



# **EDUCATIONAL OBSERVATION DOSSIER. THE BAH-CROATIAN BORDER**

**Comissió Catalana d'Ajuda al Refugiat  
SOS Racisme Catalunya**

**Barcelona, 2019**



# EDUCATIONAL OBSERVATION DOSSIER. THE BAH-CROATIAN BORDER

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## 1. What can we use to work with students through an analysis of the refugee situation on the border between Croatia and Bosnia and Herzegovina?

Today the Schengen Area [1] comprises most of the EU's geographical territory. However, it still does not apply to Croatia, which has been a member state since 2013. Nonetheless, the country struggles to meet the strict requirements imposed by the EU to end its border policies with Hungary and Slovenia by 2020. And these requirements demand the ability to safeguard what will become a new external border of the EU region [2]. As a result, the policies implemented by its ultra-conservative government against the arrival of refugees have included not only an anti-immigration discourse, they have also led to the fortification of their borders with Serbia at all costs, in order to show an image of strength to their European partners. Thus, given the increasingly difficult entry into Europe from Serbia, migrants and refugees in transit have been forced to choose alternative routes such as the passing through the border between Croatia and Bosnia and Herzegovina (BaH). As such, the number of arrivals in BaH has increased considerably since 2017, to the point that today it has become one of the main regions of transit in the area.

In order to find out about this situation on a first-hand basis, and to inform secondary and high school students about it, a team of observers from the Catalan Commission for Refugees (CCAR) and SOS Racisme Catalunya carried out an Observation Mission in February 2019. An observation report and the following pedagogical dossier resulted from the facts learned about the situation.



Sarajevo City Center: Photo: CCAR

[1] The Schengen Agreement: An agreement entered into by several European countries to eliminate inner border controls (between these countries themselves).

[2] Reuters (16/10/2018). Croatia on course for Schengen zone entry in 2020 - government official. From <https://www.reuters.com/article/us-croatia-eu-schengen/croatia-on-course-for-schengen-zone-entry-in-2020-government-official-idUSKCN1MQ1F2>

The following contents and basic skills required at secondary and baccalaureate level can be worked on using this pedagogical dossier [3]:

**Contents:**

- The causes of forced displacements
- Human rights and needs
- The rights of refugees
- Empathy and dialogue
- Concepts: Migrants and refugees
- Vulnerable groups
- Empathy and dialogue
- Stereotypes, prejudice and rumours
- A critical vision of policies

**Basic skills:**

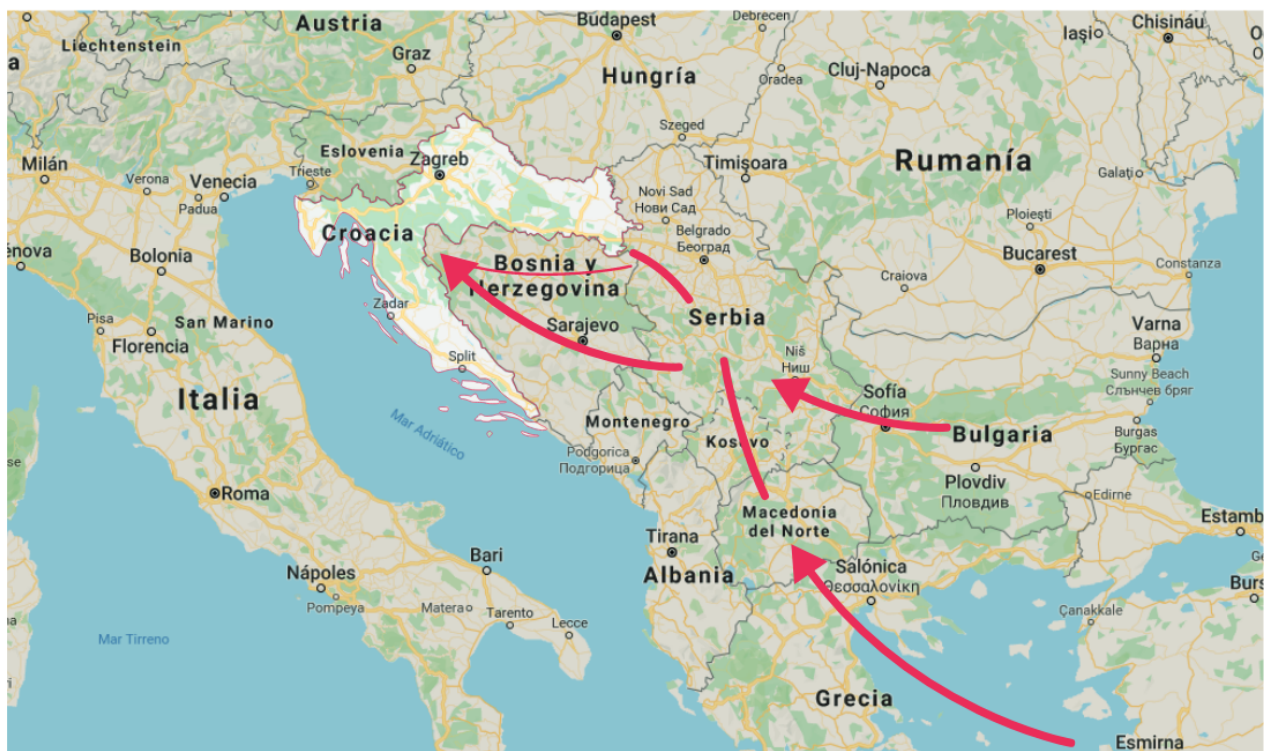
- Communication, language and audio visual
- Social and citizenship public awareness
- Knowledge and interaction with the physical world
- Independence, personal initiative and entrepreneurship

