

Repackaging Imperialism

The EU – IOM border regime
in the Balkans



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ABBREVIATIONS AND ACRONYMS

AFIS	Automated Fingerprint Identification System
AVRR	Assisted Voluntary Return and Reintegration (IOM-run programme)
BiH	Bosnia and Herzegovina
EC	European Commission
EU	European Union
EUBAM	European Union Border Assistance Mission
EUSR	European Union Special Representative
EUTF	EU Emergency Trust Fund for Africa
ICEM	Intergovernmental Committee for European Migration
ICM	Intergovernmental Committee for Migration
ICMPD	International Centre for Migration Policy Development
IGO	Intergovernmental organisation
IMN	International Metropolis Network
IOM	International Organization for Migration
IPA	Instrument of Pre-Accession Assistance
JCP	Joint Coordination Platform
MOU	Memorandum of Understanding
MPG	Migration Policy Group
NGO	Non-governmental organisation
OHR	Office of the High Representative
PICMME	Provisional Intergovernmental Committee for the Movement of Migrants from Europe
SAP	Stabilisation and Association Process
SFRJ	Socialist Federal Republic of Yugoslavia
TRC	Temporary Reception Centre
UN	United Nations
UDHR	Universal Declaration of Human Rights
UNHCR	United Nations High Commissioner for Refugees

GLOSSARY OF TERMS

Much of the language used about migration tends to obfuscate rather than clarify discussions, and serves to minimise or justify the direction of public policy on the issue. Some important terms and definitions are listed below.

Destination country – a migrant’s final intended destination and place of settlement. This process may include seeking asylum, reuniting with members of their family or community, attempting to secure stable employment, building social networks, and seeking to establish a new life.

Migrant – we use the term ‘migrant’ to avoid becoming bogged down in the bureaucratic and political dimensions of the terminology. Everyone who is on the move across borders is, by definition, migrating from one place to another, and as such they are migrants, irrespective of whether they also fall within the international legal definition of refugees as set out in the 1951 UN Refugee Convention. The 1948 Universal Declaration of Human Rights (UDHR) states: ‘All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood’ (Article 1); ‘Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty’ (Article 2); and: ‘Everyone has the right to life, liberty and security of person’ (Article 3); As such, regardless of the term used or the legal status acquired, everybody by virtue of being human is entitled to the rights set out in the UDHR, including ‘the right to seek and to enjoy in other countries asylum from persecution’. (Article 14).

Migration management – the process through which states and international organisations impose rules that restrict migrants’ rights, and establish border regimes in accordance with the political and strategic interests of a state or group of states. These policies are largely implemented to the detriment of the migrants being ‘managed’ by them. The methods used to ‘manage’ migration often involve militarisation, surveillance, imprisonment, and may also result in severe human rights violations for which there is scant accountability.

Semi-protectorate – administrative territory, which is officially a state with politicians appointed through formal elections, but which is supervised by representatives appointed by ‘the international community’, who have the ultimate power to make decisions. In this type of state, the international community is often above existing national laws, protected by diplomatic immunity. Their work is not transparent, and they are not accountable to the public in any semi-protectorate state.

Transit country – a country or countries that connect migrant-origin countries with a destination country (see above).

Western Balkans – a term that originated in European Union (EU) administrative procedures. It refers to the ‘former Yugoslavia, plus Albania minus Slovenia’. This designation corresponds only to the bureaucracy of the EU and its member states, and has no basis in geographical reality. We therefore refer to the Balkans, which refers to a geographical region that includes Albania, Bosnia and Herzegovina (BiH), Bulgaria, Greece, Kosovo, Montenegro, North Macedonia, Romania, Serbia, Turkey, and partially Croatia. The report focuses on EU pre-accession countries that have been given the task of preserving the EU’s new external borders.

Summary

At the time of writing in November 2023, European Commission President Ursula von der Leyen had just completed a visit to several Balkan states where she assessed their progress towards EU accession. She stressed that EU enlargement is a top priority, bringing with it the promise of peace and prosperity, and urged candidate states to ‘go the last mile’ so that they can look forward to becoming EU members. Some weeks earlier, von der Leyen had travelled to Tel Aviv to convey EU support to Israel’s Prime Minister Benjamin Netanyahu as he instructed the Israel Defence Forces (IDF) to unleash a brutal assault on Gaza, with legal scholars, humanitarian and human rights organisations and UN experts denouncing war crimes and genocide against the Palestinian people. By the time von der Leyen began her Balkans tour, the calls for her resignation were growing louder amid a sense that the EU had gone too far in claiming to uphold international law on the one hand, while actively bringing about its erosion on the other. In many respects, though, the EU has for some years had a dismal human rights record, particularly with regard to deaths, disappearances, detention, and other human rights violations occurring as part of its deadly borders regime.

For decades, the EU has invested much time, energy and resources in keeping undesirable migrants outside ‘Fortress Europe’. To do this, it engages an array of actors – from government bodies, to UN agencies, to the private sector – creating bilateral and multilateral agreements that are designed to contain people outside the EU’s jurisdictional borders.

This report focuses specifically on the Balkans and the interplay between EU-funded policies and their implementation by the International Organization for Migration (IOM), a UN-related agency. While the Balkans comprises many countries, some of which are already EU member states, this report focuses on those which are surrounded by the EU but are not yet part of the Union. Experts in Balkans and borders studies have argued that the EU has long treated the region as though it were its own backyard, where border-related policies have been tried and tested for decades. They have observed that through the increase in deportations, the Balkans may quickly become a dumping ground for migrants that the EU wants to remove.

Imperialism is defined as a policy of extending a country’s power and influence through diplomacy or military force. This research shows how the EU deploys an imperialist approach towards its non-EU Balkan neighbours, exerting power and influence over how they govern their sovereign territories, including how they control their borders. Through engaging the IOM, a UN-related agency, EU imperialism is repackaged and presented under the guise of humanitarianism. This obfuscates the true intent behind the EU – IOM partnership, permitting the EU to continue exerting and expanding its influence beyond its borders through a strategy that goes almost entirely unchecked.

The EU-funded IOM-implemented border securitisation projects detailed in this report demonstrate a cycle of restricted and controlled migration, designed to further EU political and economic interests. Perhaps the greatest casualty in the decades-long process of border externalisation has been the erosion of international legal norms resulting in the criminalisation of movement and the shutting down of avenues to move freely and seek asylum. The consequences are deadly for migrants, who are forced to take ever more treacherous routes.

Globally, a two-tier migration system has emerged that affords legal protection to migrants who meet the criteria to be considered refugees and asylum seekers, while those who do not, fall outside the scope of international protection mechanisms. There is no legal definition for the term migrant and no legal safeguards exist under international law that specifically protect migrants despite their heightened vulnerability along migration routes. The IOM operates within this legal vacuum and its work is guided, not by established legal principles, but by narratives, which are often designed in conjunction with donor entities such as the EU, that serve a donor-driven agenda and not migrants' needs. At times the language used is alarmist and stigmatises migrants as burdensome, opportunistic, less deserving of protection, or without agency. This legal grey area is coupled with the failure to provide mechanisms for legal recourse or access to justice for human rights violations that occur while migrants are entrapped and contained. In sum, international law is virtually non-existent for those who need it most while seeking to migrate safely.

Under the guise of curbing human trafficking and smuggling, the EU has cast a wide net leaving the vast majority of those fleeing war, conflict, and violence, including economic violence, locked out of international protection mechanisms. While it is undoubtedly important to tackle trafficking or smuggling activity that endangers migrants, the EU has thus far failed to acknowledge that these practices take shape precisely because of the EU's border policies and not in spite of them. EU speak frames migration as a shady activity and EU policies push migrants to the margins of society conflating migration with organised crime and criminality. This deflects attention from the fact that people coming to the EU are exercising their right to move and seek asylum and that the EU is failing miserably in its duty to guarantee these rights. Moreover, broadly speaking 'irregular entry' is codified in law as an administrative as opposed to a criminal offence, yet as we shall see in this report, the EU-funded IOM-implemented policies in the Balkans rely on a securitised logic. This implies a default position where migration is understood as something criminal that needs to be curtailed or punished rather than something necessary for human survival that should be facilitated.

The projects detailed in this report ranged from EU-funded, IOM-implemented, pan-European police networks, training and equipping local police forces, military methods of policing border zones, radar surveillance systems, investment in border infrastructure, detention, and deportation mechanisms – all designed to stop migrants reaching the EU. This approach encapsulates much of what the Transnational Institute's Border Wars series has been warning against for years – deploying a securitised approach to migration, which frames migrants as a threat that needs to be controlled through policing and militarised strategies. Migrants however continue to move because the root causes that force them to do so remain unaddressed. They become entrapped along migrant routes, particularly in the Balkans, unable to advance in any direction.

This report exposes the anomaly of the United Nations system and the IOM's role within it. From its birth at the beginning of the Cold War, the IOM in its various iterations has always displayed a 'western logic' and been understood as a highly politicised institution. That characterisation still pertains, albeit while operating now under the auspices of the UN system. While the IOM is routinely described as the UN's Migration Agency, its non-normative status means that it is not bound by the conventions that regulate the operations of the UN specialised agencies, such as the United Nations High Commissioner on Refugees (UNHCR) or the World Health

Organization (WHO). This is particularly relevant given that it works with people who are often extremely vulnerable or in precarious situations and require high standards of care in line with international protection norms. In contrast to the UN specialised agencies, the IOM is accountable only to its donors, but not to the international human rights system. The IOM presents itself as an independent, impartial UN agency, whereas in fact it often serves as an implementing partner of the EU, a political, economic, and increasingly a military project, whose border policies serve to further its own interests. The EU is the main funder of the IOM's operations in the Balkans. This brings in to question the ability of the IOM to adhere to its own principles of independence and impartiality, while fulfilling its mandate free of political and financial influence. With so many powerful state factors at play, the rights of migrants appear to be barely considered.

By focusing on the IOM and the complex relationship between the agency and its donors, this report shows that it acts more like a private-sector entity than a UN-mandated agency. At the time of writing the IOM's newly appointed director, Amy Pope, indicated her intention to prioritise private-sector solutions, which would further entrench the for-profit logic driving much of what makes the borders regime so deadly. Operationally the IOM deploys the institutional logic of a private corporation, which is 'blue-washed' through its association with the UN. Its dependence on funding from multilateral and bilateral agencies means that the IOM has a self-interest in supporting and maintaining its donors' agendas.

By prioritising the role of the IOM in the Balkans, other agencies operating with a human rights mandate, such as the UNHCR, or other entities such as local or international non-government organisations (NGOs) are often side-lined. This is not unique to the Balkans, but also plays out in north and west Africa where the IOM is given greater prominence than other agencies with a core human rights and protection mandate. The result in the Balkans has been the normalisation of assuming by default that migrants do not meet the requirements to seek asylum and are therefore outside the international protection system. By contracting a UN-related agency that implements securitised, as opposed to humanitarian interventions, the lines are blurred between what constitutes humanitarianism. This research shows that humanitarianism has become a conduit through which violent border externalisation policies are enacted, though they go almost entirely unchecked and evade scrutiny because of the UN veneer.

The Balkans experienced wars throughout the 1990s bringing about the dissolution of Yugoslavia and the creation of various new countries, a transition that destabilised the entire region and which still experiences instability and violent flare-ups. Within this context, the EU's role in dictating border policies to (as yet) non-EU nations via the IOM tends to obfuscate the functions, and at times undermine the authority of these nascent sovereign states to govern questions relating to migration and border control that should fall firmly within their remit.

Nowhere is the EU's 'carrot and stick' approach more evident than in the Balkans, where pre-accession states have been striving for years to meet the standards required to join the Union. Often, this membership is contingent on securing border control, which sees a greater reliance on securitised border policies, policing and surveillance, that go hand in hand with human rights violations. Such policies have normalised the presence of armed police officers in bullet-proof vests and brandishing other military-style equipment. The optics don't look good

in a region which emerged from a decade of bloody war at the end of the 1990s and which is still in the process of rebuilding. It signifies a regression in terms of leaving war behind and moving towards a demilitarised society that embraces peace. In Bosnia and Herzegovina (BiH), on which much of this report is focused, the IOM's interventions have further complicated the already complex state structures and various levels of governance, plus its semi-protectorate status, making it very unclear who is responsible for what, and who can be held accountable.

Finally, EU membership is promised once an increasingly expansive list of its requirements is met. The question has been raised, however, about whether these accession policies are concerned less with admitting new members than with keeping states in a perpetual pre-accession status whereby they implement EU border policies unchecked, which would not happen if they were member states. The conditions inside the camps, as outlined in this report, with widespread reports of systematic human rights abuses, and in some cases death, are of deep concern. Moreover, there is a culture of corruption and impunity for those contracted to provide services or facing allegations of wrong-doing. In the same way that there are scant accountability procedures in place for the IOM, the EU also evades scrutiny and responsibility for the deadly conditions along migrant routes in the Balkans that stem directly from its policies dictated from Brussels but enacted beyond its borders.

Key Findings

- The EU funds the IOM to implement its external border control policy in the Balkans region.
- Through its partnership with the IOM, the EU has used the region to test and perfect its migration policies, particularly with regard to restricting and containing migration. This has involved funding the IOM to develop a transnational security apparatus, which includes the remilitarisation of borders in a region still recovering from war, setting up sophisticated surveillance structures and technologies, migrant detention centres, and bolstering local police forces, some of which engage in illegal and violent deportations.
- Despite being formally affiliated with the United Nations (UN) since 2016 and often described as the UN's Migration Agency, the IOM is not in fact a UN specialised agency and thus not accountable to the UN system or held to the same standards as UNHCR, for example. Rather, it primarily serves the interests of its donors, mainly western bilateral agencies, functioning essentially as a 'service provider' to help them enforce their migration agenda. This leads to a glaring lack of transparency and accountability.
- While the IOM positions itself internationally as an impartial expert on migration concerned with migrants' well-being, its work on the ground shows that humanitarian concerns take second place to the interests of its donors. Indeed, within this framework the IOM principles of independence and impartiality are virtually impossible to maintain because this dependence, by default, requires the implementation of policies that represent the particular borders agenda as set out by the main donor(s).
- In various pre-accession Balkan countries, particularly Bosnia and Herzegovina (BiH), Serbia and North Macedonia, the IOM has become the most important international agency in migration-related securitisation and border control, establishing a parallel governance structure and taking over functions that should normally be carried out by the state. Moreover, the increased reliance on the IOM, which does not have a human rights or protection mandate, shifts the focus away from UN agencies such as United Nations High Commissioner for Refugees (UNHCR), which is held to the same standards as the other UN specialised agencies. This eventually normalises a situation where permitting access to legal pathways to seek asylum becomes the exception and not the norm.
- The EU uses pre-accession funding in a 'carrot-and stick' approach to ensure that countries comply with its border control demands. The report shows how EU public funds, which were intended to fight corruption and support countries across the region in their EU accession efforts, have instead been used to secure their borders driven by the EU's political and economic interests.
- The Balkan region – previously a transit corridor for people travelling between Greece and the rest of the EU – has now become a 'no man's land' where migrants are trapped in limbo behind the EU's borders, but equally denied their right to seek asylum.

- Since 2011 the IOM has received and spent approximately €166 million on border control and migration management in BiH. This funding increased by over 1505% from 2017 to 2020, with latest figures showing a drop off in spending in 2022. This shift is likely due to the EU dispersing funds among other entities (such as the ICMPD), with a similar mandate to the IOM.
- This money has bolstered police and border guards as well as private contractors that have committed gross human rights violations. This report covers instances of people being held in cage-like facilities, structural violence in reception and detention centres, beatings, illegal deportations, and people being held in inhumane conditions without sufficient access to food, heating, medical care, or hygienic facilities. There are instances of equipment donated by the EU being directly used in violence against migrants.
- Local solidarity networks, media outlets, and researchers have only selectively and arbitrarily been allowed to access facilities in which migrants, including refugees and asylum seekers, are held, with no explanation for why some were denied entry. Contracts for services are outsourced to external agencies, often leaving local entities entirely excluded from participating in migration processes occurring in their own countries but in which they have limited capacity to influence or shape.
- In the past, the IOM contracted private security companies and individuals – many of whom were known to have dubious connections, criminal records, or were allegedly engaged in corruption. There have been dozens of reports of violent treatment by private security agencies contracted by the IOM and dangerous conditions originating in the EU-funded Temporary Reception Centres (TRCs), which in extreme cases have resulted in death. These serious shortcomings raises concerns about inappropriate recruitment policies that jeopardise the safety of migrants.
- While the IOM no longer contracts private security agencies, they remained on the books for many years and the agency took no responsibility for the events that unfolded while they were still under contract.
- The EU is currently expanding its biometric data-collection scheme at the Balkans borders and effectively paying Balkan states to deport people and conduct so-called ‘voluntary’ returns, raising fears that the region will become a deportation hub, where those expelled from the EU are gathered before being deported or left in a perpetual state of limbo in the region.
- Given the rapid adoption of data-collection technologies in the Balkans, the question arises of whether these will be used to set up a type of ‘*Dublin – plus mechanism*’, allowing EU member states to send back to the Balkans anyone whose fingerprints were collected before entry.

Introduction

The European continent stretches from the Ural mountains and the Caspian Sea in the east to the Atlantic Ocean in the west. There are many ‘Europes’ across the continent and this research focuses specifically on the dynamics between the European Union (EU) and the countries located in the Balkans region, many of which are encircled by EU member states but are not part of the Union.

In recent years the Transnational Institute’s Border Wars series has documented how the EU, through schemes costing many billions of euros, has deployed a ‘carrot-and-stick’ approach to gain control over borders as far south as Senegal and as far east as Azerbaijan. This report looks at how the EU’s border policies of control and deterrence play out in the Balkans, with a particular focus on the role of the International Organization for Migration (IOM).

The early 1990s were significant years in the recent history of continental Europe: 1991 ended with the formal break-up of the former Soviet Union (USSR), while the Socialist Federal Republic of Yugoslavia (SFRJ) broke up in the early years of the decade, leading to the outbreak of wars and a genocide committed in Bosnia and Herzegovina (BiH). The breakdown across the Balkans region coincided with the official formation of the EU (formerly the European Economic Community, EEC) through the ratification of the Maastricht Treaty in 1992. Thirty years after these events, the Balkans has changed significantly. It now constitutes a semi-periphery which is both independent from (in that states in the Balkans region have their own governments), but simultaneously dependent on, the EU.

