAVES AND THE RISE IN MISSING PEOPLE IN BORDER AREAS.”

— BUŽUNKIĆ

Photo Credit: Tessa Kraan

¹⁰ Email interview, November 2020

¹¹ Email interview conducted in December 2020

¹² <https://www.portalnovosti.com/emina-buzinkic-hrvatska-ce-postati-probimnica?fbclid=IwAR2ah49QjNDZq6yPHY-xplrEvbDoOP8IXPF9MKgyLwNkxkIPIiDwVkoB57cs>

THE REGION IN-BETWEEN EU BORDERS

AT THE END OF 2020, NEARLY 17,000 PEOPLE ON THE ROUTE WERE PRESENT IN THE BALKANS, ACCORDING TO THE OFFICIAL DATA.¹³

Most of them were stuck in the region against their will, prevented from continuing their journey with strict border controls, violence and pushbacks. During the year, the Border Violence Monitoring Network (BVMN) reported on, through direct contacts, 707 people who were in different ways affected by the pushbacks¹⁴.

While the people were stuck in the region, in the freezing cold, often with no basic care and shelter, EU, major international organisations, and local governments were shifting the blame between one another for the human misery. At the same time, civil society was trying to draw attention to the fact that the all the actors are equally responsible, and that focus ought to shift on urgent actions instead of blame politics.¹⁵ This human and political catastrophe has been brewing for years, and finally reached its peak at the end of the 2020, just two months after Commissioner Johansson introduced the proposal for the New Pact, promising that “no more Morias” will happen on the European soil.¹⁶ Yet, on 19 January 2021, during the European Parliament plenary on the humanitarian situation of refugees and migrants at the EU’s external borders, several speakers reminded that Moria still exists, but that new Morias are created in the

Balkans, referring in the first place to the improvised camp Lipa where at the beginning of the year, at least 900 people were left in cold and mud, with not basic living conditions, or freedom of movement.

EUROPE IS ENTERING A NEW PHASE IN WHICH THE ENTIRE REGION CAN BE TURNED INTO A BIG MORIA-LIKE HOT SPOT SCENARIO, WHERE HUMAN RIGHTS ARE SYSTEMATICALLY VIOLATED.

The catastrophic situation has led various commentators to believe that Europe is entering a new phase in which the entire region can be turned into a big Moria-like hot spot scenario, where human rights are systematically violated.¹⁷ This phase, in connection with the proposal, led many to say that important aspects of the Pact is already de facto put in place, while the measures are implemented in the field through the cooperation with different UN agencies and their partners, with the International Organisation for Migrations (IOM) as the lead partner for the EU. Perhaps the best example of this cooperation is Bosnia, a weak and dysfunctional state with almost non-existent rule of law,¹⁸ and in which the EU in June 2018 gave the task to the IOM to lead the process of “managing migrations”,¹⁹ seen by MEP Erik Marquardt, as “a euphemism for repelling refugees”.



Photo Credit: Tessa Kraan

¹³ https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR_SEE_Overview_MM_AS_20201231.pdf

¹⁴ <https://www.borderviolence.eu/balkan-region-report-december-2020>

¹⁵ In one of the petitions that were circulation on social networks at the end of 2020 and beginning of 2021, activist from Enough is Enough demanded concrete actions from those responsible. The groups, with the support of many others present in the field, primarily international volunteer and NGO, expressed their demands: Evacuation of the remaining 600 to 800 people in Lipa; Emergency relief measures: End the violence: Political pressure and legal action: Political solutions. <http://www.against-inhumanity.org/2021/01/09/enough-is-enough-europe-act-now/?fbclid=IwAR0pB9jI5bS4sHGGokL8svTACvviXzk2pLozVO-SB7s0lc2Fl33P29YoLY>

¹⁶ https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_search/hotspot-approach_en

¹⁷ See <https://helprefugees.org/news/the-eu-migration-pact-will-create-a-moria-2-0-europe-must-do-better>