[3] For more teaching activities about refugees, see the Refugee Briefcase: [www.maletarefugi.ccar.cat](http://www.maletarefugi.ccar.cat)

## 2. What is happening on the border between Croatia and Bosnia and Herzegovina?

Given the increasingly difficult entry into Europe from Serbia, migrants and refugees in transit have been forced to choose alternative routes such as the one passing through the border between Croatia and Bosnia and Herzegovina (BaH). As such, the number of arrivals in BaH has increased considerably since 2017, to the point that today it has become one of the main transit areas in the region. Given its historical past, one recently marked by the Bosnian war between 1992 and 1995, the current response of local citizens with respect to this new situation has been largely one of empathy to refugees [4], however the uneven distribution of migrant arrivals between regions has begun to lead to the resurgence of old political tensions in the territory.

Thus, while BaH is facing the present with an obvious lack of planning and resources, Croatia is reinforcing the border controls in this area, which is soon to be an external border of the Schengen Area.



Google. (n.d). The Balkan route

[4] We recommend reading the article 'Solidarity, understanding, humanity' welcome refugees in Bosnia. Published by Mershia Gadzo in AlJazeera. From <https://www.aljazeera.com/news/europe/2018/10/understanding-humanity-refugees-bosnia-181004100937794.html>

## Unit 1. Borders, Policies and People

### 1) Concept

According to the Dictionary of the Institute of Catalan Studies, migration means "going from one place to another, especially from one region to another, in order to reside there". Human beings have migrated since the beginning of time: from the origins of humanity in Africa, we have moved from one place to another, across the world.

We have moved and today we are still moving to other places, attracted by better opportunities (studies, living conditions, etc.). However, there are people who too often are forced to leave their homes when their human rights are violated. Many migration processes are a mixture of these two factors, and the line that separates forced migration from voluntary migration is a thin one.

Social-welfare organisations, such as the Catalan Commission for Refugees, who work to defend rights of asylum and the rights of refugees, consider that a refugee is someone who has been forced to flee their home, forced to leave their country due to suffering, or who is at risk of suffering serious violations of their human rights, by the state, the local population or individuals, while the authorities deliberately tolerate their persecution, either because they themselves refuse to provide effective protection or because they are unable to do so. This implicitly includes serious violations of economic, social, and environmental rights, or those rights relating to sexual orientation or gender, among others.

### 2) Situations:

#### The Route to the EU through BaH

In mid-February 2019, the main refugee camps were in Sarajevo, Salakovac, Bihac and Velika Kladusa. All of these areas are located close to the main route linking Sarajevo (BaH) to Zagreb (Croatia). According to the witnesses we interviewed, the most common practice involves getting close to Velika Kladusa by bus, through the services of a local human-trafficker by car [5], or by making the route on foot.