This report examines current EU–Balkan relations regarding border and migration policy. Some of the countries in the Balkans are already EU member states (Bulgaria, Croatia, Greece and Romania), with the others holding either official candidate (Albania, BiH, Montenegro, North Macedonia, Serbia, Turkey) or potential candidate (Kosovo) status.¹

Previous TNI Border Wars research has scrutinised the EU’s role in the various bilateral and multilateral agreements drawn up among the EU, its member states and third countries. This research adds another layer to these agreements by examining the direct partnership between the EU and one of the key agencies responsible for the implementation of its border externalisation policies, the International Organization for Migration (IOM).

The IOM is a major agency in the field of global migration governance with offices in over 100 countries. It plays a pivotal role as a key partner of states by implementing their externalisation policies in countries beyond their jurisdictional borders. *EU-funded IOM-implemented* border-securitisation projects in third countries have significantly contributed to the cycle of restricted and controlled migration to further EU interests. This EU–IOM partnership is a central component of the globalised borders regime, which may be understood as a system of apartheid, a subject that TNI addressed in *A Walled World – Towards a global apartheid* published in 2020 in conjunction with Centro Delás, Stop Wapenhandel and Stop the Wall. In a similar vein, Andre Dallas and Naomi Gennery, in an essay entitled *What is the borders industry?* use the term ‘bordering’ to describe a practice that ‘exists and functions to delineate those people seen as undeserving and to control their access to scarce resources’.²

The border-externalisation projects, often funded by the EU and implemented by the IOM, range from supporting pan-European police networks, training and equipping local police forces, military methods of policing border zones, radar surveillance systems, investment in border infrastructure, detention, and deportation mechanisms.

These interventions are designed to stop migrants from reaching the EU. In effect, their implementation leads to migrants being trapped in third countries, where violence and brutality has often become normalised. Legal avenues to move and/or seek asylum or legal recourse to access justice for human rights violations while being entrapped or contained are almost non-existent. While EU leaders claim that these measures are necessary to curb human trafficking and smuggling, and stem the flow of ‘illegal’ migration to Europe, they fail to address the root causes of why people are on the move in the first place and how EU policies are often a driving factor in forcing them out. Focusing primarily on countries in the Balkans, and most specifically on Bosnia and Herzegovina (BiH) this report examines the IOM’s role in establishing and maintaining ‘Fortress Europe’ – in particular its role in implementing externalisation policies and the practical implications of its work in the Balkans for local populations and for migrants.

Chapter 1 introduces the IOM and focuses on its role, origin, mandate, and growth; and on criticism of some of its historical roles. The chapter aims to better understand the IOM’s mandate, how it operates and how it is related to the United Nations, and its role in closing off migration routes.

Chapter 2 looks at the IOM’s presence in the Balkans, examining its budgets and their allocation to securitisation. It also highlights the interference of EU officials in the functioning of government in post-conflict settings, and questions how far sovereignty has truly been achieved.

Chapter 3 focuses on Bosnia and Herzegovina (BiH), a country that has a semi-protectorate status, and where the EU effectively placed issues related to border security and migration under the protectorate. From 2018, the protectorate was supervised by the IOM, which set the rules, obligatory for all involved.

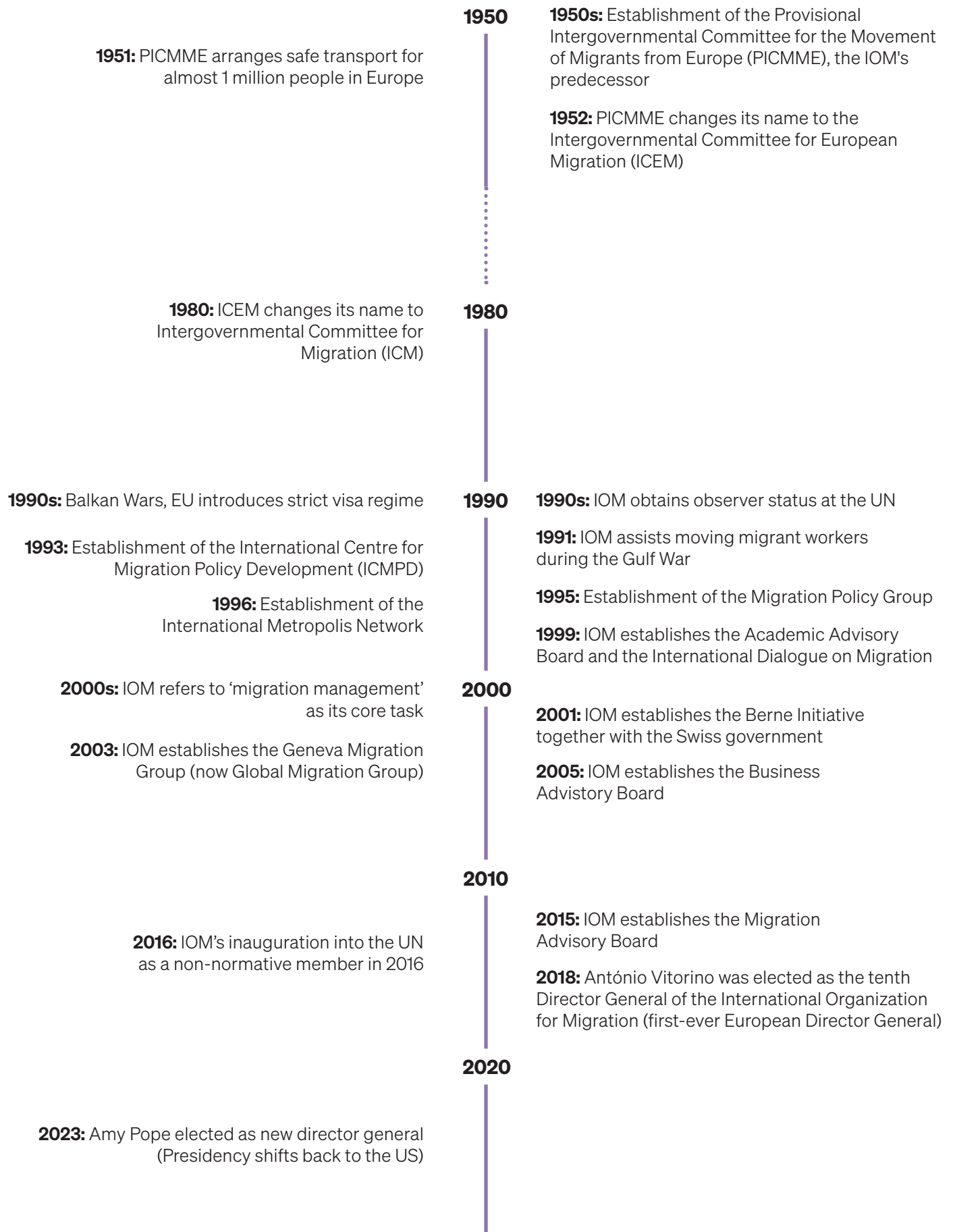
Chapter 4 presents a case study to illustrate the effects of the EU involvement in ‘migration management’ in BiH, and the role of the IOM. It also addresses dangerous, and in some instances deadly, conditions within the camps and highlights questions of corruption regarding contracted service providers.

Chapter 5 speculates about the future and how EU plans may eventually make the entire region a deportation hub of unwanted people. Indeed, this process is now underway and the EU has already dedicated significant funds, although as the chapter suggests, funding is likely to rise significantly in the coming years.

A note on the methodology

This research report is part of a long journey that has taken almost five years to complete. Over this period we were, and partly continue to be, present in the Balkans and have thus become deeply familiar with this migration route. In the course of the research, we monitored and documented the movement of migrants through the region and the role played by the authorities and organisations in intercepting and influencing them. We spoke to migrants passing through the Balkans, as well as with those acting in solidarity with them, and with other actors within the migration web. We also drew on academic research, media reports, and civil society contributions to substantiate and fill the gaps in order to present a robust account of the context in the Balkans regarding the EU–IOM partnership.

Timeline of IOM events



CHAPTER 1

The anomaly of the UN-related agency

Since 2016 the International Organization for Migration (IOM) has been referred to as ‘the United Nations migration agency’ following an endorsement by its member states to join the UN system. However, as Professor Guy Goodwin-Gill notes ‘...the IOM is not a UN agency, and neither has it entered or joined the UN. It remains an inter-governmental organisation, still outside the system, but in a “closer relationship” since the General Assembly’s adoption of resolution 70/296 on 25 July 2016’.³

So, what is the IOM, its origins and its mandate? How does it work and how is it held to account?⁴

The origins of the IOM

The IOM’s predecessor, the Provisional Intergovernmental Committee for the Movement of Migrants from Europe (PICMME), was established in the post-World War II period in Brussels following the International Migration Conference convened in 1951 by Belgium and the US and attended by 19 Western nations. The PICMME was set up outside the emerging UN system and had a temporary and specific mandate to help European governments find resettlement countries for some 11 million people uprooted by war across the continent. With the US underwriting half of its funding, PICMME arranged safe transport for almost a million people in the 1950s, including from Austria, Germany, Greece, Italy and the Netherlands, mainly to the US.⁵ Thus, from the outset, the IOM was perceived as a highly politicised organisation mandated to protect Western foreign policy interests with regard to migration, and with no communist countries as members. The explanation given for their exclusion was because of their ‘restrictive emigration policies’.⁶

In 1952, the PICMME became the Intergovernmental Committee for European Migration (ICEM), then in 1980 the name was changed to Intergovernmental Committee for Migration (ICM), and, finally, in November 1989, days after the fall of the Berlin Wall that marked the end of the Cold War, it adopted its current designation as the International Organization for Migration. Parallel with the name change, the constitution of the organisation was adjusting, but its mandate was never clearly defined, an issue that remains today. During the 1991 Gulf War, the IOM, strongly influenced and led by the US, assisted in moving migrant workers fleeing Kuwait and other countries affected by the war – its first foray beyond Western Europe.⁷ Although these people were fleeing war, they were not considered refugees and the United Nations High Commissioner for Refugees (UNHCR) was not involved. Many countries in that region subsequently became full IOM members or formal observers.

‘The particularly dominant position of the US in IOM, which the US valued for its managerial and outcome-oriented style of operation, contrasted with its rather complicated relationship with UNHCR which it deemed too liberal and politically entangled at the time, may explain how IOM got into the central position.’⁸

The fact that the IOM had no clear mandate and was not bound by the conventions that regulate the operations of the UN specialised agencies, allowed it flexibility and ease in adjusting to donors’ needs and aims. Since the 1990s, the IOM has been perceived as the agency with the capacity to react in emergencies, and which is ready and willing to work in situations where other organisations cannot. In 1992, the IOM obtained UN observer status at the UN General Assembly, allowing participation in UN meetings, and paving the way towards more cooperation.

Separately, other organisations were created to work on migration-related issues, such as the International Centre for Migration Policy Development (ICMPD) in 1993 with headquarters in Vienna, the Brussels-based think tank Migration Policy Group (MPG) in 1995, and the Ottawa-based International Metropolis Network (IMN) in 1996. Among these organisations, the IOM was seen as an expert in the field of migration and often took on the role of advising the more recent bodies, significantly shaping and influencing their work. Eventually, these organisations and the IOM competed for donations and influence, but they all work closely with governments and intergovernmental bodies.

The IOM’s mandate and sphere of influence have also expanded. In 1999 it established the Academic Advisory Board, the International Dialogue on Migration⁹ and, with the Swiss government, the Berne Initiative¹⁰ in 2001, followed by the Business Advisory Board¹¹ in 2005 and the Migration Advisory Board¹² in 2015 (the first two are now defunct). In 2003, the IOM initiated the establishment of the Geneva Migration Group¹³ (later known as the Global Migration Group) which aimed to improve coordination among various UN bodies.¹⁴

With regard to the Balkans, the main focus of this report, the wars of the 1990s brought about the dissolution of Yugoslavia and transitions that destabilised the entire region for decades to come, leading millions to seek asylum in countries across Western Europe. In response, governments, many of which were EU members, introduced legislation and regulations to tighten border control between the Balkan states and the EU and introduced a strict visa regime. Although these measures were taken largely to control and curtail the movement of people within and from the Balkans towards Western Europe, in hindsight they may be understood as setting the groundwork for the EU’s current approach towards the Balkan states, particularly in relation to border control and ‘migration management’.¹⁵ Back then, the IOM was given an important role while it continued to function under the pretext of an emergency situation. At the same time, in 1992, people who were involved with the IOM initiated the establishment of another organisation, the ICMPD, with similar tasks but an even murkier mandate, an examination of which is beyond the scope of this research.¹⁶

From the early 2000s, the IOM referred to ‘migration management’ as a core part of its work. The term refers to the ‘development of policy guidance for the field; the formulation of global strategies; standard-setting and quality control; and knowledge management relating to “mainstream” migration sectors, including labour and facilitated migration, migration and

development, counter-trafficking, assisted voluntary return, migration health, assistance for vulnerable migrants, immigration and border management and overall capacity-building in migration management'.¹⁷

The predecessor to the IOM was born in the context of the Cold War and although the organisation has undergone various transformations, it continues to work from that 'Western' logic. According to Antoine Pécoud, a sociology professor at the University of Sorbonne Paris Nord, the IOM

'... is an intergovernmental organisation, but at times seems to function as a private company, while also competing with civil society groups and NGOs. Its focus is on migration, but it also performs other tasks that have little to do with migration (like rebuilding regions affected by natural disasters). It is called an organisation for migration, but does much against migration, for example, by returning unwanted migrants to their country or preventing unauthorised migration. IOM appears as a loosely connected network of projects and field offices, addressing a heteroclite range of issues, and moving quickly from one to another, according to opportunities and circumstances.'¹⁸

In the IOM's 'Principles for Humanitarian Action' video, it states that in its work it abides by three humanitarian principles – neutrality, independence from political and financial influence, and impartiality. Although it claims to observe these humanitarian principles, in practice, and as this report will show, the IOM is heavily financed by the EU and individual member states, which also contract it to implement their externalisation policies – a role that brings into question its adherence to these principles and its ability to fulfil its mandate free of political and financial influence.¹⁹ In effect, the IOM implements or performs its tasks under the instruction or guidance of the EU in relation to the Balkans, but the same applies where the IOM operates mainly under instruction from other countries, including Australia, Canada, and the US, among others. As Associate Professor Megan Bradley of McGill University puts it, 'IOM remains a service provider shaped by its projectized funding structure'.²⁰

Although the IOM denies having any political role, the work in which it engages and its global influence, both in terms of defining migration and affecting policy, make it an important political player. In the European context, when the EU adopted 'A European Agenda on Migration'²¹ in 2015, the IOM was officially inaugurated as the leading organisation 'to prevent crisis' through managing borders, while at the same time 'saving lives and securing external borders'. As William Walters, a professor of politics at Carleton University, explained in 2011,²² border control is rooted in a crisis-driven convergence of caregiving and control, resulting in a blurring of distinctions between humanitarian rescue and securitised intervention. In this sense, humanitarianism becomes a conduit through which violent border externalisation policies can be enacted.

The IOM's mandate and principles

The IOM glossary states that the term migrant is 'an umbrella term, not defined under international law' and notes that 'at the international level, no universally accepted definition for migrant exists'.²³

The IOM's working definition is that a migrant is '*any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person's legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is.*'

Alongside this working definition, the IOM popularised the term 'migration crisis', which first appeared in its 2012 'Migration Crisis Operational Framework', a year after the Arab uprisings led many to flee in search of international protection. Subsequently, the EU began creating policies and expanding the budget lines to tackle this 'migration crisis', often making agreements with the same authoritarian regimes that many of those caught up in the 'migration crisis' were fleeing. The deals the EU and its member states have made with Libya are perhaps the most notorious example, but unfortunately these are not outliers but rather one more shameful example of the extent to which the EU is prepared to go to keep 'unwanted' people outside its borders. Although the term 'crisis' is not entirely inaccurate, describing the movement of people fleeing war, persecution, and other forms of violence as a 'migration crisis' shifts the focus away from the reasons why those people are on the move in the first place and detracts from their legitimate right to seek asylum.

Harsha Walia, the author of two books on border politics, argues that there is no 'border crisis', in the US or anywhere else. Rather, there are the 'actual crises' that drive forced displacement and migration – such as capitalism, war and the climate emergency – and 'imagined crises' at political borders, which are used to justify further border securitisation and violence.²⁴ That there is a crisis is beyond doubt, but it is not the crisis that Europe's political leadership leads us to believe, but rather a failure of decades of policies that have prioritised profit over wellbeing. A broader discussion on these failures is beyond the scope of this report, but it is worth mentioning because it forms the backdrop to the subsequent chapters.

Language matters, since it sets the tone and parameters of discussions, and frames how we understand complex concepts and ideas. The language the IOM uses influences how governments, the media and hence citizens perceive and understand human mobility and so is likely to shape political narratives. As a leading intergovernmental organisation (IGO) in the global governance of migration, how the IOM uses language and terminology influences public understanding of both migration and crises – conflating the two. It suggests that the solution to this 'crisis' is 'migration management', another term the IOM has popularised.

The mass media – along with many politicians, academics, international organisations, non-government organisations (NGOs) and parts of civil society – have largely adopted the 'migration crisis' terminology. After a significant number of migrants reached Europe in 2015, the EU used the 'crisis' to justify further fortifying its borders and introducing more extreme responses like 'hot spots' and detention-like centres for migrants, often surrounded by barbed wire, and guarded by military or police forces. In the Balkans, the EU's border externalisation,

of which the IOM is a key implementing partner, has been described as a necessary measure in managing the migration ‘crisis’, referred to by government officials across Europe.

Following the Taliban’s return to power in Afghanistan in 2021, the EU’s High Representative for Foreign Affairs and Security Policy, Josep Borell, stated that the EU was prepared to talk with the group to prevent ‘a humanitarian and potential migratory disaster’. Such language exemplifies the type of rhetoric the EU frequently uses, whereby the ‘disaster’ is less about those desperately attempting to flee Taliban rule and more about the alleged implications of their arrival in the EU. It is likely that many of those fleeing the Taliban, with whom the EU was willing to negotiate, traversed the migration route and came up against the EU-funded IOM-implemented border policies discussed in this report.