¹⁸ “Evident signs of deterioration require urgent measures to strengthen the integrity and regain citizens’ trust in the judiciary, starting with a credible and rigorous system of verification of financial statements of judicial office holders. Obstructions to judicial reforms from political actors and from within the judiciary and the poor functioning of the judiciary undermine citizens’ enjoyment of rights and the fight against corruption and organised crime.” EC 2020 progress report for Bosnia and Herzegovina. https://ec.europa.eu/commission/presscorner/detail/en/country_20_1793

¹⁹ This role was given to the IOM by the EU in the summer of 2018, when Bosnia became the most active part of the Route. Faced with reports about dysfunctionality of the state, the EU made decision to direct all the donations through this organisations and its partners, while the Office of the EU Special Representative in Sarajevo instead of the government became the “supervisor”.

“When people talk about migration management, we often unfortunately mean nothing more than blocking safe migration routes and the rule of law. This is technocratic vocabulary to cover up the chaos and human rights violations on the borders. This language turns people into numbers and sweeps each individual story of flight completely under the rug, making it invisible. This dehumanising strategy helps EU governments to justify their political decisions to their electorates,” Marquard wrote²⁰.

Along this line, the Border Violence Monitoring Network (BVMN), which has been monitoring pushbacks from the EU for several years, describes “a system in which external borders will be fortified in the interest of accelerating decision-making processes for new arrivals into the block”.

In their policy paper issued as reaction to the proposal, BVMN is looking into mechanisms which they find could have the strongest effect on the Balkan – an independent border monitoring mechanism and pre-screening procedures.²¹

“The pre-screening procedure will hold all incoming third country nationals in de facto detention as they await health assessments, confirmation of identity and a first assessment of whether or not they require international protection in the EU, before being granted entry into the territory of any Member State (MS). This, coupled with a renewed commitment to accelerated returns, suggests that the stage has been set for a regime that continues to violate human rights guarantees as laid out in the 1951 Geneva Convention and the European Charter of Fundamental Rights,” the Group concludes in their policy paper.

THE CROSSING WILL BECOME MORE DIFFICULT, AND THOSE WHO ATTEMPT THE CROSSING, WILL IMMEDIATELY BE DETAINED, AND POSSIBLY SENT BACK.

Hope Barker from the BVMN explains further that, if the proposal is accepted in its current form, Croatia and Greece will become places of pre-screening procedures, in effect detention places, while the rest of the Balkans will have the role of a pre-triage, pre-screening area.²² In practice, people stuck in the region will be left in a terrible situation. The crossing will become more difficult, and those who attempt the crossing, will immediately be detained, and possibly sent back. Barker stresses that this is already happening, but with the Pact it will be formalised, and accepted as the way to “menage migrations”.