[5] Fees vary between 30 and 300 euros, depending on the time of year. Witness interview carried out on 24/02/2019.

In order to prevent this, the local police have installed check-points in the middle of the route, especially on the way to Ključ. Another concern is that of controlling border-crossing attempts in areas where mines were laid during the Bosnian war between 1992 and 1995.

### Life in a refugee camp

The poor conditions at reception centres in BaH, and the fact that they are far away from city centres mean that refugees often refuse to spend their nights there. This is more obvious outside Sarajevo, where there are no protected areas for children, women or families. As a result, people resort to sleeping in areas out in the open, or in abandoned buildings. The lack of a national strategy that seeks to manage the reception of significant flows of migrants and refugees, together with the complex structure of responsibilities in terms of reception, makes it almost impossible for a short-term solution to be found in BaH.

### 3) Activity. Would you leave your own home?

Listen to the eye-witness account in the following video, which relates the current situation to reception centres and the border:

Start the game “Would you leave your own home?” (Page 41 of the CCAR Educational Briefcase), where you can talk about the different experiences and life stories of refugees, migrants and asylum seekers.



Drawings made by children in Zagreb: Photo: CCAR

## Unit 2. The Violations of Human Rights on the Border

### 1) Concept: The European Readmission Agreement with Bosnia

A European Readmission Agreement exists with Bosnia, which allows the return of third-country nationals who have crossed the border, and who have no legal residence permits. According to Human Rights Watch, the Ministry of Security of BaH returned 493 people (265 of whom were Turkish) between January and November 2018 under this agreement.

### 2) Situation

It should be noted that neither the people interviewed by our observation team, nor those interviewed by HRW or Amnesty International [6] had experienced or knew of any case that had experienced any similar legal procedures at any section of the border. In fact, it should be noted that witnesses report assaults and robbery by the Croatian police. They also explain how, before forcing them to cross the border to BaH at night through remote and wooded areas (without the presence of the Bosnia police), the authorities often use this opportunity to break their mobile phones[7].

The witnesses interviewed in the region also state that the asylum requests of people who enter Croatia through BaH are ignored. It should be taken into account that these procedures cannot be applied to potential refugees, as the informal nature of these proceedings does not provide those guarantees necessary for carrying out returns in compliance with international law.



Poster indicates source of funds for Migration and Border Management. Photo: CCAR

[6] Amnesty International (2019). Pushed to the edge: violence and abuse against refugees and migrants along the Balkans route. Recuperat de <https://www.amnesty.ch/de/laender/europa-zentralasien/kroatien/2019/eu-duldet-gewalt-gegen-fluechtlinge-und-migranten/report-pushed-to-the-edge-violence-and-abuse-against-refugees-and-migrants-along-the-balkans-route.pdf>

[7] See as well: No name kitchen (2019). Illegal pushbacks and border violence reports. January, 2019. From <http://www.nonamekitchen.org/wp-content/uploads/2019/02/January-2019-Violence-Reports.pdf>; The Guardian (2018). Croatia violating EU law by sending asylum seekers back to Bosnia. From <https://www.theguardian.com/world/2018/dec/17/croatia-violating-eu-law-by-sending-back-asylum-seekers-to-bosnia>

### 3) Activity. They will not enter

Explain the concept and the situation, accompanied by the following video, which shows an illegal return of a migrant to the border that was recorded using a hidden camera [8]. Explain that Asylum Law is a fundamental human right, in accordance with Article 14 of the Universal Declaration of Human Rights, and which is implemented in both the 1951 Geneva Convention, and in its 1967 protocol (New York Protocol).

Begin the activity “They will not enter” (Page 49 of the Educational Briefcase), where you will be able to discuss controversial rumours about refugees, based on a debating technique.