In July 2016, a year after the number of people moving towards Europe increased significantly, the IOM officially became a ‘Related Organization of the United Nations’²⁵ and hence is now described as a ‘UN-related agency’. Migration experts find this convergence problematic. Professor Goodwin-Gill at the University of New South Wales, cited earlier, claims that the IOM has ‘accountability and transparency deficits’ and that ‘despite its efforts to brand itself as the responsible actor in the context of migration for the UN, IOM should not be considered a UN agency until it becomes more clearly accountable for its activities and for its conduct vis-a-vis migrants and asylum seekers’. According to Goodwin-Gill, ‘the IOM exists primarily to serve the interests of states ... This is because while state interests are at the forefront of the IOM’s constitution, the rights of migrants and refugees are barely considered. This is in direct contrast to the UNHCR, which the General Assembly set up precisely to provide international protection to refugees, supervise the application of treaties, and report annually on its work’.²⁶

Some scholars criticise the status of ‘UN-related agency’ as vague, claiming that it is not a recognised or defined legal category.

‘UN-related organizations are not contemplated within the UN Charter or other international instruments. Rather, the expression is used adjectivally to describe a small suite of international organizations that have cooperation agreements with the UN of certain similar character and yet are not UN-specialized agencies.’²⁷

Assistant Professor Miriam Cullen, at Copenhagen University’s Faculty of Law, describes how the 2016 Agreement granted IOM ‘additional and enhanced access to UN systems and meetings, privileges associated with the use of the laissez-passer, participation in the UN Chief Executives Board for Coordination, its subsidiary bodies, and country teams’ and allowed the adoption of the UN brand.

The IOM’s ‘non-normative’²⁸ position in relation to the UN also means that it is not obliged to observe the same accountability and reporting mechanisms as the UN specialised and norm-setting agencies. ‘Unlike the UNHCR, which must report to the General Assembly, the IOM is only obliged to report to its donors, and there are no public records of those reports’, which Goodwin-Gill argues is why states see cooperation with the IOM as a means to distance themselves from, or circumvent entirely, the UN’s accountability mechanisms. ‘Understandably,

states will be concerned that they have got value for money, but what that value is, may not be UN value', he adds. Other researchers have described the IOM's closer relationship with the UN since 2016 as 'blue-washing': creating the impression of being a humanitarian IGO while in fact conducting migration-control activities on behalf of Western donor countries.²⁹

Blue-washing: Selected UN specialised agency logos vs the IOM logo



Unlike other UN agencies, as Gilbert reminds us,³⁰ the IOM claims to be closely engaged with its member states, while it is highly decentralised, which enabled it to engage in a number and diversity of projects at the request of its member states.

The IOM's expanding influence

Since the 2000s, the IOM's growth and influence have expanded and it currently has over 170 member states, some 400 field offices, and more than 14,000 staff. Its growth is also reflected in its revenue, which has risen from \$273.2 million in 2000 to \$2.9 billion in 2022.

Its ways of working have also become more business-like as donors aimed to create an organisation that is cost-effective, flexible and less restricted than the relevant UN specialised agencies. In 2023, the US national Amy Pope was elected as the new IOM Director General, announcing more cooperation with the private sector. At the start of her mandate, she held a meeting with a group of businesspeople to discuss 'how private sector solutions can help communities everywhere benefit from the opportunities of migration and provide life-saving assistance to vulnerable people on the move'.³¹ Echoing the politicised origins of the IOM, it is worth noting that Pope was nominated for the role by the US government, which encouraged 'all IOM member states to embrace this important opportunity to reinvigorate the organization by electing Amy Pope as its next Director General'.³² On 15 May 2023 US Secretary of State Anthony Blinken congratulated Pope on his then twitter/now X account and has regularly praised her work on this platform.

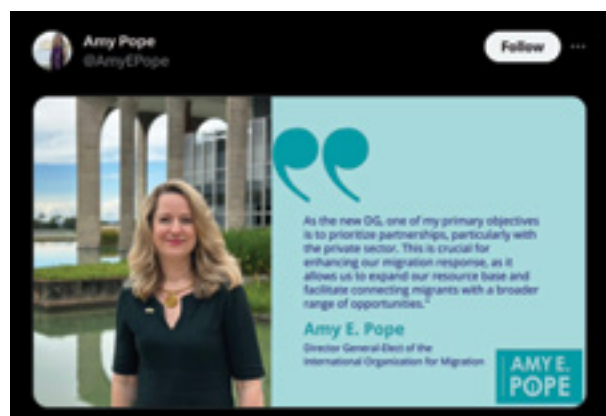
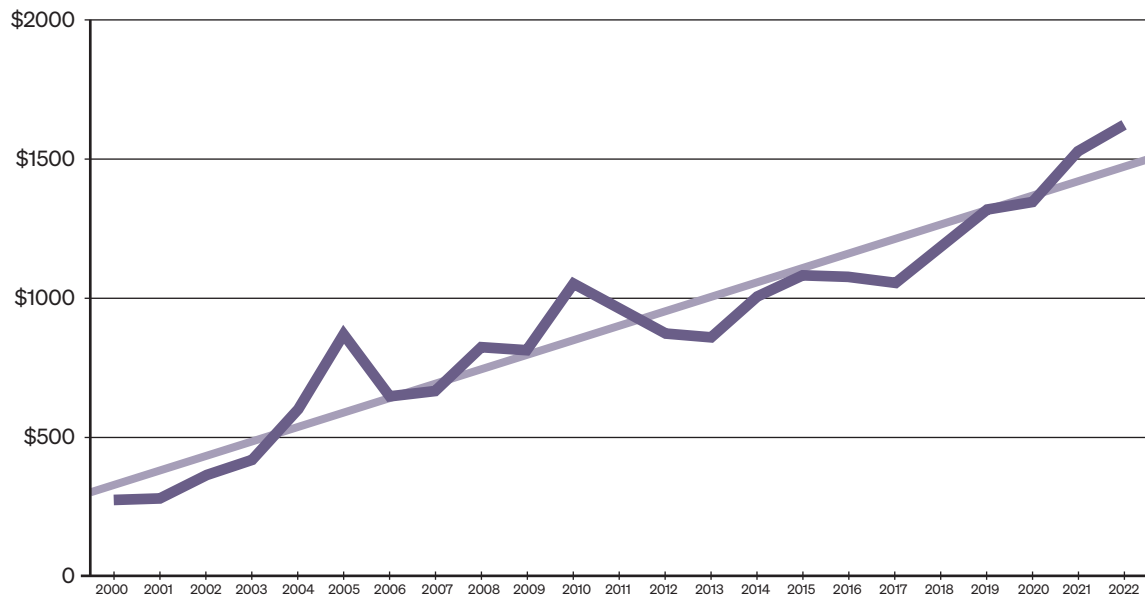
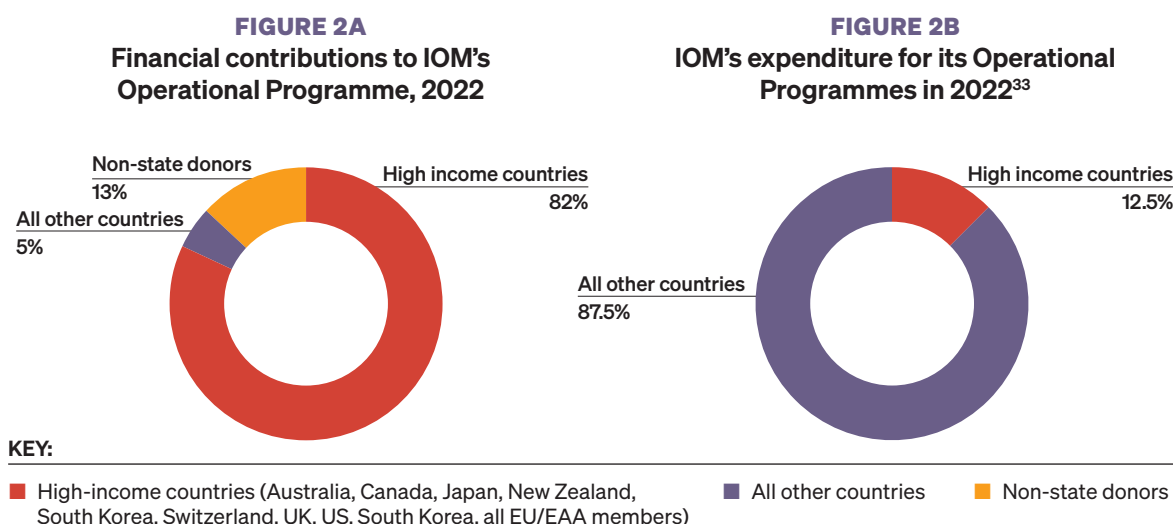


FIGURE 1
Graph depicting the IOM's revenue growth in the 2000–2022 period,
in US\$ million (adjusted for inflation)



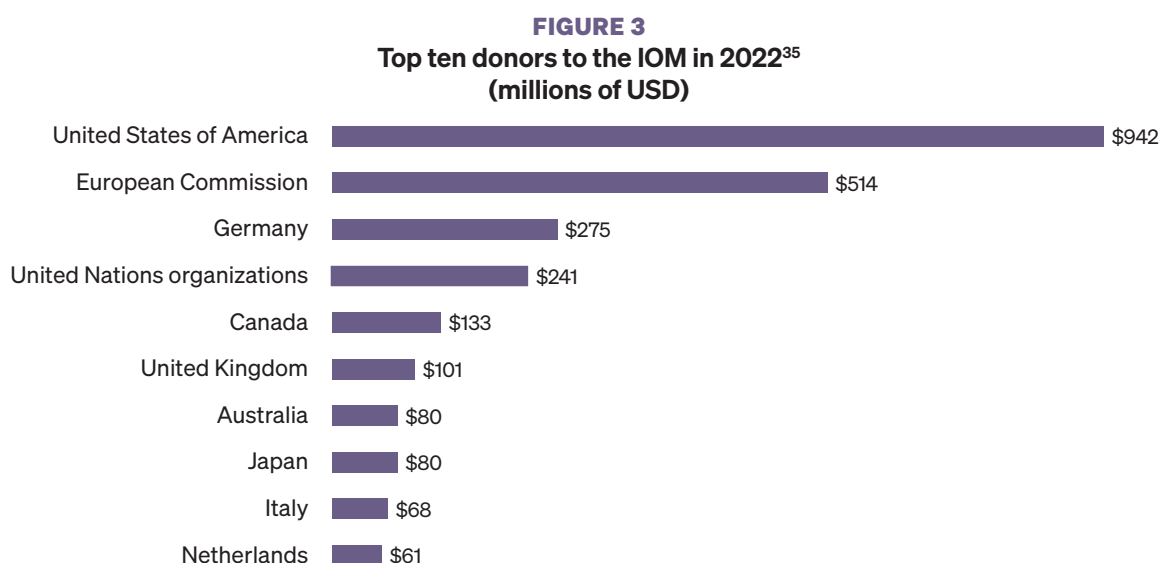
Lacking adequate protection mechanisms, and with a focus on increased funding, the IOM represents the institutional logic of a private corporation. This is in part because IOM's budget is conducted on a project-by-project basis, with nearly all the funding being earmarked, meaning that the donors determine where their funds are distributed and used. The IOM then sub-contracts various actors to fulfil projects. While the UNHCR also implements some of its mandate on a project-by-project basis, there is a distinction in that the UNHCR is held to higher accountability and oversight standards within the UN system whereas the IOM is not.

Its dependence on funding from multilateral and bilateral agencies means that the IOM has a self-interest in supporting and maintaining its donors' agendas. Those donors are mainly from high-income countries and are politically and economically aligned with the US. This alignment is relevant because the IOM, as outlined above, claims to conduct its work in an impartial manner. Yet the fact that it is heavily supported financially and politically by the US and its allies raises serious questions about the extent that the agency has or indeed seeks to be independent.



Of the IOM's expenditure in 2022, 87.5% was in low- and middle-income countries (L&MICs), along with the Balkan region. Because most of these funds are earmarked, these figures suggest that the IOM functions as a 'service provider' for its major donors, helping to implement their externalisation agenda in third countries. This agenda has included strengthening borders, adopting tougher border restrictions, investing in surveillance technologies, supporting local police forces and pan-European police networks, setting up migrant detention centres, establishing deportation mechanisms and helping with signing readmission agreements with 'countries of origin' – all in the name of 'promoting humane and orderly migration for the benefit of all' (IOM's mission statement.)

Figure 3 is taken from the IOM's 2022 financial report.³⁴ The largest donor, by far, is the US government, followed by the European Commission. In view of the deadly border regimes of the US and EU, it is deeply worrying that so much funding is channelled to an organisation that implements various aspects of these deadly policies, which is attributed a UN stamp of approval, though not subject to the same checks and balances as UN agencies.



Criticisms and controversies surrounding the IOM's work

The IOM's lack of accountability mechanisms, coupled with the fact that its mandate does not explicitly include the protection of human rights, has led to its engagement in numerous questionable projects on behalf of bilateral and multilateral donors. There have been controversies regarding the IOM's work from the outset.³⁶ One aspect of its work that is often criticised relates to the Assisted Voluntary Return and Reintegration (AVRR) programme, through which since 1979 the IOM helps migrants and asylum seekers obtain necessary documents, covers travel expenses, and provides financial assistance for people to return to their home country. The IOM offers this service to migrants in various countries and situations, including makeshift camps, squats, places of transit or locations where they are receiving humanitarian or medical assistance. Although the IOM claims AVRR is not offered in detention centres, a number of people with whom we spoke in BiH in detention centres claimed they heard about the programme while they were detained. Legal scholar Dr. Jean-Pierre Gauci asks, as other scholars have done, if 'in situations where the main other legal option available to rejected asylum seekers or irregular migrants is deportation, it is difficult to conceive of AVRR as offering such migrants a genuine, informed choice in the matter of return'. This method used by the IOM is often described as a form of 'soft deportation', or a 'transformation within the regime of deportation itself'.³⁷

It is the voluntary nature of the AVRR programme that is contested, with many claiming it is not voluntary but amounts to *refoulement*. In contrast, UNHCR recommends that in order for people's return to be considered voluntary, they must have the legal right to remain in the host country, not be subject to detention and enjoy their full rights.³⁸ The IOM does not refer to this in its documents on AVRR³⁹ nor does it follow the UNHCR recommendation in its everyday work. In 2004, Amnesty International (AI) and Human Rights Watch (HRW) publicly criticised the IOM's approach to assisted returns in a statement⁴⁰ calling for an independent 'evaluation of the IOM mandate'. A year later, AI issued another statement⁴¹ calling on the IOM to 'refrain from any involvement' with government programmes that could violate human rights, referring to the fact that the organisation assists governments in sending people back to their home countries. In his work, professor Stian Øby Johansen underlines that although the IOM is not party to any human rights treaties, nor does its constitution or internal law contain a human rights catalogue, the organisation is obliged to work in accordance with general international law. Yet, the IOM is not accountable due to the lack of mechanisms and the fact that it has absolute jurisdictional immunity. 'Even when compared with other international organizations, IOM's human rights accountability mechanisms are among the weakest – despite the high risk of human rights violations associated with its work'.⁴²

In line with humanitarian practice, the IOM categorises people according to their vulnerability, giving first priority to children, women, those who are frail, in need of medical treatment or have a disability, and victims of trafficking. While it is essential to take people's vulnerabilities into account when they are seeking humanitarian assistance, a categorisation based solely on these, in the absence of a more holistic approach, may be problematic. A researcher at the Migration Control project Inken Bartels warns⁴³ that this approach 'establishes and promotes new hierarchies of legitimate claims to international mobility and protection and is responsible for their material consequences'. For example, in the case of single men, these consequences

often include criminalisation of movement, labour exploitation, or the violation of other human rights. Moreover, while the IOM presents itself as a ‘humanitarian actor’, its role in externalising borders for the EU and other countries is often what makes migrants vulnerable to risk in the first place. As Dr. Polly Pallister-Wilkins of the University of Amsterdam explains,⁴⁴ increasingly securitized border controls are apparently shaped around the need to save lives at the same time as they sustain unequal mobility by enforcing increasingly violent borders that cost lives. Saving lives while taking lives, she argues, is the perverse logic of global borders.

The EU and the IOM

The cooperation between the EU and the IOM has hugely expanded. In 1997 the European Commission introduced the Amsterdam Treaty,⁴⁵ which was the basis for the 1999 Tampere Programme,⁴⁶ which defined ‘a common EU asylum and migration policy’ and the need for migration management, which has since been adopted by EU accession states such as Moldova, aspiring EU member states such as Ukraine and several countries in the Balkans region.

Since 2014, this cooperation has consolidated through various EU funding schemes, including the Instrument of Pre-accession Assistance (IPA) funds for countries that seek EU membership, the EU Emergency Trust Fund for Africa (EUTF) aimed at ‘fighting the root causes’ of migration, and the European Union Border Assistance Mission to Moldova and Ukraine (EUBAM). While the US used to be the main donor, in 2017, the EU and its member states collectively donated more than the US for the IOM to implement its deadly border regime, primarily in countries on the African continent, the Balkans, but also in EU member states such as Greece, whose geographic location makes it a major entry point for migrants, many of whom subsequently attempt to seek asylum.

On behalf of the EU, the IOM has been one of the main organisations to be involved in numerous controversial projects since 2015 including strengthening borders and equipping police forces with identification and surveillance equipment. An egregious example is Libya, where the IOM is directly involved in funding and training the Libyan Coast Guard (LCG), which intercepts migrants and returns them to Libya, where many are arbitrarily detained, tortured, raped, sold into slavery, and killed.⁴⁷ In 2016, the IOM provided the LCG with over €500,000 of Dutch tax revenue⁴⁸ for ‘enhancing saving-lives-at-sea operations by the Libyan coastguard and supporting humanitarian repatriation of vulnerable migrants out of Libya’. The funding was channelled to Libya as a voluntary contribution specifically for this programme. In July 2021, there was a video of the LCG shooting at a boat carrying migrants⁴⁹ and repeatedly attempting to ram their boat. Civil society organisations (CSOs) active in search and rescue operations in the Mediterranean have frequently documented such incidents.