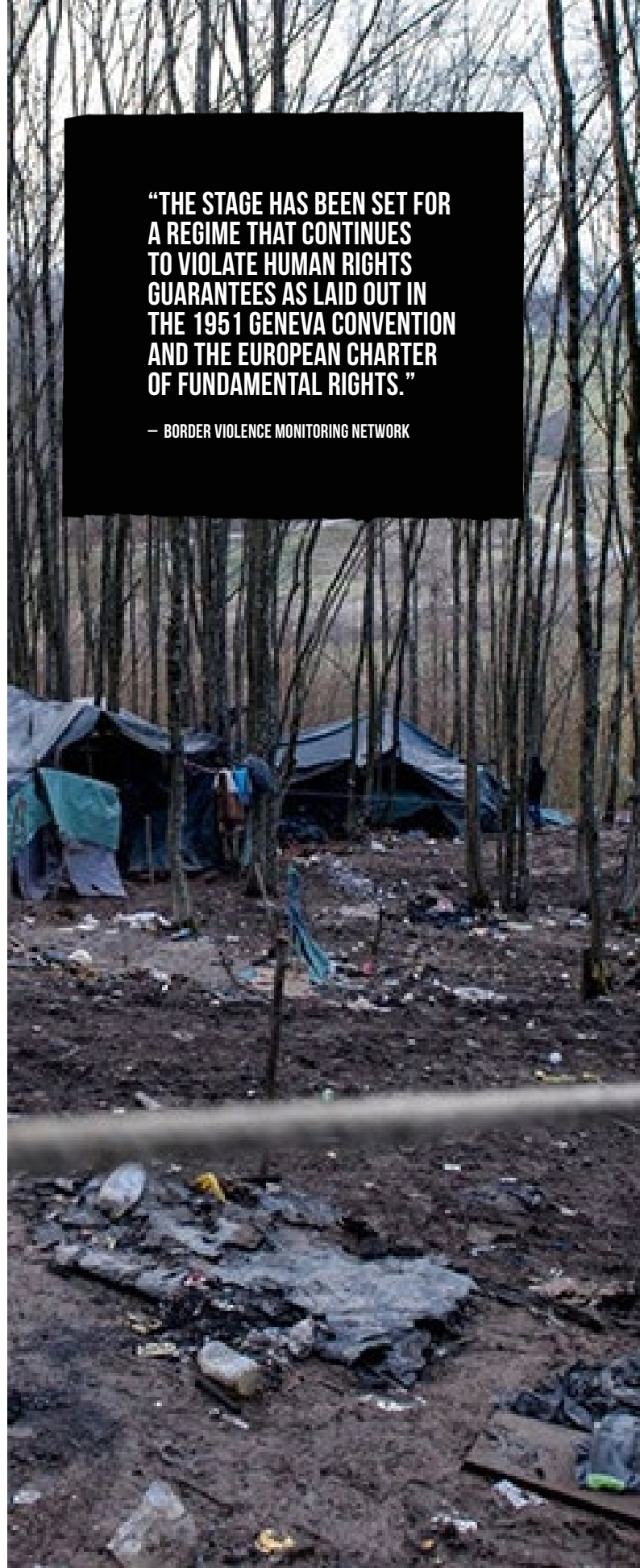


Photo Credit: Tessa Kraan

²⁰. <https://eu.boell.org/en/2020/10/12/erik-marquardt-mep-migration-management-has-become-euphemism-repelling-refugees>

²¹. <https://www.borderviolence.eu/wp-content/uploads/New-Pact-on-Migration-Policy-Analysis.pdf>

²². Whatsapp interview conducted in January 2021

SET OF DEMANDS FOR THE BALKANS

AT THE MOMENT, THE ENTIRE BALKAN REGION IS UNDER THE HUGE INFLUENCE OF THE EU, WHILE OFFICIALLY ALL THE COUNTRIES ARE STRIVING TO BECOME MEMBER STATES.²³

Countries are demanded to adjust their legislation to align with the EU, as well as their policies on key issues such as migration.²⁴ Yet, neither EU nor their partners, involved in discussions with local actors about the role of the region if the Pact is adopted. Gorana Mlinarević, Sarajevo based activist and scholar, believes that this is not done “because it is not in their interest”, referring to the EU and its partners.²⁵

That the region plays an important role for the EU when it comes to migration management, was readily observed in May 2020, when the EU leaders met with the Balkans representatives in Zagreb and adopted a declaration which concluded a need to cooperate “in addressing migration challenges, including combating migrant smuggling”, where a larger mandate would be given to Frontex, EASO, and Europol.²⁶ The year before in 2019, the same actors congregated in Vienna, adopting the statement with the title “Migration Challenges along the Eastern Mediterranean/WB Route.”²⁷ They agreed on further “operational cooperation and logistical support in the area of border protection and border management, such as the secondment of officers and the exchange of best practices and the organisation of joint patrols.” Additionally, it

was agreed that the EU will “intensify cooperation and provide concrete assistance on return and readmission policies and return operations”.

CMS ISSUED A STATEMENT AFTER THE PACT WAS INTRODUCED, AFFIRMING THAT EVEN THOUGH THE PROPOSED POLICES ARE PORTRAYED AS NEW BEGINNINGS, THEY ARE ACTUALLY AN ATTEMPT “TO DEEPEN AND LEGALISE PRACTICES OF HUMAN RIGHTS VIOLATIONS”.