Outskirts of reception center in BaH. Photo: CCAR

[8] The Guardian (2018). Croatia violating EU law by sending asylum seekers back to Bosnia. From <https://www.theguardian.com/world/2018/dec/17/croatia-violating-eu-law-by-sending-back-asylum-seekers-to-bosnia>

## Unit 3. The Criminalisation of Public Support

### 1) Concept

During 2018 and 2019, organisations directly involved in defending the rights of refugees and migrants have been subject to a great deal of pressure from the Croatian Ministry of Internal Affairs. Statements have been published in the media linking NGOs with the "illegal trafficking" of people across the border, which with the poor reputation that the country was acquiring throughout the EU, was preventing it from making progress in its efforts to become part of the Schengen Area. These criticisms have encouraged a certain degree of resentment by some members of the public, and have led to attacks being made on the headquarters of NGOs working to defend the rights of asylum-seekers. The main targets of the authorities have been the Centre for Peace Studies (CMS), Are You Syrious? (AYS) and the lawyer Sanja Bezbradica Jelavic.

### 2) Situation

As we have been informed, as a result of allegations made about the Madina case (see table), in September 2018 the Ministry of the Interior denied CPS access to the country's reception centres arguing that they (supposedly) lacked specialization with respect to reception procedures. However, this explanation does not conform to reality, as the NGO has been working for more than a decade on legal defence and political advocacy in the area of asylum and migration.

With regard to the AYS, in April 2018 the Ministry of Interior accused it of aiding "illegal migration". A volunteer from the organization was accused of lending assistance to the Hussiny family to cross the border into Croatia. The Ministry of the Interior made an official demand for the imprisonment of the volunteer, a fine of 43,000 euros and the banning of the organisation. However the volunteer was finally made to pay a fine of 8,000 euros. As this is not the only case involving government pressure, some AYS volunteers and partners have had to stop their work due to fear of reprisals – to both themselves and their families [9].

[9] Amnesty International (2019). Pushed to the edge: violence and abuse against refugees and migrants along the Balkans route. From <https://www.amnesty.ch/de/laender/europa-zentralasien/kroatien/2019/eu-duldet-gewalt-gegen-fluechtlinge-und-migranten/report-pushed-to-the-edge-violence-and-abuse-against-refugees-and-migrants-along-the-balkans-route.pdf>

- ***The Case of Madina Hussiny***

*In February 2018, a six-year-old girl named Madina Hussiny was killed by a train when she tried to cross the border between Bosnia and Croatia. The tragedy occurred when her family was being forced out in a hot return to Serbia by the Croatian police. The GPS data on her cell phone showed that at that time she and her family were more than a kilometre inside Croatian territory [10].*

Finally, in April 2018, the lawyer Sanja Bezbradica reported that the National Police for the Suppression of Organized Corruption and Crime (PN USKOK) had visited her offices. She was denied the chance to contact the Hussiny [11] family in the Tovarnik detention centre in the east of the country.

With respect to public support at the Bosnian border, there are no known solidarity initiatives. However, specific cases of support have been reported by inhabitants of those towns near Croatia. In the capital, Sarajevo, small volunteer groups try to cover the lack of available reception places, which is how the reception centre operates, however a certain degree of anonymity is required, given the volunteers' fears of reprisals.

### 3) Activity. Class Debate

Explain the concept and the situation surrounding the criminalisation of public support. It is accompanied by the following video in English, which explains one of the tasks undertaken by the NGO Are You Syrious, in Croatia.

Then begin the debate with questions like:

- How did you feel after hearing the news article about the Case of Madina Hussiny?
- What risks do people forced to travel illicitly face? Do you think that being a man or woman determines the reasons for fleeing and the chances of finding a safe haven?
- Do you know about examples of the criminalisation of public support where you live?
- What are the similarities and differences between the activities of NGOs that work in the Mediterranean Sea and those that work on the EU's land borders?

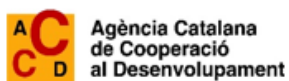
[10] Balkan Insight (23/11/2017). Migrant Child Reported Killed on Croatia-Serbia Border. From <https://balkaninsight.com/2017/11/23/migrant-child-killed-on-the-border-between-serbia-and-croatia-msf-11-23-2017/>

[11] Centre for Peace Studies (18/04/2018). Police pressure on human rights activists and lawyers protecting refugees in Croatia. From <https://www.cms.hr/en/azil-i-integracijske-politike/sabor-mora-oformiti-istravno-povjerenstvom-nad-mup-om>

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