By funding the IOM, along with organisations like ICMPD or Frontex among others, the EU has been able to externalise its borders and migration policies to countries mainly in North and West Africa and the EU’s external borders. The IOM acts as an intermediary between countries on the receiving end of EU-driven policies and the EU itself. Funds for various internal actors such as companies, international organisations (including the Danish Refugee Council (DRC), UNICEF, and UNHCR among others) and government institutions are often channelled through the IOM, as it is easier for donors to engage with a single organisation – in this case the IOM

– than to establish many bilateral funding arrangements with numerous IGOs, NGOs and government institutions. In this way, the IOM takes on an intermediary or management role for the EU whereby it distributes EU funding and also defines rules and tasks in line with the EU’s migration agenda in third countries. This form of large-scale funding risks weakening the recipient states by creating parallel structures that compete with existing institutions, which may in turn lead to a host of domestic problems. The EU funds governments via the IOM to adopt tougher immigration restrictions and strengthen their external borders, policies that undoubtedly benefit the EU’s border regime but have serious negative effects for the countries implementing them. Though EU funding is often allocated through seemingly benign assistance or development programmes, in practice it often ends up funding militarised private security companies that perpetuate and further entrench a securitised border and migration agenda. An analysis of the development migration nexus is beyond the scope of this research paper.

These developments have become increasingly visible in several pre-accession Balkan countries, particularly Albania, BiH, Kosovo, Montenegro, North Macedonia, and Serbia, where the IOM has become the most important international agency in migration-related securitisation and border control. This region – previously a transit corridor for people travelling between Greece and the rest of the EU – has now become a ‘no man’s land’ where migrants are trapped behind the EU’s borders, their right to claim asylum and other rights are denied, and there is no way forward. The following chapters focus on the IOM’s role in securitising countries across the Balkan region.

CHAPTER 2

The IOM and the securitisation and (re-)militarisation of border regions in the Balkans

As outlined in Chapter 1, the IOM plays a prominent role in implementing EU border externalisation policies. This chapter looks at how this evolved and plays out in the Balkans region.

Through its partnership with the IOM, the EU has made the Balkans region a testing ground for its migration policy. This has involved funding the IOM to develop a transnational security apparatus in the region, which includes the re-militarisation of borders, along with sophisticated surveillance structures and technologies, and bolstering local and international police forces, some of which engage in illegal and violent deportations (commonly referred to as pushbacks). Through documents obtained via Freedom of Information (FoI) requests, and field research conducted in the Balkans including interviews with migrants, local residents, and activists, it becomes clear that the EU is funding the IOM not to carry out its mandate as a supposedly independent organisation, but as an implementing partner in its external border control policy. This research uncovered a shocking misuse of EU public funds, which were intended to fight corruption and support countries across the region in their EU accession efforts, but have been used to secure borders in furtherance of the EU's economic interests.



Closing borders and bolstering police forces

'We need robust and joint actions to crack down on smuggling networks and to fight against organized crime networks. We must reinforce border protection therefore in its strongest sense. It must be clear that the EU only welcomes people through safe and legal routes. The door is not open for illegal entry. So those, who do not qualify to stay, will have to be returned without delay. It must be clear that we will protect the integrity of our asylum system. Growing asylum abuse and fake asylum claims are unacceptable...That's why we are rebalancing and shifting our priorities and action, with an increased focus on anti-smuggling, border protection, and returns. To this end, we will increase our funding to the Western Balkans by 60% to more than EUR 350 million by 2024.'

This quote is from EU Commissioner Olivér Várhelyi's address given⁵⁰ in November 2022 in Sarajevo at the signing ceremony of the Memorandum of Understanding (MoU) between BiH and the IOM on voluntary and forced returns. His address outlined the plans of the European Commission (EC) to securitise the Balkan region in direct partnership with the IOM. In recent years the IOM has become the most important reference point for migration in various countries – for governments, as well as for migrant populations, local and international NGOs and local administrations. As we saw in Chapter 1, this has given rise to mounting criticism of its role 'in the externalisation of the EU's border regime'.⁵¹ How did an international organisation that 'supports migrants across the world' become a key player in the militarisation of borders? What does it mean when the IOM takes precedence over relevant UN specialised agencies such as UNHCR – whose mandate is to deal with refugee and displaced populations and asylum seekers, and whose establishment was guided by protection protocols and reporting mechanisms? Given that it does not have a human rights mandate, does the IOM's role in the Balkans, and indeed elsewhere, inhibit people from exercising their legitimate right to seek asylum? And what does the IOM's role as an intermediary between the EU and its member states mean for national governments, the public, NGOs and the private security industry – and for migrants?

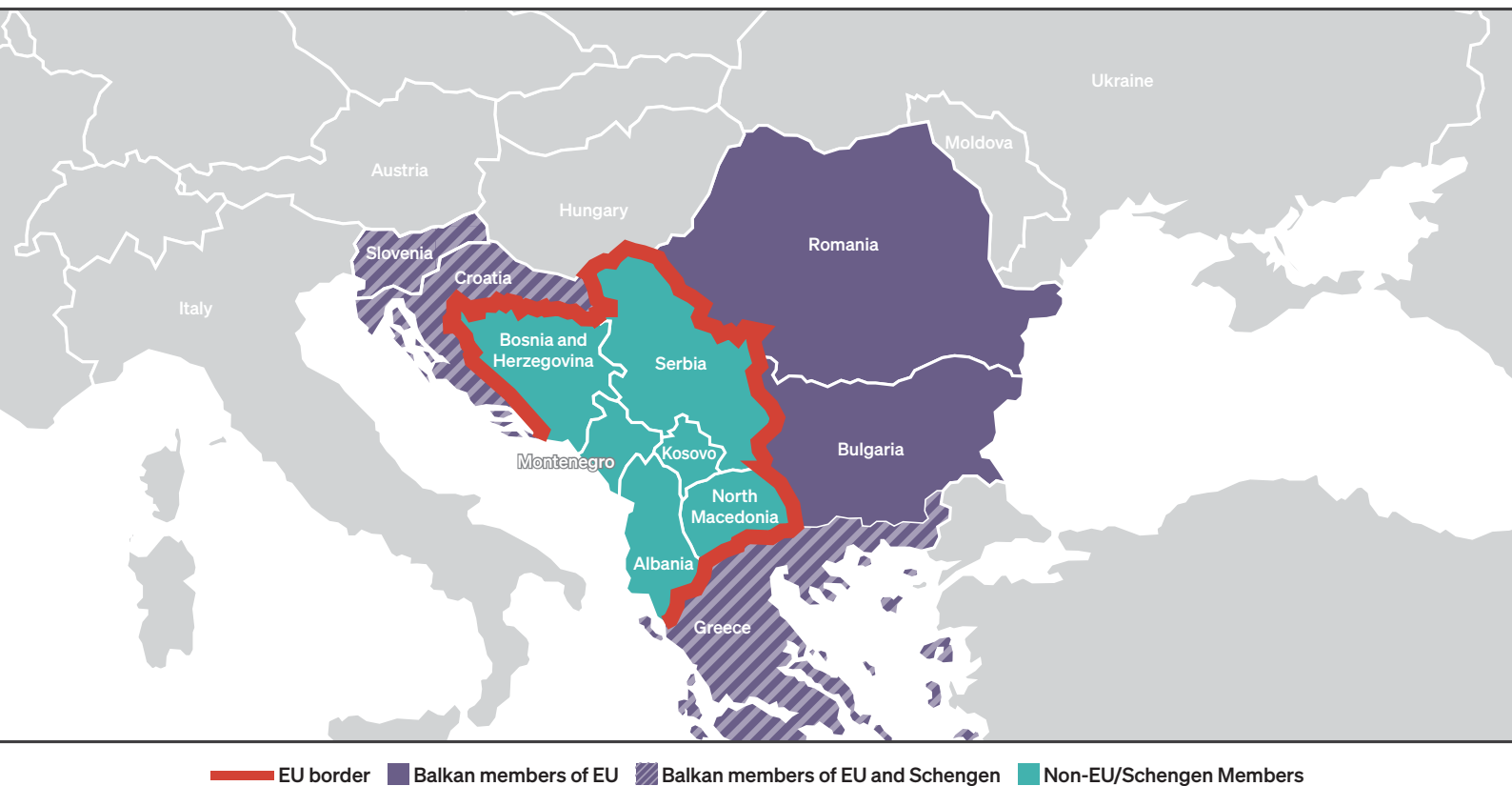
The case of BiH, North Macedonia, and Serbia, the three countries that are the focus of our research, shows that the IOM, under the guise of 'humanitarian'-based 'migration management' has become an important player in migration-related securitisation and re-militarisation – both terms refer to ways in which the EU attempts to control migration. The Canadian Association for Refugee and Forced Migration Studies describes **securitisation as 'a process of social construction that pushes an area of regular politics into an area of security by resorting to a rhetoric of discursive emergence, threat and danger aimed at justifying the adoption of extraordinary measures'**.⁵² This leads to excessive border policing, the building of fences and walls, the arming of border police, the increase in border surveillance and also to the collection of migrants' personal data for the purposes of control and preventing potential return. Within this process border regions as well as security forces become militarised through fences and the creation of no-man's lands, but also by being supplied with equipment such as drones, all-terrain vehicles, boats, high-tech surveillance gear and other military materiel.

The financing of security infrastructure has resulted in questionable deportations, evictions, and violence becoming an increasing reality across the Balkans region. Coupled with the denial of asylum rights, this has disrupted the so-called Balkan route from Greece to other EU states, leading to a more complex, multidirectional flow of people, who are 'pushed back' or moved from one Balkan country to another in their attempt to reach the Schengen Area, often becoming stuck in the region. The 'Balkan Circuit' better describes the current realities. Circular transit around the Balkans involves not only migrant populations, but also practices, discourses, knowledge, technologies, organisations, and individual professionals. Securitisation practices circulate alongside the migrants who are attempting to move through the region.⁵³

Most of the countries in this Balkan Circuit had not previously engaged in robust anti-migration efforts as they had hitherto been transit states, as well as countries of origin.⁵⁴ This started to change after the EU increased pressure on these countries in the aftermath of 2015, making the Balkans a 'dumping ground', in which people on the move are collected and expelled, and where access to asylum is denied or very difficult. In this process, Balkan countries were pushed to implement 'legislation and infrastructure that serves to tame, control and select human mobility towards the EU', while the central roles of the EU and IOM remained largely invisible.⁵⁵ It is clear that their roles in boosting border police and infrastructure to prevent migration serve neither the interest of the UN – in reference to its underlying covenants and/or to UNHCR's mandate – nor of migrant populations or local communities. Rather, it indicates that the IOM serves the EU's goal to fortify the Balkan Circuit and prevent migrants from reaching the Schengen Area.

In the Balkans, as detailed in Chapter 1, most of the funding for securitisation projects comes from the IPA funding, an EU development fund for prospective member countries. Initially, the IPA was intended to assist states in the process of acceding to EU membership by building up their institutions, improving the rule of law, fighting corruption, and implementing post-socialist economic reforms. Over the years, however, the EU's priority and funding in the region has centred on controlling migration and securitising its (future) external borders. This means that EU accession has become dependent on how well a country can show that it can do this. As we have already seen, the IOM has been one of the main recipients of the grants for this purpose and is also responsible for overseeing various projects associated with the IPA funds. An early instance is that of Croatia in 2013 when the country joined the EU. The IOM played a key role in leading the project 'Building the Capacity of Members of police forces in Bosnia and Herzegovina and Croatia for Performing Joint Patrols'.⁵⁶ The project organised awareness training regarding new laws and migration patterns and enabled participants to perform joint patrols. According to the IOM, this project had a direct impact on improving the long-term management of migration flows, smuggling, and trafficking across an external EU border, mitigating the risk of irregular migration and cross-border criminal activity between BiH and Croatia, and contributing to security in the Balkans and member states.⁵⁷

Map of the Balkans and surrounding countries



The priority placed on securing borders remained a crucial factor in Croatia's efforts to join the Schengen Area. In 2019, the EC underlined that if Croatia wanted to become a full member of the Schengen Area, it must ensure better protection of the EU's external borders.⁵⁸ In practice, this took the form of a brutal pushback – a deportation regime, supported by countries such as Germany which donated numerous vehicles to the Croatian border police, worth €83,500.⁵⁹ Finally, despite civil society disagreements,⁶⁰ and numerous cases of human rights violations perpetrated against migrants, Croatia entered Schengen in 2023.

Notwithstanding the increasing investment in border control across the Balkan region, people continue to reach the external borders and make their way forward. Despite statements by High Representative Josep Borrell that the EU 'garden' is at risk of being invaded by the external 'jungle', the number of migrants attempting to enter the EU as a whole per year at its various border crossings has not surpassed 150,000 on average per year based on figures from 2016 to 2022.⁶¹ This is a mere 0.03% of the overall EU population, hardly the invasion to which Borrell referred. Nevertheless, despite the EU's decision to rightly receive millions of Ukrainians fleeing the war in their country, the Union has been increasingly unwilling to accommodate those fleeing other wars and situations of violence, preferring to expend significant efforts in containing them in detention-like and inhumane conditions outside the EU where they wait in limbo. EU leaders have failed to understand, or perhaps it is precisely because they understand very well, that placing obstacles along migrant routes does nothing to address the root causes that lead to those migrants finding themselves along those routes in the first place. This begs the question – what is the reason to invest so much in security?

Securitisation under the guise of humanitarianism

Writing about the role of the IOM in Indonesia, researchers Hirsch and Doig describe the role of IOM in border control as ‘blue-washing’, which can be understood as the misuse of the UN’s humanitarian reputation to establish an ever-increasing system of migration control on behalf of donor countries, local elites and various profiteers of the border-control business.⁶² When the EU decided to give the IOM a central role in migration management in the Balkans, especially in BiH, the predominant discourse was that most of the people in transit are economic migrants (as opposed to 1951 Refugee Convention refugees) using irregular means of entry to clandestinely gain access to the EU, rather than focusing on why these people were forced to migrate or flee their homes in the first place. In addition, officials in the Balkans, as well as some in the EU, started to use the term ‘illegal’, pushing aside any mention of their humanitarian needs in favour of the promotion of the need to fight trafficking or smuggling. This approach led to the criminalisation of migration and was used to justify the militarisation of the border regime. The IOM, which describes itself as a ‘multi-mandate’ organisation, able to take on different tasks – from humanitarian relief, emergency evacuations, resettlement, returns, and border management to counter-trafficking, data collection, and policy development – became very instrumental. The role of the UNHCR was restricted to serving only those who were given refugee status, as one UNHCR official confirmed in an off-the-record conversation with the research team in Sarajevo in January 2021. In his view, arguably only 5% of migrants who arrive in BiH are likely to be granted refugee status, the rest fall outside the 1951 Convention definition. This is borne out in the UNHCR BiH report for 2022 showing that few obtained refugee status in the country.⁶³ Worryingly, the report highlights the fact that many people lacked access to information about asylum procedures, even if they were living in IOM-managed centres, and could have presented international protection claims had they been furnished with information on how to do so. Similar figures were also cited by IOM officials, raising concerns that the IOM receives EU funding on the assumption that most migrants are not refugees; indeed, it appears that the default position in the Balkans is that people are not eligible for refugee status, instead of applying the logic that everyone has the right to seek asylum, a key principle of International Refugee Law. The strategy appears to actively exclude people rather than casting a wider net and trying to guarantee international protection to as many as possible who may indeed require such help.

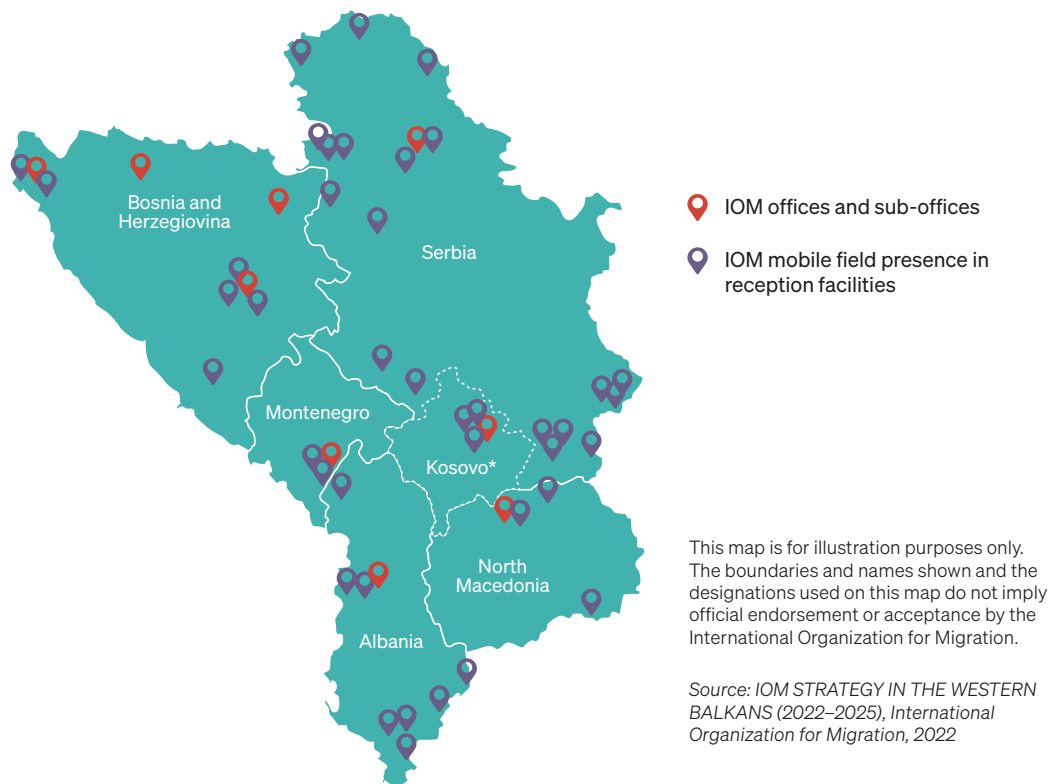
According to the definitions used by UNHCR and the IOM, ‘refugees are people who have fled war, violence, conflict or persecution and have crossed an international border to find safety in another country’, and are protected under the 1951 Refugee Convention as ‘someone who is unable or unwilling to return to their own country owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular group, or political opinion’.⁶⁴ Generally, a migrant is considered to be someone who chooses to move for various reasons, including but not limited to economic opportunity. This distinction, which in practice is generally left to be made by the administration in a destination country, is deeply problematic as it oversimplifies the complex and varied reasons why people move. Issues such as war, climate change, poverty, and sheer survival, can compel individuals to move and still not be defined as a refugee (or asylum seeker) but as a migrant – which effectively denies them rights to mobility and protection. The existence of two bodies, one a UN specialised

agency (UNHCR) whose mandate is to deal with the needs of refugees and asylum seekers (and those in refugee-like situations, such as internally displaced persons, IDPs) and the other (the IOM) with migrants, offers legitimacy to the global and often violent enforcement of the distinction – which sustains unequal mobility through an ever-expanding border industry that endangers all people on the move, regardless of their status. A 1997 MoU⁶⁵ between the IOM and UNHCR shows that the two organisations do in fact have overlapping fields of activity. In the Balkans the IOM has by now taken over many of the areas cited in the MoU as the UNHCR's core responsibilities, such as the administration of camps or return mechanisms and procedures linked to it.