Groups like Info Kolpa from Slovenia, or Center for Peace Studies (CMS) from Croatia - both part of the BVMN - are trying to clarify the role that will be given to the Balkans if the proposal is accepted in present form. CMS issued a statement after the Pact was introduced, affirming that even though the proposed polices are portrayed as new beginnings, they are actually an attempt “to deepen and legalise practices of human rights violations”. Furthermore, CMS states that, “instead of securing shared responsibility between member states”, the Pact could increase burdens on the states at EU’s external borders, including Croatia, “while breaking international law at the same time.”²⁸ For this organisation, the biggest danger stems from the possibility of the establishment of the so-called pre-screening centres.



Photo Credit: Abdul Saboor

²³ North Macedonia, Albania, Montenegro, Serbia, Kosovo, Bosnia and Herzegovina are hoping to becoming EU members. For more on the EU-Balkans see <https://www.europarl.europa.eu/factsheets/en/sheet/168/the-western-balkans>

²⁴ <https://www.rosalux.rs/en/dark-side-europeanisation>

²⁵ Email interview, Sarajevo January 2020

²⁶ <https://www.consilium.europa.eu/media/43776/zagreb-declaration-en-06052020.pdf>

²⁷ <https://www.statewatch.org/media/documents/news/2019/jun/eu-western-balkans-ministerial-conference-migration-statement-3-5-19.pdf>

²⁸ <https://www.cms.hr/en/novosti/solidarnost-na-papiru-figa-u-dzepu>

“THE PACT IS VERY VAGUE ON A LOT OF ISSUES, AND I AM AFRAID THAT IT MIGHT BE USED TO DO MORE WRONG THAN GOOD, NAMELY TO LEGALISE PUSHBACKS.”

— MIHA TURK

“As is predicted from the Pact, these centres should provide approximate evaluations of the potential success of pending applications for international protection, regardless of the details of individual cases, but mostly based on the country where the person is from, even though it is evident that basically none of the countries can be considered safe. The risk of breaches is obvious, as international law demands individual case evaluation so as to not endanger the life of the people by returning them,” the CMS concludes in their statement on the New Pact’

Additionally, BVMN as well as CMS find problematic the part of the proposed approach to the establishment of independent monitoring mechanisms over procedures carried out by police and other border actors in the asylum system. The proposal reads that the monitoring will be established by the states themselves. *“Nominally, we could find ourselves in the situation that the Ministry of the Interior would be its own watch-dog, and be responsible for the monitoring of its own work and actions, without any independent mechanism,”* the CMS believes.

THIS WOULD LEAD TO INTENSIFIED DIFFICULTIES ON THE GROUND, IN TERMS OF JOURNEYS BECOMING MORE DIFFICULT, POTENTIAL FOR TRAFFICKING IN HUMAN BEINGS, WHILE LOCAL GOVERNMENTS WILL BE PUT IN A POSITION OF JUST FOLLOWING THE RULES.

In Slovenia, currently the first Schengen country for those who are coming via Bosnia-Herzegovina and Croatia to the EU, civil society is trying to draw attention to the aforementioned topic and highlight potential future complications, but with limited success. Info Kolpa, a collective which has been working for years with people on the move in Slovenia, points toward the fact that, if one looks at the map of Europe, it is obvious that there is a significant pocket consisting of a few countries in the Balkans - Bosnia and Herzegovina, Serbia, Montenegro, Kosovo, Albania and the Republic of North Macedonia; a pocket where we could potentially see important complications following the entry of additional

states into the Schengen area. *“if we imagine that Croatia, Romania and Bulgaria - all EU member states - soon enter the Schengen zone, then we have a real Balkan isle captured inside of the European fortress”* or a ‘battlefield’ where the EU will manage situations of crisis in the future. Inevitably, this would lead to intensified difficulties on the ground, in terms of journeys becoming more difficult, potential for trafficking in human beings, while local government will be put in a position of those who just follow the rules, with the promise of the EU membership and equal place in decision making.

A COMPULSORY PRE-ENTRY SCREENING, INCLUDING IDENTIFICATION, HEALTH CHECKS, SECURITY CHECKS AND FINGERPRINTING AND REGISTRATION IN THE EURODAC DATABASE, OF EACH THIRD COUNTRY NATIONAL ENTERING THE EU WILL BE CONDUCTED.