The IOM rose to greater prominence in the Balkans region, and the rest of the world after the agreement with the UN in 2016, due in part to the portrayal of a 'crisis', in which migration flows and migratory pressure are depicted as constantly high, which creates the need for a strong 'emergency' response, applying the principles of management and control. The assumed 'crisis' lent legitimacy to strengthening the EU's external borders, and to justifying precarious camps, increasing incarceration, enforced limitation of movement as well as the expanding militarisation of border regions and extensive surveillance programmes.

The IOM has specific features that make it better suited, within an EU 'migration management' logic, than UNHCR for externalising the EU's borders to Balkan countries that are seeking EU membership. First, as a project-based organisation, the IOM is responsible primarily to its donors rather than the public or local governments and populations. Second, despite being widely referred to as the 'UN's Migration Agency', and a 'UN-related' agency, the IOM is not bound to by the same security and reporting protocols as UN specialised agencies, such as UNHCR or UNICEF, for instance.⁶⁶ It does not report to the UN General Assembly, the UN Human Rights Council, or a UN committee. Third, its principle of migration management uses a combination of humanitarian and securitisation approaches which seek to coalesce 'numerous governmental functions within a national system for the orderly and humane management for cross-border migration'.⁶⁷ In practice, this means that the EU sets the direction and scope of migration management in various 'transit' and 'origin' countries. In the Balkan region, the IOM then implements this in cooperation with other IGOs such as ICMPD, and Frontex, but also including UN agencies such as UNHCR and organisations like the International Committee of the Red Cross (ICRC) or similar bodies, and international or local NGOs, contracted countries, regional authorities and local actors, such as government authorities, or private companies. All of this is presented through its public relations (PR) apparatus that presents the IOM's work in an overwhelmingly positive and humanitarian light. Despite this, the IOM press offices seldom respond to journalists' critical enquiries about its work: in the course of this research, various questionnaires and follow-up questions about its activities in the Balkans remained unanswered. This allows the EU to implement its migration control policy in the Balkan region through the façade of a UN-related organisation.

IOM offices and field presence



Funding of police and security infrastructure in the Balkans

‘On June 14 and 15, 2022, the IOM organized a regional meeting of the Heads of Border Police in the Western Balkans. Bringing together high-level delegations from Border Police of Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Kosovo*, the meeting served as a platform to foster intra-regional cooperation in humanitarian migration management.’
(IOM, press release, June 2022)⁶⁸

Since 2007, the EU has allocated a total of over €350 million to the field of migration in the Balkans, mostly through the IPA. This makes clear the support of the Balkan countries in the EU’s attempt to fully control migration movement towards the Schengen Area, which Statewatch examines in detail in its report on the region’s role in externalisation.⁶⁹ The acceptance and implementation of the EU’s migration policy recommendations, including the strengthening of their border security and control capacities, is imperative for these countries in order to continue the EU accession process, which is clear in the EC annual reports for each of the countries.⁷⁰

Before the expansion of the Frontex mandate in 2019, the IOM carried out many of the functions that it is now mandated to undertake. This included training police forces,⁷¹ financing the transport and accommodation costs for guest officers and supplying essential surveillance

equipment to police units such as drones, observation devices, bulletproof vests, heartbeat-detection monitors and helmets. In this way, the IOM supported the establishment of a pan-European border patrol in the Balkans comprising local police officers and police officers from Visegrád countries (Czech Republic, Hungary, Poland and Slovakia). This pan-European police network was active in various border areas across the region for several years while Frontex was waiting for status agreements to be approved. It was only at the end of 2022 that the new legal framework was adopted by the EC in which Frontex received the necessary approval⁷² to start working in the largest part of the region, excluding BiH, which at the time of writing had been urged to sign the agreement.⁷³

Through the EU funding, the IOM-supported pan-European border police force was directly involved in the 'closure' of the Macedonian border and hence the Balkan Route. In 2016, after the EU–Turkey deal became operational, one country after another announced that it would close its borders. Among them was also North Macedonia in March 2016,⁷⁴ with help from the IOM through the 'Special Measure on Supporting the former Yugoslav Republic of Macedonia',⁷⁵ because the country was said to not be 'in a position to finance the running costs of a joint operation of the envisaged scale'. Among other things, the programme outlined the need for up to 350 guests and 150 national officers to 'manage the critical sections of the country's southern border, including registration systems, effectively'. The country shares its southern border with Greece and is therefore the starting point for many migrants to their destination country in Central Europe. In other words, the IOM became the management entity on the ground, in charge of a militarised operation aimed at forcibly stopping people's movement through the Balkan countries towards EU territory – financed and observed by the EU. The annex of the programme document makes clear that the goal of the mission was to intensify migration control by establishing a system of surveillance and other measures:

'The specific objective is to support border and migration management capabilities, including systematic border checks and border surveillance, the identification and registration of third-country nationals crossing the border in a regular and irregular fashion, and the combating and prevention of migrant smuggling, human trafficking and cross-border crime, in full respect of the rule of law and fundamental rights.'⁷⁶

Anticipated results and key indicators confirm this: the programme goal is to strengthen the operational capacities of the border police and partner institutions, knowledge transfer from EU border guards to domestic personnel, improved surveillance and better management of migration flows. This is expected to be achieved through increased staff, more joint patrols and providing technical equipment and training in its use. Based on this nine-page agreement,⁷⁷ the EU contracted an organisation of the 'UN-family' to administer €10 million to close a whole border region. Again, it follows the same logic as previously outlined: the EU designs an action plan in its own interest, the IOM is responsible for its implementation in a specific country, and the main partners are local and international border guards that receive technical equipment, funding and personnel support in a mission designed to interrupt migration towards the Schengen Area.

Selected IOM funds spent on equipment and services in Serbia, North Macedonia, and Bosnia and Herzegovina*

Serbia

TIME FRAME: 2016–2020

TOTAL: €3,644,000



Hotels and meals
for border police
€2,025,595



Border surveillance
and police equipment
€1,266,208



Construction of
detention centers
€518,496



Vehicle rent and fuel
€283,078



Office equipment
€69,119

North Macedonia

TIME FRAME: 2016–2021

TOTAL: €5,055,181



Vehicle and container
purchase and fuel
€2,706,737



Police equipment
€1,272,922



Hotels and meals
for border police
€1,045,534



Cleaning and
maintenance services
€29,987

Bosnia and Herzegovina

TIME FRAME: 2019–2021

TOTAL: €9,678,288



Basic supplies for migrants
(food, clothes, sleeping bags etc.)
€3,283,604



UN to UN
agreements
€1,906,220



Housing, maintenance and
construction services
€1,505,792



Security
services
€850,097



Vehicle rent, purchase,
and fuel
€759,515



Community
Programmes
€185,110



Police equipment,
including weapons
€89,379



Others
(including project agreements
with NGOs)
€1,098,571

*This list is non-exhaustive and reflects merely the information accessible to the authors.
The total amount of money spent by the IOM in the region is in fact much higher.

Equipping police

An extensive list of EU-funded IOM contributions to local security forces,⁷⁸ ranging from the Service of Foreign Affairs (SFA) in BiH, to ordinary and special border police forces, shows the scale of security-related funding by IOM in the Balkan region.⁷⁹ These donations are often presented to the public through media campaigns as EU aid to the country and are celebrated in public events with the presence of high-ranking local or international officials. These events are usually only photo ops, with no possibility for journalists to ask questions.

In Serbia, the IOM equipped security forces with drones, among other things, to the tune of €36,500, purchased via the company Damiba trade⁸⁰ based in Belgrade and specialised in defence and space manufacturing. Nearly €100,000 was spent on heartbeat detectors to detect people travelling in vehicles. A further €97,000 was spent on bulletproof vests and helmets from XOPYC doo, a company that sells military products and accessories and is connected to other entities that provide military services such as tactical training⁸¹ (the homepages of its sister companies are full of images of weapons and special units, giving war-like impressions).⁸² During Phase 3 of the EU's special measure in support of Serbia, the IOM paid over €1 million for hotel accommodation for Serbian and foreign border police officers.⁸³ In addition, it spent several thousand euros on renting vehicles and fuel costs. Effectively the IOM functioned as an intermediary between the EU and local police forces.⁸⁴

The IOM official documents reveal a similar picture in North Macedonia,⁸⁵ where the organisation delivered eight overland vehicles for €94,635,⁸⁶ 16 cars for 'transportation of smugglers and to combat smuggling of migrants' for a total of over €350,000, plus a mobile surveillance system costing almost €500,000.⁸⁷ The contract went to the Slovenian Dat-Con company, which specialises in 'mobile and stationary observation solutions mainly used for coastal and land border control' and provides border surveillance equipment across Europe. For North Macedonia, a system, including infrared cameras and radar devices, was delivered, as the company itself reports.⁸⁸

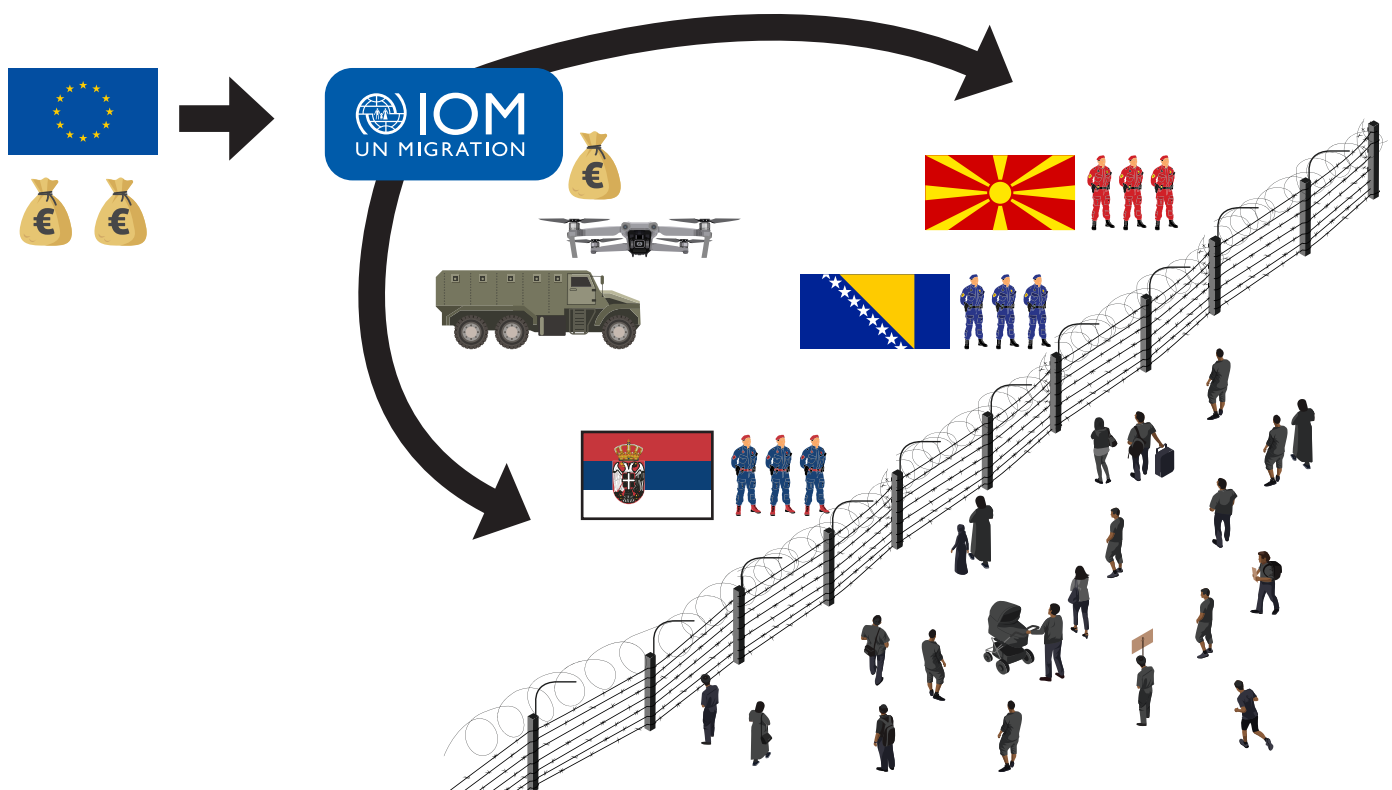
In BiH, direct support just for police agencies comprised nearly 10% of overall spending, showing the vast amount of EU money invested in security-related efforts. Since 2017, the EU has invested over €92 million to support migration and border management in BiH and has remitted more than €8 million to support police agencies through the purchase of equipment and capacity building.^{89,90}

In October of the same year, an additional €39.5 million⁹¹ was promised, including €50,000 allocated to forced returns.⁹² In addition, the IOM equips local forces among others with drones, boats, technical equipment, riot gear and vehicles.⁹³ A 2021 overview⁹⁴ shows these numbers in more detail: 7% of overall expenditure was in direct contributions to police or other security institutions such as the SFA, which the IOM equipped with 30 specialised vehicles, paid officers' salaries, and food and accommodation for visiting police forces. The IOM's information sheet shows many other hidden costs related to militarisation and securitisation, such as the establishment of 'Migrant and Refugee Accommodation Centres', for example, or 'Humanitarian Assistance', both of which are linked to purchasing and installing surveillance equipment and contracting private security companies to guard the 'temporary' accommodation centres. Funding for police forces is expected to further increase in the coming years.

EU/IOM – and accusations of sponsoring violence

As this research shows, EU-funded infrastructure and equipment, managed in coordination with the IOM, has resulted in violence. This follows a similar course across the region: the EU funds security and control infrastructure, the IOM gives it a humanitarian touch and acts as the intermediary between the EU and local institutions, and the local police, and border guards use this equipment and force to restrict border crossings and movement. The result of this funding for police and security shows the different roles along the chain from funding to implementation in the externalisation of the EU's migration policy.

For example, EU-funded vehicles the IOM has handed over have been used in the Una-Sana Canton by a special police unit in acts of severe violence against people on the move, as evidenced in the report by the Border Violence Monitoring Network (BVMN).⁹⁵ The BVMN's visual investigation of on 28 August 2020 shows an attack on migrants outside Velika Kladuša, 'in the immediate vicinity of the IOM-run Miral Camp', which at the time was housing hundreds of people. The vehicles were purchased with IPA funds under the project 'Special Measures to Support to the Response to the Refugee and Migrant Situation in Bosnia and Herzegovina'.⁹⁶ The Regional Director of the IOM, Peter Van der Auweraert, handed over the vehicle keys in October 2019.⁹⁷ The BVMN report links the Renault Master vans to Una-Sana's 'SK-MUP Special Support Unit [Jedinica za specijalističku podršku]', which is the most specialised response unit at the cantonal level in BiH. The investigation not only links the unit and the EU-funded equipment to this single incident but also to other violations of basic rights, such as 'transit-camp riot control'⁹⁸ and forced removal operations throughout the last year'. Reporting on the ground similarly shows that the same police force restricts journalists' access to anti-migrant operations (such as the eviction of squats). In a video shared by the journalist Franziska Grillmeier, the IOM handed over a Renault Master van that was donated by the EU to the Una Sana Canton, and used by the USK-MUP Special Support Unit.⁹⁹



Migration routes through BiH



A largely ignored, but direct and consistent form of violence, could be seen during 2019, 2020, 2021 and later in the village of Velečevo near Ključ in BiH, which we visited on several occasions in this period. The local authorities, which are supported and advised by the IOM, established an internal border crossing between two administrative areas in central BiH in October 2018, the entry point into the Una-Sana Canton. This checkpoint was criticised by the UN Special Rapporteur on the human rights of migrants, Felipe González Morales during his visit in 2019, noting how restrictions on the freedom of movement of migrants ‘were enacted without any legal basis’, resulting ‘in migrants including duly registered asylum seekers being disembarked from public transportation at the entry of the Canton and left with no choice but to walk for hours to reach reception centres. Migrants are also in practice mostly interdicted to use taxi or public transportation within Una-Sana Canton’.¹⁰⁰ In 2020, Amnesty International called the measures ‘disproportionate and discriminatory’ and designed to ‘further limit the rights and freedoms of already marginalised people on the move’.¹⁰¹

When we visited Ključ in February 2021, S.K.,^{102a} a local Red Cross volunteer who used to run a support structure next to the bus stop, described the consequences of this decision. In her view, the EU’s policy and the IOM’s approach not only clearly violated the fundamental rights of people on the move, but also raised questions about the local social contract: ‘It is important to understand the situation in BiH in its context: **first the war, then the slow reconciliation and now the pushback politics and violence that re-open old wounds**’. S.K. says these developments not only affect the migrants, but also local communities, and lead to re-traumatisation about the 1992–1995 war, which included massive violations of human rights, including genocide. Post-doctoral researcher, Benedetta Zocchi, visited Velečevo on several occasions and talked with various people. She witnessed how migrants, volunteers and the police spent time together, all complaining about the EU regime and orders they unwillingly had to obey. Zocchi described this dynamic as countering the logic of the border regime, despite

being a result of it: 'Velečevo establishes a border, but people gathering at the border do not align with the colonial logic that produces the border'. Furthermore, there was a clear neglect of the EU-enforced and externalised migration regime not only by people on the move who try to cross its borders but also by the police officers who were forced to act on behalf of the EU outside EU territory.

'N., the younger police officer sat next to me. He told me:

***Do you think I have fun staying here getting people off the bus? No, I don't. I don't have a problem with these guys wanting to go to Europe. I don't really care. I have a problem with Europe using Bosnia as a dump for human garbage. We, here are all human garbage to them. They did it during the war and they are doing it now.'*¹⁰³**

The IOM never publicly condemned this illegal practice. Indeed, according to the local Red Cross volunteers, IOM teams participated by visiting the place, registering migrants and identifying whom they believed were the most vulnerable, and taking them to camps.¹⁰⁴

While the IOM was previously responsible for reconciliation and creating conditions for the return¹⁰⁵ of people who left their homes during the war in the 1990s, it has now become a principal actor in the EU's forceful and violent migration regime. This is of particular importance, as there is no clear mandate for the IOM's activities in BiH, but it produces a broad strategy every few years to set out its direction of work.¹⁰⁶ In a semi-protectorate like BiH, with weak institutions, the IOM operates in the same way as other international organisations – not accountable to local citizens, but to its donors. This is underlined by researcher Gorana Mlinarević in criticising the humanitarian and peace industry:

***'Today, IOM and other organisations are ignoring local particularities of the post-war society, which is highly problematic and causes a whole series of new old problems in the region. IOM is not a state and cannot be monitored as such. IOM is using Bosnia to reshape its global jurisdiction. Local Governments are corrupt but at least they are relatively transparent and accountable to their citizens, whereas IOM is not. There is a clear lack of a monitoring mechanism for IOM – who is controlling IOM and to whom are they accountable?'*¹⁰⁷**

This lack of accountability and complicated decision making undermine responsibility. This issue became very visible following reports that people were being held in cages in 2019¹⁰⁸ at the Klobuk border crossing near Trebinje between BiH and Montenegro.¹⁰⁹ One of the detainees was allegedly a three-year-old child. Various migrants reported that they were held in these facilities overnight. The cages consisted of fenced cells in which people were forced to sit or lie on the floor. A 17-year-old girl from Iraq reported: 'We were locked inside, with no food and

we had to ask to go to the bathroom. Of course, we were afraid, especially the children, who were crying from hunger. The place was very small and we were many'. When confronted by the media¹¹⁰ about these inhumane conditions, the BiH border police said that the facilities were funded by the EU and thus meet EU standards: 'We point out that IBCP Klobuk was designed and built by EU funds'. In this debate, they had important support from the IOM Regional Director at the time, Peter Van der Auweraert.¹¹¹ He denied any knowledge of the conditions and said that from the videos and photos it is unclear whether people were forced into these cages. In the same statement, he expressed his unconditional support for the BiH police forces, concluding that 'the Bosnian institutions, the Border Police and other Police agencies, are professional'. Thus, Van der Auweraert neither condemned the fact that people were held in cages nor criticised the EU for funding such inhumane infrastructure. The state Office of Ombudsperson and some other human rights-based organisations subsequently went to Klobuk to investigate. The IOM assisted in organising this visit. The findings were never published, the media were not allowed access, and the entire issue disappeared from the public eye.

In 2018, with EU funding, the IOM took charge of constructing and establishing two new detention centres in Serbia. These were situated in Plandište near the Romanian border and Dimitrovgrad near the Bulgarian border. These facilities have frequently been implicated in the systematic eviction of individuals from squats, leading to their detention. Their primary purpose is to house foreign nationals who have been either denied entry into Serbia or are subject to forced removal based on expulsion orders. The Ministry of Interior has the authority to decide on the duration of detention, which can extend for up to 180 days.¹¹²

According to Milica Svabic, director of Serbian grassroots NGO Klikaktiv, which provides free legal and psychosocial support to people on the move, one of the most pressing concerns at these detention centres is the lack of access to free legal aid for detainees, in contravention of Serbian law. This leaves only those who can afford legal representation, while others are left with no means to appeal their deportation. Even for those with financial resources, it can be difficult to obtain legal assistance. Serbia's numerous bar associations provide extensive lists of lawyers on their websites, making it difficult for detainees, many of whom may not speak English or Serbian, to choose an appropriate lawyer. The fact that the detention centres are located far from major cities exacerbates this issue, as lawyers may be reluctant to undertake the lengthy journeys to assist with appeals. Consequently, very few people manage to appeal the decisions.

Milica Svabic also points out that the lack of interpreters poses another critical issue: 'People are not informed about their location, the situation, or the expected duration of their stay. They encounter significant difficulties communicating with the police officers working in detention centres'. Nor is there any medical assistance available at the centres:

'There is no doctor, nurse, or medical practitioner who visits the detention centres on a regular basis. Therefore, if someone requires medical assistance, they must be transported to the nearest hospital or medical practice. However ...there are no interpreters, making it extremely challenging to communicate with police officers when seeking treatment for a medical condition.'

Furthermore, logistical hurdles often arise due to insufficient police officers available to escort individuals to hospital. Moreover, hospitals are reluctant to admit detainees unless it is an urgent medical matter, as they are not classified as asylum seekers and, consequently, not entitled to regular medical aid. This means that individuals in detention often lack access to proper medical care.¹¹³

Notably, in these detention centres, the only personnel are police officers. No NGOs make regular visits. Milica explains that '[t]he only organisation that consistently visits is IOM. Whenever someone expresses a desire to return to their home country, IOM is immediately contacted, initiating the procedure for voluntary return. This approach is welcomed by both IOM and the Serbian state, as it provides a means to reduce the population of detainees in the centres'. These combined challenges underscore a highly problematic situation at these detention facilities that needs to be addressed as a matter of urgency.

CHAPTER 3

Bosnia and Herzegovina in focus

Bosnia and Herzegovina is significant in the Balkan migration route towards the EU. Although the country aims to join the EU, like many of its neighbours, it is the only formal semi-protectorate in Europe, a status that was imposed in 1995, when an internationally sponsored peace agreement was signed.

This status places the country under the de facto governance of the international community, which has the power to set rules and make decisions on behalf of the national government. The 'international community' is a combination of different bodies, including foreign embassies, UN agencies, NATO, and the EU, among others, with full control over national issues. These powers were used in 2018 to place migration and border security-related issues under the protectorate, led by the EU and implemented by the IOM, which was entrusted with 'migration management' because the EU considered that BiH was not capable of doing so. Since then, the IOM remains the main agency in charge of responding to migration in BiH, receiving funding from the EU and other donors, and leading 'migration management' efforts.¹¹⁴ The role of the international community in BiH has never been transparent, and the IOM's position, including its decision-making process and day-to-day activities, as well as the scope of its mandate, remain unclear.



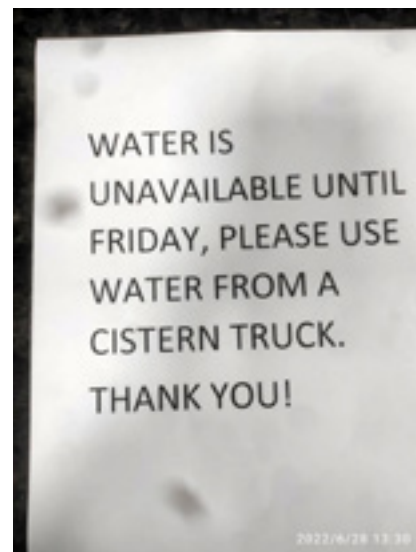
Board in Usivak

BiH has become a migration policy laboratory for the EU, where policies that are too difficult or controversial to implement in its own territory are imposed and enforced as one of the preconditions for accession to the EU.¹¹⁵ This chapter explores the post-war context in BiH, its response to migration in recent years, and the role of the IOM in this setting. It also looks at how the IOM actively assumes responsibility over political, legal, and economic tasks related to migration and the consequences for migrants.

In November 2021, the IOM held a ceremony to mark the opening of the new ‘reception centre’ in Lipa, in northwest BiH. This was built on the same site where, in the early stages of the COVID-19 pandemic 18 months earlier, the EU had funded the IOM to establish an emergency camp.¹¹⁶ During the pandemic, the police brought people to this emergency camp, ¹¹⁷ against their will, after being picked up by police from the streets of Bihać, the largest city in the northwest of the country and close to the existing EU border with Croatia, and from nearby cities and villages, or from abandoned buildings where they had sought temporary shelter. In our visits to the region, we witnessed some of these actions that took place in public. The police and the SFA also issued press statements and shared photographs of the raids, which depicted migrants as threats and sent a clear message to the public to stop showing solidarity and support. The media reported the poor conditions, quoting people who were living at the emergency centre comparing it to Moria,¹¹⁸ the notorious camp on the Greek island of Lesbos, where some had stayed before reaching BiH.



Fire at Lipa. Photo by Migrant Solidarity Network



Notice at Lipa Center

At the time, the migrants were largely concentrated in the area around Bihać because of its proximity to the Croatian border. When the COVID-19 pandemic restricted global mobility the route from BiH to the EU was almost completely closed, leaving thousands of people stuck between the EU borders in the Balkans. The police patrolled in the streets and often used violence against those who lacked shelter and had to live on the streets.

2020 was an election year in BiH, and politicians campaigning across the country, particularly in the Bihać area, raised the issue of migration. They blamed migrants¹¹⁹ for spreading COVID-19 among the local population, using this as an excuse for violence and to push people out of the region's cities. The growing protests outside the camps, where local politicians were

often seen,¹²⁰ added to the pressure that led the IOM finally to close down the Bira temporary 'reception centre',¹²¹ a privately owned former factory that the IOM rented and converted into a camp. The camp was notorious for the level of violence, often perpetrated by IOM-hired private security guards, and its poor living conditions. Over 2,000 people were cramped together in large tents and containers. Such overcrowding was particularly dangerous in the context of a global pandemic where World Health Organization (WHO) guidelines were to adhere strictly to social distancing in order to stem the spread of the virus. Located close to the city centre, the camp also became the focus of a hate campaign against migrants, led by some local city councillors and various institutions in BiH.

It was in response to the closure of the Bira temporary reception centre that the local authorities chose the Lipa site, 22 km from the city centre. The IOM agreed to construct an emergency centre,¹²² with EU funding, in a particularly inhospitable and potentially deadly environment surrounded by minefields left over from the war and exposed to extreme weather conditions both in the summer and the winter months. In addition, there is no public transport or permanent infrastructure. After the camp was established, the local authorities issued permits for several individuals to set up improvised kiosks nearby to sell basic items, often charging three times more than the standard local prices. One of the shops, cynically called 'Game', sold items people would need in their attempts to cross the border.

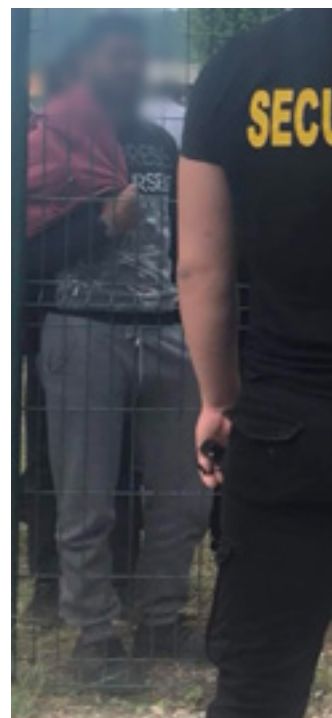
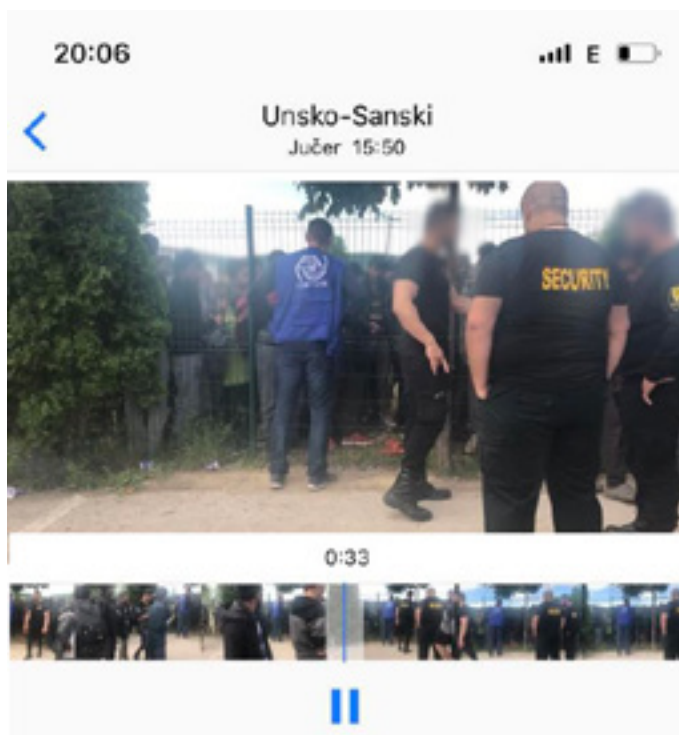
Refugee reception centers and camps in BiH



This emergency camp, which was supposed to protect people during the pandemic, was described as a place of extreme hardship by those who had to stay there. People told us about wild animals such as bears and wild boars getting into the camp, a lack of proper hygiene facilities, poor food, and cold, unsafe living conditions. With more than 1,000 people crammed inside large tents, medical assistance was limited, and it was impossible to maintain basic hygiene. Overcrowding made it difficult to follow social distancing guidelines. As the winter was approaching, the IOM and other agencies in the camp, under public pressure, started talking about the need to move people back to the Bira facilities. The IOM and the EU office in Sarajevo began discussing the humanitarian crisis, demanding that the authorities take responsibility for the situation. A letter from the EU¹²³ to the authorities in BiH in December 2020 urged them ‘to temporarily relocate the refugees and migrants currently in Lipa to the EU-funded reception centre “Bira” in Bihać, which was emptied by the Cantonal authorities on 30 September 2020 and which is ready to host them’. The state authorities tried to put pressure on the local government to accede to the EU demands, but they refused. Finally, with the EU’s support, aiming to compel the local authorities to act, the IOM announced the closure¹²⁴ of the camp and its withdrawal, which indeed it did leaving over 1,000 people without any care. The day when all the organisations pulled out, a fire broke out in the camps and spread quickly. Videos emerged on social media¹²⁵ of people fleeing their tents and containers in panic, with their few belongings, but aid and fire services could not get there as the snow made the terrain too difficult. **People were simply left with no shelter, water, food, or medical assistance, in the freezing cold while the local police prevented them from heading towards nearby cities. Only after several days did the local Red Cross begin providing support, mainly through groups of local and international volunteers. Meanwhile, the IOM, UNHCR, and other agencies remained far away from the location, continuing their disagreement with the local government.**

In fact, the local government has no authority over issues related to foreigners in the country, including potential asylum seekers and migrants, as this falls under the Ministry of Security. However, given that the national government was blocked due to prolonged internal political turmoil at the time when the IOM assumed the task in 2018, it decided to engage the cantonal-level authorities, believing that this would lead to a solution. To ensure their cooperation, the local authorities were given donations, including police equipment, ¹²⁶ help for local health institutions, as well as infrastructure. In other words, this led the cantonal authorities to take over what should have been the government’s responsibility and resulted in the strengthening of local police and security infrastructure. These parallel structures at the state and cantonal level increase the potential for conflict and tensions in decision-making between the cantonal and the national authorities. In addition, the police presence in the streets of Sarajevo, and in cities in Una-Sana canton, became more visible. Of greater concern is the normalisation of police officers carrying arms and other equipment, including bulletproof jackets. This has not been seen in BiH since the war ended and is deeply unsettling both for the local population that experienced the war years, but similarly for migrants, many of whom have fled armed conflict. A heightened militarised police presence only serves to sew tension and fear and open old wounds while doing nothing to bring about stability and safety to those most in need.

While volunteers and the Red Cross were providing basic assistance to people stranded in the Lipa area, the IOM publicly blamed migrants for starting the fire,¹²⁷ though local authorities claimed to have ‘no indication’ that migrants had been involved, instead blaming the IOM.¹²⁸ ‘I think that at the moment of the evacuation of Lipa last year, the IOM thought – if there is no place to put migrants any more because there are no beds, no tents, no shelter – then the authorities must re-open Bira’, a source close to the IOM told us on condition of anonymity.¹²⁹ There is nothing to suggest that an investigation into the causes of the fire took place and at the time of writing there was no official report in this regard. Such information gaps are of concern because they lend themselves to unsubstantiated conclusions being drawn to support a particular hypothesis rather than working towards establishing evidence-based outcomes.



Security guards with tasers in Bira, 2019

Nevertheless, under pressure, and with the promise of more assistance for the Una-Sana region, the EU succeeded in getting the Bihać city authorities to formally dedicate the area in Lipa for the new camp. This time, the plan was to build a permanent structure, which was completed in January 2021,¹³⁰ with the EU and individual member states pledging €3 million for its development. During the construction period, people continued living in containers and tents installed by the BiH Armed Forces, under the IOM’s supervision. The living conditions were poor, and the local authorities did not allow them to go into nearby cities, effectively restricting their right to free movement. It is worth remembering that migrating and moving across international borders, whether to seek international protection or otherwise, is not a crime, and when a person’s entry is deemed ‘illegal’ this is generally regarded as an administrative and not a criminal offence. In November 2021, the upgraded camp was ready to accept 1,500 people, with containers providing a ‘more sophisticated system of registration and security’, according to the IOM. However, it still lacked basic infrastructure such as water or electricity. Unwilling to admit this in public, in July 2021 the EU donated a water tank vehicle¹³¹ to the city of Bihać, saying that it would serve citizens as well as the Lipa centre. Bihać has good access to drinking water, but in Lipa, there was no possibility of building a water-supply system.