The New Pact proposes placing control points within the borders of the Schengen Zone, meaning at the border between Croatia and Slovenia. At these points, a compulsory pre-entry screening, including identification, health checks, security checks and fingerprinting and registration in the Eurodac database, of each third country national entering the EU will be conducted.²⁹

“The New Pact promotes and wants well-managed Schengen and external borders but at the expense of what or whom?”, Aigul Hakimova from Info Kolpa asks, adding that the Pact introduces *“a wide range of crisis management tools at the borders, and the external ones will be the first ones to react, and those are also in the Balkans”*. Miha Turk adds that there is a fear that the new returns directive under the Pact specifies that people would be returned to a *“safe third country”*, which might also include the Balkans *“which is already a place for dumping migrants”*. *“The Pact is very vague on a lot of issues, and I am afraid that it might be used to do more wrong than good, namely to legalise pushbacks,”* he said.

²⁹. The interconnection of several information systems, part of which is an entry and exit system with enhanced surveillance of third-country nationals, will be launched by the end of May 2022.

NOT A RELEVANT TOPIC?



Photo Credit: Tessa Kraan

UNLIKE IN THE TWO EU MEMBER STATES OF SLOVENIA AND CROATIA, THERE IS LITTLE TO NO INFORMATION OR DISCUSSION ABOUT THE PACT INSIDE THE WIDER BALKAN REGION.

EU representatives and international organisations present in the region, do not engage with local leaders or civil society in any type of discussion on this topic, but rather remain focused on the vague promise of EU membership.

THE EC STRESSES THE NEED FOR MORE EFFECTIVE COORDINATION WHEN IT COMES TO THE BORDER MANAGEMENT AND MIGRATION MANAGEMENT CAPACITY.

Only two days after the proposal was made public, the EU published the 2020 progress reports for each of the countries in the region.³⁰ In each of the reports, the EC stresses the need for more effective coordination when it comes to the border management and migration management capacity. Some countries, like Serbia, are praised for their cooperation with the EU in this regard. Serbian NGOs Grupa 484 and Info park however consider the proposal an opportunity for the building of further barriers and for pushing more people out of the EU, ultimately fuelling a more aggressive approach at the doorstep of Europe. In his analysis of the possible effects of the proposed new approach, Simon Ilse, the Head of the Belgrade office of the German stiftung Heinrich-Böll, wrote that if the current proposal is accepted, “*Serbia would certainly be a candidate, alongside Turkey and Tunisia, for facilities where people will be screened, making it a migration management country.*”³¹

^{30.} https://ec.europa.eu/neighbourhood-enlargement/countries/package_en

^{31.} <https://eu.boell.org/en/2020/09/30/insights-serbia-buffer-zone-eus-illegal-pushback-policy?fbclid=IwAR0mL7sARle1BbLyZelLkRG0v-MtsghLeAv3rO9jXsLmNpNFQKT7D5fji2E>

Žarka Radoja, a journalist based in Belgrade and covering migrations and human rights, points toward the fact that the public in Serbia did not get enough information about this proposal, or the possible role the country will potentially be assigned.³² *“Most of the media in Serbia acted like this issue is not relevant for the public here, beside the fact that at the moment a few thousands of people who are on the move are present in the country,”* Radoja said. *“But, it is not such a big surprise when it comes to the media here. Since 2015, when Serbia became part of the busy Balkan Route, media did not care about this topic, while they report superficially, out of context, without going into details or analysing policies. And that is exactly what is needed to prevent rise of xenophobia, which is very obvious in Serbia year after year.”*

IN GENERAL, POLITICIANS IN THE BALKANS APPEAR TO CARE LITTLE ABOUT THE ISSUES THE NEW PACT REFERS TO.

Milica Švabić from Klikaktiv, confirms what Radoja said, adding that her feeling is that in general, politicians in the Balkans care little about the issues the New Pact refers to.³³ *“Whatever happens, they will continue with the same practices,”* she believes.