The new Head of the IOM Mission in BiH, Laura Lungarotti, attended the opening ceremony of the new Lipa centre stating: 'Today we are turning a tragedy into an opportunity. Offering humane accommodation is just one step within a wider migration governance strategy which will increasingly focus on the early identification and provision of sustainable solutions to all those who are stranded in Bosnia and Herzegovina'.¹³²

Under EU pressure, the state authorities formally took over control of the Lipa camp, but during our research, several employees at Lipa said that while they were officially part of the SFA under the jurisdiction of the state Ministry of Security, they were employed by the IOM, with which they had signed short-term contracts. After the inauguration of Lipa, on several occasions, the IOM advertised job vacancies, although the state authorities did not. Individuals who are employed in this way are not state employees, and their contracts do not comply with the existing legislation. Local journalists asked the IOM about this, and it confirmed this arrangement, showing that in practice Lipa was still being run by the IOM, while the SFA was formally in control and indeed the head of the staff was the only SFA employee.¹³³ The situation remained unchanged in 2023. The IOM explained that this approach is to 'support the SFA in their daily tasks' in order to enable them to strengthen their workforce in order to respond to the increase in the workload'. This same approach applies in other camps, which are now officially run jointly by the IOM and SFA. Yet, the SFA employees report to the IOM, and follow its operating rules. These administrative structures are unnecessarily complex and serve to obfuscate the chain of command rather than clarify it. This is particularly detrimental when accountability is sought for violations occurring not only in relation to the specific case of Lipa but across the entire 'migration management' apparatus operating in BiH.

The IOM's intervention added to already existing chaos in BiH state structures where, due to its complicated formation and composition, as well as the various levels of governance, plus its semi-protectorate status, it is very unclear who is responsible for what, and who can be held accountable. Nonetheless, in an interview we conducted with Lungarotti, she emphasised the success of transferring responsibility from the IOM to the SFA, stating that it is time to shift the focus from providing humanitarian aid to finding more sustainable solutions.¹³⁴ She said, 'We have to shift gears now a little bit... let's focus less exclusively on emergency humanitarian assistance, food, non-food items because in a way, they're covered. Let's move more into the solutions'. In practice though, through the IOM the EU remained in charge of migration-related issues.

Contrary to Lungarotti's claims, it appears that humanitarian assistance remains far from being 'covered'. While from 2021 to 2023 there were fewer migrants than in 2018 and 2019, and services were less overwhelmed, conditions in the accommodation centres remain harrowing. Other than the first couple of months, Lipa was never full, and usually less than 500 (sometimes less than 100) people were housed in containers. Even so, they had to share this cramped space, usually six in each one. Water shortages were frequent, and food was not always sufficient. However, life inside the camp remained largely hidden from public view, except for occasional and tightly controlled media visits. These visits were restricted to certain areas, with escorts and carefully selected interviewees. NGOs working there and in other camps were not permitted to share any information or images about life inside without the approval of the IOM or SFA. We confirmed this through multiple sources, including by obtaining a contract signed by one

organisation with the IOM. In family camps, like Ušivak in Sarajevo and Borići in Bihać, there were inadequate basic supplies such as clothing, blankets, and toiletries, while living conditions remain below acceptable standards. Furthermore, according to residents in the camps, even in 2023, restrictions on movement imposed during the pandemic were enforced in the Borići camp, with the gates closing at 4 pm, after which no one may enter or leave.

While it is understandable that restrictions on reporting and publishing images of vulnerable populations including asylum seekers may be justified to guarantee their safety and right to privacy, this may at the same time serve to keep from public view, and therefore public scrutiny, the appalling conditions in which migrants are often held.

The IOM's role in BiH before 2018

The case of Lipa is just one of many IOM-led interventions in BiH that have failed either to respect the rights of people on the move, or to address the complex local context. While the IOM's role has been more visible since 2018, it has had a presence in BiH since the war when it was mainly involved with medical evacuations. At the end of 1995, the Dayton Agreement was signed under international auspices, bringing an end to the war. Based on these arrangements, as explained earlier, BiH became the first semi-protectorate in modern European history.¹³⁵ The process of post-war reconstruction was led by the international community, represented through the Office of the High Representative (OHR), established under the Dayton Agreement. Subsequently, and as the country started the EU accession process, the office of the EU Special Representative became almost as powerful as the OHR.

Throughout this process, the IOM was involved in the repatriation of BiH refugees, and in countering human trafficking, the prevention of violent extremism, and economic and social integration, among other areas of work. This meant the organisation worked in close cooperation with various state institutions, including the Ministry of Security, as well as the Border Police and the SFA. In 1999, the EU developed the Stabilisation and Association Process (SAP),¹³⁶ intended to lead the Balkan countries towards membership. The pre-accession process requires various political changes, including the integration into the EU migration-control regime, which was led by the 'international community' rather than local institutions. In this process, the OHR imposed new laws and created bodies at the state level, including the Ministry of Security, which assumed formal responsibility for all the issues related to foreigners in the country, including asylum seekers, as well as of the border police.

An important IOM-led project in 2009 was the construction of the Immigration Centre in Lukavica, near Sarajevo, described as a 'reception centre for irregular migrations, in accordance with international and European standards'.¹³⁷ At the inauguration ceremony, the head of the EU delegation in BiH reminded the public that the centre is one of the conditions for visa liberalisation for BiH citizens, which took place in 2010.¹³⁸ This 'carrot and stick' approach of imposing migration management criteria on the one hand, while giving concessions, such as visa liberalisation, on the other, is a familiar EU strategy as TNI has documented in previous Border Wars research.¹³⁹ The centre in question was subsequently mired in controversies, including being described as a place where human rights were violated.¹⁴⁰ In 2022, the IOM issued an 'invite for the expression of interest' for the extension of the Centre, showing its

continued involvement with its work.¹⁴¹ Since 2012, the IOM has had an advisory role in the creation of the National Strategy in the Area of Migration and Asylum and Action Plan, an obligation for all the countries in the region seeking EU membership.

The IOM's role gradually became more prominent across the region. In 2013, it issued the Feasibility Study on Irregular Migration in Western Balkans, which remains current and is used as a blueprint for what has taken place since 2015.¹⁴² This document, among others, develops the idea of strengthening cooperation at the regional level to build capacity for deportations, which became a reality in the 2022–2023 period (with the assistance of the EU and International Centre for Migrant Policy Development (ICMPD), as well as Joint Coordination Platform).

'It is clear that readmissions only between Western Balkan countries are not a sustainable solution to the problem of irregular migrants stranded/apprehended in the region, as they do not prevent these migrants from attempting to re-enter through the same or another Western Balkan country in order to reach the EU Member States [...]. Supporting joint voluntary and non-voluntary return operations could benefit the countries in the region by facilitating economies of scale [...]. A centralised regional system for coordinating voluntary return activities, led by an international organisation/regional initiative, could have a positive impact on the efficient management of these operations.'¹⁴³

Of note in the IOM Feasibility Study is the reference to 'voluntary and non-voluntary' returns. This and similar policy documents at that time effectively set the wheels in motion for what would eventually see the EU and the IOM as its implementing partner prioritising returns as a matter of policy not solely in the Balkans but throughout the EU's jurisdictional border region.

In 2015 the IOM issued another important document – 'The Response Plan for the Mediterranean and Beyond', defining the organisation's role and describing its functions.¹⁴⁴ In 2015, the humanitarian corridor was open for a while, and some people could move freely through the Balkans towards northern Europe (mainly from Afghanistan, Iraq and Syria). In 2016, however, the EU began the process of closing its borders, in which the Balkan countries were given an important role (see Chapter 2). The EU required each country to produce a 'contingency plan' for the increase of 'mixed migration flows'. Assistance for their implementation was provided under the IPA II project 'Regional Support to Protection – sensitive migration management in the Western Balkans and Turkey',¹⁴⁵ and the plans were developed with advice from the IOM among others. In BiH, the Ministry of Security, which was responsible for the plan, claimed that the country has a capacity for up to 5,000 people, but gave no further details. At the time, one asylum centre in the country had been built with EU funding in 2014 and had capacity for a maximum of 150 people. When in late 2017 there were outbreaks of violence at the EU borders surrounding Serbia, escalating with the death of Madina Husseyni, a six-year-old Afghan girl,¹⁴⁶ the route turned towards BiH. It became clear in just a few days that the state authorities' claims were untrue, and that the UN, the IOM, EU and other agencies had not anticipated such events. The humanitarian crisis developed rapidly, leaving thousands without shelter and forced to live in the open air across BiH.

In 2018 the IOM was tasked with ‘capacity building’ at the state level, while its main in-country partner would be the EU delegation – part of the European External Action Service (EEAS).¹⁴⁷ It would continue to draw on IPA funds designated for the development of states on their way towards EU membership.

The IOM’s role in BiH since 2018

In May 2018, the EU invited regional leaders to Bulgaria where the Sofia Declaration was adopted, stating that among the key priorities in BiH, and the Balkan region, were the introduction of ‘effective functioning of border management, migration and asylum systems’.¹⁴⁸ The same month, the BiH government officially requested EU assistance because of the increase in the number of migrants in the country.¹⁴⁹ The request was a formality, since it had already been decided that the IOM would be the EU’s implementing partner in BiH. The IOM’s previous experience in the region, in addition to its ‘proven track record’ and ‘efficiency’, guided the EU’s decision to give it the leading role in ‘managing’ migration in BiH. The EU used its formal and informal decision-making power to decide on the engagement of actors in the field and to allocate significant funding, which has continued since 2018 through various programmes related to ‘migration management’.¹⁵⁰ In this way, the BiH authorities’ priorities were adjusted to encapsulate the EU’s priorities in this regard. In June, the IOM and the Ministry of Security organised a regional meeting on ‘facing the problem of migration’.¹⁵¹ Over the next couple of months, the IOM became more visible both on the ground and in the media. Rather than insisting on strengthening the role of the state and public institutions, the IOM developed close cooperation with cantonal governments and institutions, as well as with private companies and organisations, often acting unilaterally.

In 2018, BiH, with Serbia, became critical for the further fortification of the Schengen Area, which intensified in 2022, a year before Croatia joined. Over this period, the IOM cooperated closely both with the EU and individual member countries, including Austria,¹⁵² Denmark, Italy, Switzerland (not an EU member) and (then) the UK, among others. Speaking with an EU official in BiH in 2021, a group of UK-based researchers were told that **Bosnia is seen as a ‘filter’ that slows down migration towards Western Europe and stops people from entering the Schengen Area. ‘In other words, the UK receives fewer migrants because other countries along the route are stopping their movements through violence, neglect and detention’,** they concluded.¹⁵³

As previous chapters have shown, the EU also gives the IOM the scope to decide and assist in allocating its funds, in accordance with its directives. Since mid-2018, the IOM has overseen the implementation of projects for the Directorate-General for Neighbourhood and Enlargement Negotiations, the Directorate-General for European Civil Protection and Humanitarian Aid Operations, the Council of Europe Development Bank, the United States Agency of International Development (USAID), and the German Federal Civil Protection Agency, among others. Members of IOM’s management team in the Balkans have clearly expressed these priorities to justify the EU’s agenda of securitisation over humanitarian assistance. In an interview in November 2018 for EuroNews,¹⁵⁴ the then Head of the IOM Mission BiH, Van der Auweraert, explained that among those arriving in Bosnia a minority are Afghans, Pakistanis, and Syrians, while “‘80 to 85 per cent” are economic migrants’, who do not plan to stay in the country or region.

Local politicians and the anti-migrant media in BiH frequently repeated this statement; and many local politicians, including those with whom the IOM and the EU were working, refer to 'illegal migrants'.

In late 2022, the EC issued a progress report on BiH, according to which there had been almost no progress in implementing the EU's accession requirements, except in the field of 'migration management'.¹⁵⁵ The report calls for further measures in strengthening borders, collection of migrants' data, readmission to their countries of origin, and cooperation with Frontex and Europol.¹⁵⁶ Not long after, the EU finally promised candidate status for BiH, demonstrating the prioritisation given to border control for countries on the path towards EU membership.

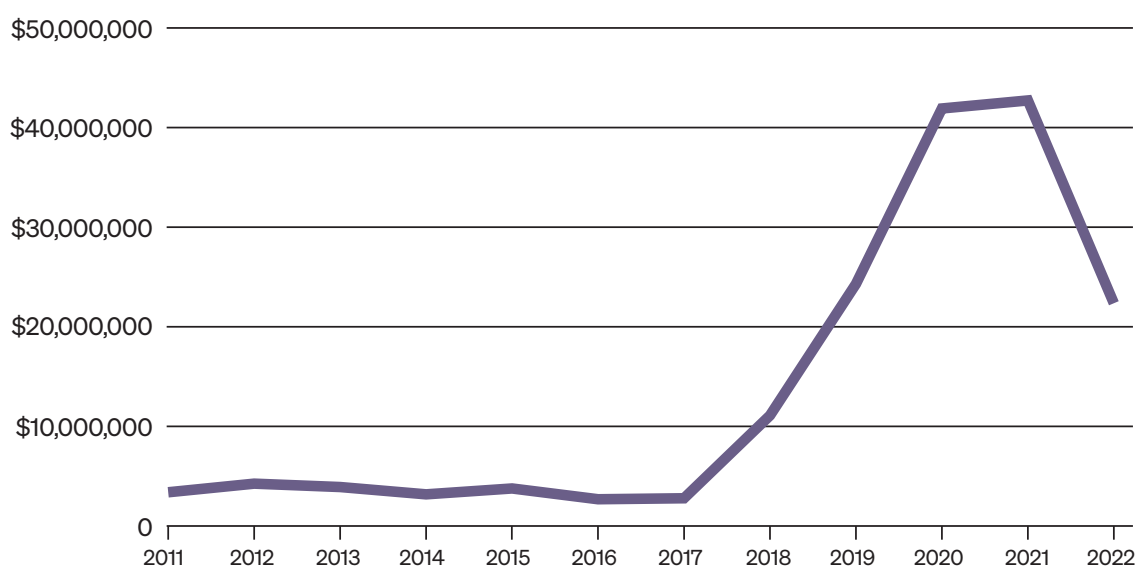
'Bosnia and Herzegovina has taken significant steps to improve migration management. The Ministry of Security continued efforts to improve coordination with local authorities and boost international cooperation. However, major weaknesses still undermine the provision of necessary assistance. Bosnia and Herzegovina needs to urgently adopt the strategy and action plan on migration, step up efforts to ensure access to asylum, and strengthen border management.'¹⁵⁷

As stated earlier, funding under the IPA is supposed to provide financial and technical assistance to states seeking accession to EU membership, with the aim of building up their institutions, improving the rule of law, fighting corruption and implementing liberalised economic reforms. BiH was promised EU membership, provided the government accepts and implements EU recommendations on 'migration management' in addition to the other mandatory reforms related to the accession process, which apart from economic reforms that were easily adopted, have taken a back seat. All the pre-accession countries in the region are obliged to accept the EU's and IOM's recommendations on 'managing migration', on which EU membership depends. Membership is promised eventually, but thus far has remained beyond the reach of countries in the Balkans as they strive to implement an increasingly expansive list of EU requirements. EU accession policies appear to be more concerned with keeping states in their pre-accession status rather than facilitating their entry. According to EU Commissioner Olivér Varhelyi, EU-funded securitisation efforts across the region will increase in the coming years.¹⁵⁸ 'EU funding for WB [Western Balkans] will be increased by 60% to more than 350 million euros by 2024, most of which will be funded through the IOM, to support these solutions.'¹⁵⁹ This funding will be used for returns, deportations, and the creation of additional space inside the Lipa camp that will be used as a detention area.¹⁶⁰

The monopolisation of the migration response: how the IOM spends EU funds

In BiH, the European Commission channels public money, which is earmarked for a particular purpose, to the IOM, which in turn allocates it locally. In other words, the IOM coordinates the EU's 'migration management' in BiH, deciding where to allocate funding and which agencies to contract to work in the camps it manages.¹⁶¹

FIGURE 4
Depicting total contribution to IOM for projects in BiH between 2011–2022



Since 2011, the IOM has received and spent over €166 million on border control and migration management in BiH, mostly from the EU and individual member states.¹⁶² Before the sharp increase in the number of arrivals in BiH in 2017, since 2007 the EU had already invested €24.6 million to support migration and border management through technical assistance, including the procurement of equipment such as video surveillance of border crossings, the construction of a reception facility in Lukavica and the Asylum Centre in Delijaš (Trnovo) and border police infrastructure. EU funding has significantly increased since 2017 with the IOM's project budgets in BiH increasing by over 1,505% between 2017 and 2020 as evidenced in the figure 4. The funding decreased again in 2022, likely because the EU chose the ICMPD and not the IOM for a number of new projects in BiH – such as the construction of the detention and deportation unit in Lipa.

Between 2018 and 2021, before Lungarotti arrived in Sarajevo as the new IOM Head of Mission, the IOM had mainly relied on the services provided by local private companies in the country, which it justified in view of an emergency situation created by the sudden arrival of a significant number of migrants, and the government authorities' reluctance to address this. This explains why the centres were located on private property, private security agencies were hired to control the camps, and international NGOs and private medical centres were often engaged to provide health services. In 2021, when there were fewer migrants in the country and the camps were half empty, the IOM sought to involve local institutions.

Although our research team frequently tried to obtain information about how EU funding has been spent in BiH, the IOM would make no comment in relation to information sought and the EU repeatedly rejected our FoI requests. Some members of the state parliament made the same requests, as well as the local media, but with few results. After many months of considerable public pressure, the IOM released some information, but this did not become a routine practice. Moreover, this information lacked critical details and gave no clear picture of which organisations were receiving EU funding via the IOM. Apparently, the IOM reports regularly to the state Council of Ministers, while the spending is decided jointly by the EUSR and the IOM, at the meetings attended by representatives of the local authorities. Despite

this, no local institution was confirmed as being involved in decisions related to how funds are allocated on the ground – again highlighting the lack of transparency related to the IOM being a non-normative¹⁶³ member of the UN (see Chapter 1) and its work in BiH. For decades, the lack of transparency has been the *modus operandi* of the ‘international community’ in BiH, with no local accountability.