“They will do everything they are ask to do under the pretext of the promise of the EU membership. They will sign any international agreement, they will

adjust legislation, while in practice, they will do what they want,” Švabić said, also recalling that Serbia already adopted all the EU requirements when it comes to the management of migration. The same is true for all the countries in the region. *“But, the countries of the region do know that they have silent approval from the EU to act toward people on the move in a way not required by all these laws and treaties,”* she concludes.

Even less information about the Pact is available in North Macedonia. Jasmin Redžepi from Legis NGO, the most active organisation when it comes to migration in this country, said that he is not aware of the proposal when contacted for this research.³⁴ *“Unfortunately, not only do we not know about the proposal, but we are very surprised to hear about it now from you,”* Redžepi said.

“No word about the Pact I found in the media. And none of the people in any of the civil society organisation in North Macedonia have any info about what is cooking in Brussel,” Redžepi told adding that, since the field organisations and state institutions were not consulted, *“this non-transparency alludes to the future unilateral imposition of solutions regarding work at the borders and in the treatment of refugees. All this is very worrying, because not so long ago the history of imposing EU decisions taught us that after that we are working on a great disenfranchisement of people on the move”.*

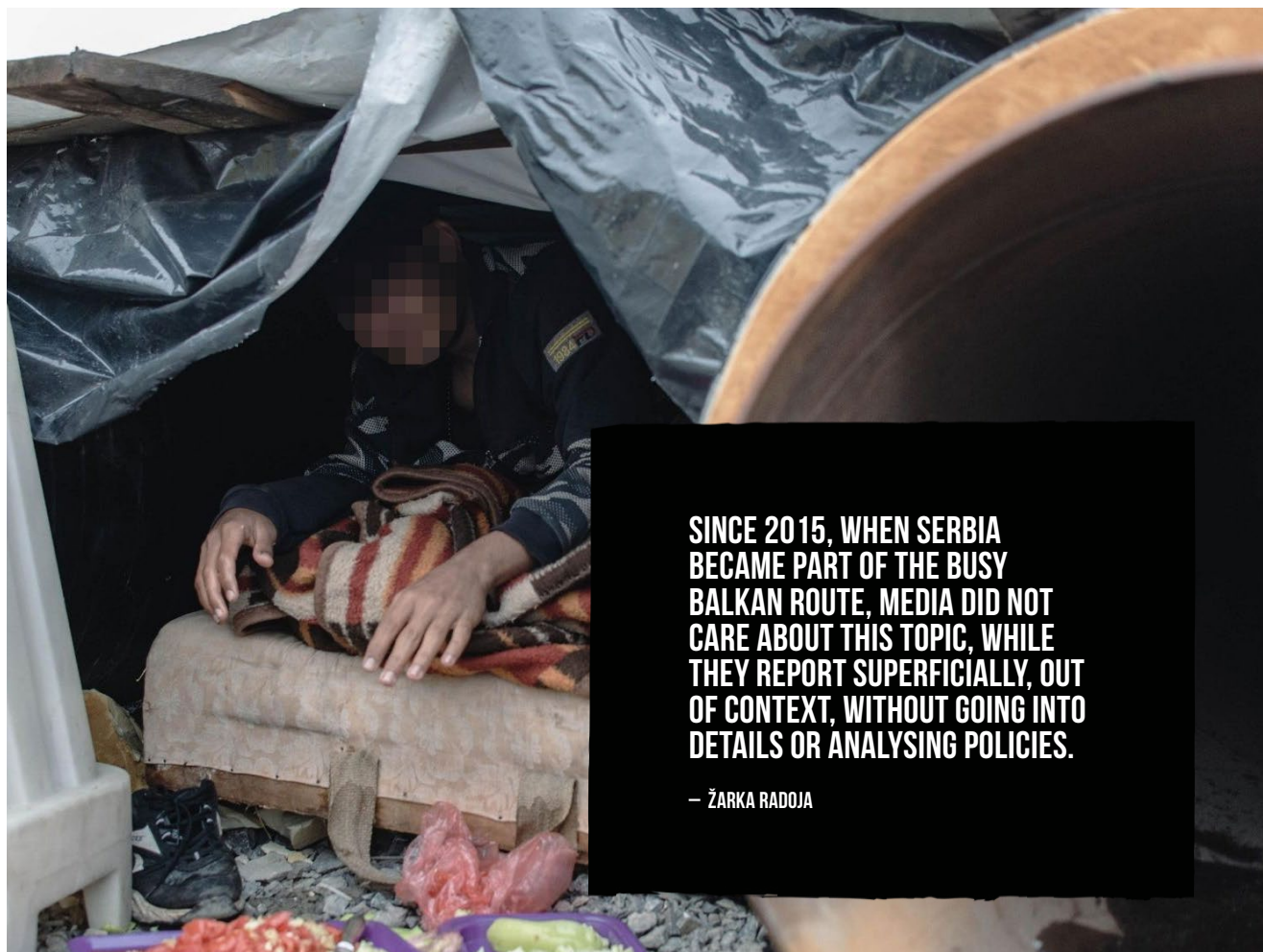


Photo Credit: Tessa Kraan

³². Email interview, December 2020.

³³. Email interview, November 2020.

³⁴. Email interview, November 2020.

MORE MILITARISATION, SECURITISATION AND FORTIFICATION

THERE IS A SIMILAR SITUATION IN MONTENEGRO. MLADI INFO, THE MEDIA PORTAL DEDICATED TO HUMAN RIGHTS AND YOUTH, EXPLAINED THAT MIGRATION AS A TOPIC, DESPITE QUITE HIGH NUMBERS OF PEOPLE CROSSING THIS COUNTRY, IS NOT POPULAR IN THE LOCAL MEDIA.

Yet, Mladi Info try to cover the subject, and follow developments not only in Montenegro, but along the route. “We, as the media, are trying to fill the gap and provide accurate information,” they stated.³⁵ However, they believe that the EU will shape Montenegro’s answer to the new proposal. “We are a country that aims to join the EU, so they have significant influence here. In that sense, anything that comes from the EU is applied to the local level.”

In Bosnia, even less information is available when it comes to the New Pact. According to Gorana Mlinarević, who describes the proposal as a “further step in EU’s militarisation, securitisation and fortification,” believes

that in general the perception in the country is that the Pact is not our concern. “In fact, in Bosnia and Herzegovina, there is no conversation about the Global Compact on Refugees which the country adopted, or the Global Compact on Safe, Orderly and Regular migration which BiH endorsed.”

“There is even no discussion about BiH Law on Asylum or Constitution for that matter. Nor is there a mention of the basic 1953 UN Refugee Convention which Bosnia and Herzegovina is part to, and which is also listed in the Annex I to the Constitution of BiH as the Convention to be applied in BiH. So, I guess, the reasoning for not mentioning the New Pact is something along the lines of: why would anyone talk about some EU Pact which we are not part of?” Gorana Mlinarević claims.

In similarity to Serbia and Montenegro, the media are controlled by different interest groups, including local politicians and international donors, and are often not professionalised or led by public interest concerns.



Photo Credit: Tessa Kraan

³⁵ Email interview, November 2020.

CONCLUSION

CIVIL SOCIETY AND SCHOLARS FROM THE REGION ARE DEMANDING TO BE INVOLVED IN THE DISCUSSION ABOUT THE PROPOSAL FOR THE NEW PACT. NOT ONLY INVOLVED, BUT TO BE HEARD - WHICH ACCORDING TO MANY OF THEM HAS NOT BEEN THE CASE SO FAR.

They also demand from the EU offices across the Balkans, as well as the IOM, UNHCR and other organisations present in the region, to open the space for a free flow of information, and discussion. So far, these demands have been unheard.

Ultimately, the voice that will remain silenced or ignored, even if activist and scholars from the region manage to make themselves heard, is the voice of people on the move and people who have already arrived in EU member states and are struggling to find a way to start their lives over again. The results of these dangerous policies is readily observable across European borders at the moment, but also in the policies of individual EU member states which are often discriminatory, at times even xenophobic, while integration and issues of equality, are left aside.



Photo Credit: Tessa Kraan



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