Despite all the obstacles to obtaining information, we had access to procurement data on how the funding allocated under the EC’s ‘Special measures to Support the Response to the Refugee and Migrant Situation in Bosnia and Herzegovina Phase II’ between February 2019 and January 2021 was spent. Over this period, the IOM received €23 million from the EC. While this was only a fraction of the total allocated for BiH since 2017, its procurement data shows that EU funds were allocated to several ‘relevant’ actors through procurement agreements. When asked why the EU contracts the IOM rather than the BiH government, one member of the EU delegation replied in all honesty: a lack of trust and because the BiH administration was described as uncooperative. He said that the EU alone has spent €5 million on increased border surveillance, but that the country also needs training in how to use these resources, such as from Frontex and the European Agency for Asylum (EASO), for example. While roughly €2.6 million was channelled to various aid organisations, much of the remainder was allocated to establishing a precarious camp network and other securitisation efforts, including funding for the police at various levels. Over this time, the IOM spent €750,473 on new vehicles and surveillance equipment for the USC police (see Chapter 2). The EU Special Representative and the IOM often use their funding for the local police and border police as a PR opportunity, providing photos and videos to local media.¹⁶⁴ A significant percentage was used to lease private property on which to set up camps, and almost €1 million was used to hire private security companies to guard its Temporary Reception Centres (TRC). The owner of the factory where Bira, the IOM’s biggest camp was set up, also owns a store where the organisation purchased most of its non-food items, receiving €1,464,747. In contrast, the Danish Refugee Council, which was responsible for providing medical care to asylum seekers in IOM-run camps in BiH, was allocated only €280,000. Similarly, the national Red Cross in BiH, which was responsible for providing food for two of the IOM’s biggest camps, Miral and Bira, received only €500,000.¹⁶⁵

A major issue related to the work of the international community in BiH is that the implementation and operation of ‘migration management’ denies public involvement or access to information. Decisions are opaque, and the public finds out what is going on only through PR campaigns. One EU delegate revealed in an interview that sometimes these decisions even bypass the BiH authorities, explaining that the ‘advantage’ of emergency funds is that they require only the signature of the Head of IOM and the EU Special Representative. An interpreter who worked in several centres in Una-Sana Canton confirmed that the IOM managed everything, from allocating money to setting rules and making decisions, while blaming local institutions for problems. ‘I often found it hypocritical that they used to blame local institutions for everything when in reality they were in charge. They distributed money, set the rules and everything else, while others followed.’¹⁶⁶

In November 2022, the EU announced that it will also fund two new pilot projects, each worth €500,000, one of which is for the construction of the Lipa detention unit, and assistance with forced returns, which will include the greater engagement of the ICMPD.¹⁶⁷



Miral Center

The IOM has also been instrumental in assisting the EU with both voluntary and forced returns from BiH. A major contribution has been to fund the development of a data-collection and exchange system for all migrants. In 2013, the IOM advised the EC to introduce the Automated Fingerprint Identification System (AFIS), which is compatible with EURODAC¹⁶⁸. EURODAC contains data on those who have applied for asylum, were registered, and crossed borders in an irregular manner, which can be used for future deportations from BiH.¹⁶⁹ The system was gradually introduced across the Balkan countries, beginning with BiH.¹⁷⁰

To facilitate this process, BiH was granted €17 million over a five-year period (2015–2020). As part of the registration process, all foreigners, including migrants, were required to leave their full fingerprints in order to gain access to most camps and essential humanitarian services, although they were not told how this personal data would be used. Formally, the IOM is involved only in voluntary returns, but migrants often have no choice, pushed back from the EU and denied access to asylum or having had their claims rejected in fast-track asylum processes. Nevertheless, the EU requested that BiH sign readmission agreements with some countries of origin, and the IOM and ICMPD assisted in this process, including a readmission agreement with Pakistan, enabling cooperation between the two countries in forced returns.¹⁷¹ The IOM's

Assisted Voluntary Return and Reintegration (AVRR) programme had been implemented for several years before being temporarily stopped and then resumed in 2019, with countries such as Austria, Germany, the Netherlands and the EU Commission pledging support for the new programme. Since then, IOM employees have promoted the AVRR programme in camps and other places where large groups of migrants gather.¹⁷²

In addition, a European Commission decision released on 20 October 2022 also emphasises further EU funding for police forces across the region to a total of €38 million, of which €6.385 million is earmarked for BiH. Unlike previous measures that tended to combine securitisation efforts with humanitarian concerns, this focuses exclusively on increasing the capacity of border-control operations. The funding will be allocated to strengthening the BiH police force and guest officers in managing ‘mixed migrations’, as well as procuring specialised equipment ‘which may include unmanned aerial vehicles, HD and thermal imaging cameras, document readers, computers, heartbeat detector, CO2 detector, digital microscope, video surveillance system, office equipment including servers, upgrading the electronic data-exchange system, video surveillance system, explosives detection equipment, specialized night vision devices, thermal imaging camera with rangefinder, procurement of technical equipment and information system for migration, including information system DMS’.¹⁷³

In 2019, at the peak of the humanitarian crisis, with thousands of people inside and outside camps, the Bihać-based women’s organisation Glas žene, which works on the prevention of domestic violence and women’s health, approached the SFA with a project related to migrant women’s sexual and reproductive health. Although the SFA, as well as local institutions, authorised the project, the IOM did not let them implement it. Glas žene sent an open letter to the EU Special Representative asking for the decision to be clarified, and on the IOM’s role, stating that the existing approach ‘helps the creation of parallel institutions’, while ignoring local infrastructure and local civil society. The Special Representative responded that the basis of the decision was that the same project is already being implemented by IOM partner organisations. Glas žene insisted and proved that these claims were false, including data from health institutions showing that in 2019 very few women had access to gynecological examinations (18 in Bihać and none in Cazin, near the family camp). They never received permission to start their programme. ‘What is the EU’s interest not to let a local organisation into these centres?’, they asked.¹⁷⁴

Some local organisations were granted access from the outset, but the criteria are not clear. One of these is the BiH Women Initiative (BHWI), an organisation that is not well known in the country, and there is no online information about its work, projects, mission or staff. Several international NGOs and UN agencies were also permitted to work in the camps, including the Danish Red Cross, Save the Children, UNHCR, World Vision, and other major agencies. Again, the public knows little about their work in these centres.

Large amounts of money are also spent on camp infrastructure, which is seen as the only solution for accommodation. This approach segregates people in camps from the rest of the society, in centres that are heavily guarded, and where each person is registered and followed as part of the SMART camp management system.¹⁷⁵

CASE STUDY

Dangerous conditions and corrupt contractors:

The cost of IOM's migration management in Bosnia and Herzegovina

The IOM relies heavily on procurement deals with private security companies and individuals – many of whom were known to have dubious connections. In conducting this research we collected dozens of reports of violent treatment at the hands of private security agencies contracted by the IOM in EU-funded TRCs. This information was corroborated in a report presented by the UN Special Rapporteur on the Human Rights of Migrants.

***'The Special Rapporteur learned that, at the beginning of the operation of the facilities, there were reports of abusive conduct by private security personnel. As a result, IOM ceased engagement with nine private security officers. All personnel contracted through the private security company receive a series of human rights training courses provided by the United Nations.'*¹⁷⁶**

The murder of A. O.

A.O.,¹⁷⁷ a 53-year-old Iraqi Kurd, was stranded for months with his family at the IOM-run TRC at Ušivak, near Sarajevo. In March 2019, he was badly injured in a violent incident involving the IOM-contracted security agency 'Glock'. Two months later, he died in Sarajevo hospital due to his injuries, leaving his wife and four children.¹⁷⁸

The morning after the incident, K.A., an employee of one of the organisations working in Ušivak, found no trace of the violence of the night before. The pool of blood that had covered the concrete floor had been cleaned. Some people showed K.A. videos or photos of people fighting and yelling. In some recordings, he could see a lot of blood on the floor, but it was no longer there. People with whom he spoke claimed it was one of the security guards who pushed and kicked A.O. 'They told me that A.O. was pulled into the brawl, even though he did not participate.'

When we met K.A in Sarajevo almost two years later, he recalled 'I used to know him. He was a very quiet man. Several members of his family were sick, and the only thing they were focused on was getting to the EU and to doctors who could help them'. The family could not find a legal way to reach the EU so they relied on irregular means of travel, only to get stuck in BiH, between the borders of the EU. K.A. remembers that the family insisted that it was a security guard who hit A.O. on the head, after pulling him into the brawl and pushing him to the ground, when the security guard hit him again. 'People I spoke to were giving a very precise description of the security guard, saying he was tall and blonde, with short hair.' Yet, none of the men in the police line-up remotely matched the description. 'Nobody ever saw that guard again.' K.A.

claims that by the evening after the incident, nobody wanted to talk about what had happened, and people had deleted all the photos and videos from their phones after security spoke with some of them. Security guards and employees at the Centre warned people to stop talking about what had happened. According to testimonies, the security guard who allegedly hit and kicked A.O. never worked in Ušivak again.

On the day of the incident, several local media published short reports mentioning the possibility that personnel from the private security agency employed by the IOM in Ušivak might be involved.¹⁷⁹ They all quote a statement made by A.O.'s son, who witnessed the incident. The IOM head at the time, Peter Van der Auweaert, also responded to media enquiries, stating on his facebook account that since no officials had been there when the incident occurred, nobody saw anything and that there was therefore no official version of the events, ignoring the fact that many residents of the camp were present and witnessed the event. He claimed that the IOM had insisted on a police investigation, and spoke openly about the incident on his social networks. When A.O. died, he posted that his death was due to injuries arising from a brawl in the camps between people of different nationalities. In comments under the post, some people challenged this claim. Van der Auweaert replied saying that the investigation is ongoing and that he personally is supporting it in order to establish the truth.¹⁸⁰ When we contacted Sarajevo Canton prosecution in April 2023 to ask about the case, the spokesperson said that the investigation against an unnamed perpetrator is still ongoing. 'The Prosecution of Sarajevo Canton is working on establishing the facts of this act of crime and of the identity of the perpetrator', she replied.

According to the law in BiH, no one may make public comments on an ongoing criminal investigation. Van der Auweaert acknowledged this in his reply to one of the comments while continuing to give details about the case. Nevertheless, he explained that the IOM has 'zero tolerance for violence against migrants in its care', and if there are any such allegations of violence against residents it 'requests the relevant security company to immediately suspend the person in question, and informs the local police, including assisting migrants (as in this case) with filing a criminal complaint, e.g. with [an] interpreter'.

Several months later, the BiH media, which had reported briefly on the incident, stopped following the case. The IOM never mentioned it again, and shortly afterwards placed A.O.'s family in private accommodation where they stayed until they eventually decided to leave the country. In our conversation with family members, they said that the IOM promised to help with their relocation out of BiH, which never took place. The family claim they were told not to talk about the incident with anyone. Afraid of possible consequences even though they were in the EU when we spoke with them in 2022, they asked us not to reveal their whereabouts or any other personal information but gave permission to publish the details as presented here.

F.H., who was a security guard in Ušivak at the time of the incident, says that he was not working there on the evening when A.O. was injured and taken to hospital, but remembers that his colleagues spoke about it the following day. When we met him in Sarajevo in 2021, he was no longer working for the same security agency and was willing to talk about the time he spent in Ušivak and Blažuj camps, on the condition of anonymity, and giving very brief answers. He said he did not know the names of anyone involved in the incident or what happened to

them, and so could not confirm or deny their involvement. When asked if the security guards in the camps were permitted to use force against residents, F.H. confirmed this, saying 'if we believe that force is needed'. Contrary to what Van der Auwearert's claim that all the security personnel had received special training to allow them to work in the camps, F.H. said that he had received only the general company training given when he was employed by the security company. He also said that he and his colleagues were instructed that their task was to protect the IOM and other camp personnel. 'It used to be tense when migrants would come to pick up food or clothes, and we were there to calm the situation down', he said.

At the time of writing no one had been held to account for the violent attack inside an EU-funded, IOM-operated 'reception centre' which led to the death of A.O. The family has yet to receive justice.

CHAPTER 4

Dangerous conditions and corrupt contractors:

The cost of the IOM's migration management in Bosnia and Herzegovina

Since 2018, when the IOM was charged with taking the lead in managing BiH's migration response, its priorities have been determined by the EU's securitisation objectives. The EU has allocated millions of public funding towards bolstering the police forces in BiH, improving border infrastructure and increasing the capacity of data-collection and surveillance systems. At the same time, the EU also charged the IOM with administering the humanitarian response, which mainly involved spending large amounts of IPA funding for humanitarian support on establishing a network of TRCs built in private factories and hotels, where people are accommodated for many months and sometimes years. The IOM relies on a camp infrastructure, which segregates migrants from the wider society, concentrated in places where they can be more easily 'managed', far from the EU's borders, and often in inhumane conditions. In 2020 Amnesty International criticised one such move, which placed thousands of people in a camp that was putting 'lives at risk'.¹⁸¹ This was in the height of the COVID-19 pandemic when overcrowding could be fatal.

One of the IOM's first decisions when opening the TRCs in BiH late in 2018 was to hire private security agencies, which was later explained as a transition phase before the state took over control for security. Supposedly these agencies were hired in coordination with the local police who lacked the capacity to undertake such duties at the time. Many of the guards working in different camps confirmed to us that they did not undergo the special training required by the IOM's rules to work safely in the camps.¹⁸² Nonetheless, the IOM's procurement data shows that between 2018 and 2021, of the IPA funding it spent over €1 million on contracting private security agencies to 'safeguard' the camps it managed. Other data shows that the IOM received €201.7 million under IPA3 in the area of migration and border management for the 'Western' Balkans from 2021 until the beginning of 2023.¹⁸³ The EC also announced increased funding for 2023 and 2024. Despite reports that private security was a transition phase, in 2023, private security personnel were still working at some of the camps.

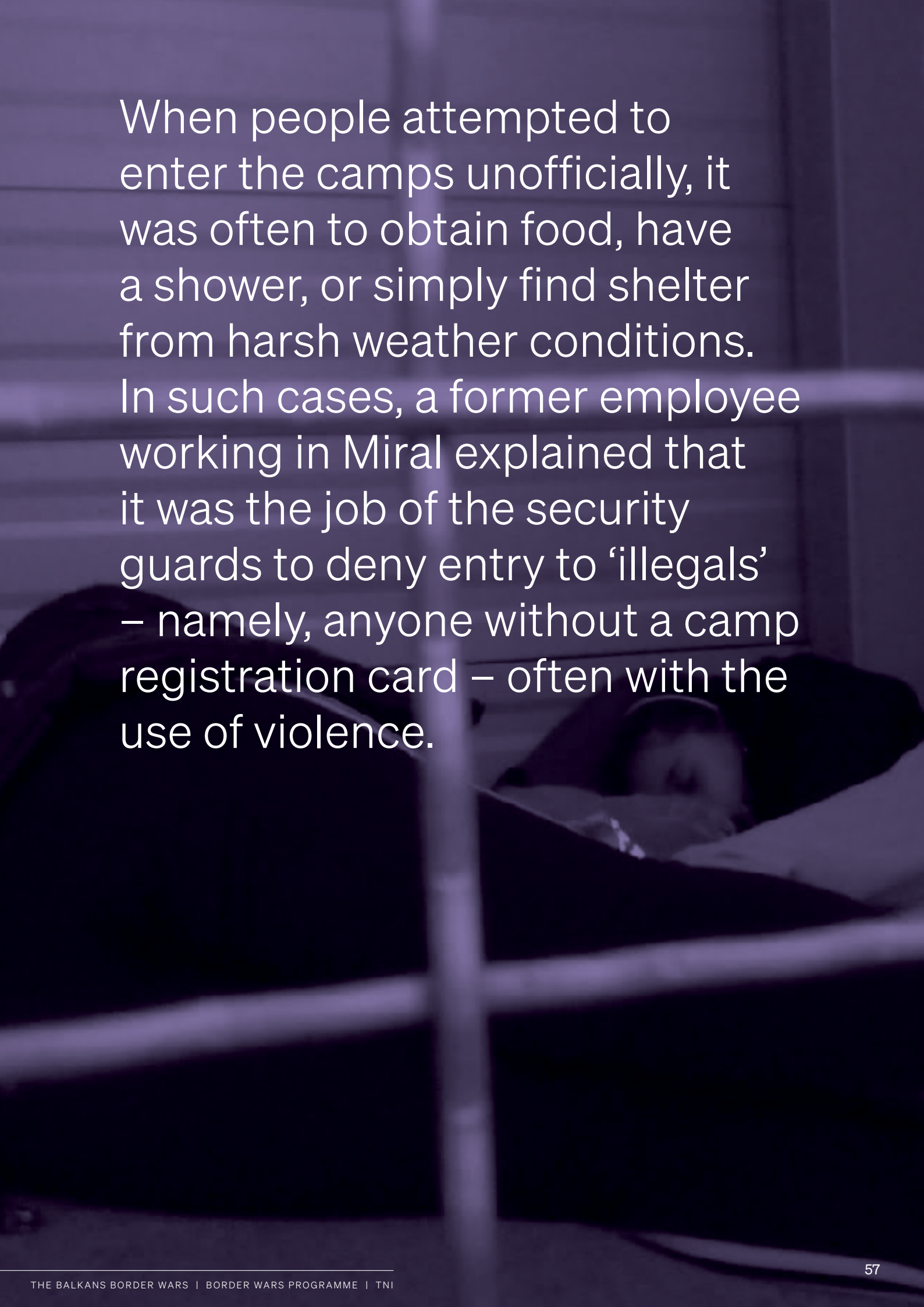
Over the years, camp residents and employees have made numerous statements, substantiated with photo and video footage, showing that security agencies have frequently been violent towards people in the TRCs. In January 2021, the Sarajevo-based daily *Oslobodenje* published an article featuring a former security guard who had worked at Ušivak and Blažuj camps.¹⁸⁴ In this, he claimed that his role was to 'oversee the camp's beneficiaries and ensure the security of the IOM, its equipment, and staff'. This confirms the statement made by the former guard we interviewed from Ušivak. Guards at Sarajevo-based camps worked 12-hour shifts, and local police rarely entered unless necessary. Incidents were common in the tent areas of the men's camp, Blažuj, which housed over 350 people. The former security guard explained that in the

event of an incident, their role was to try to de-escalate the situation by communicating with people, using a psychological approach and not touching them. However, he claimed that only in around 1% of cases was it possible to stop incidents like this, and that migrants were unfriendly towards security or the IOM. Despite describing migrants as an 'extremely dangerous group of people', the former guard attributed most problems to the extremely poor living conditions in the camp, including the poor quality of food and lack of health care. The article did not include a response from the IOM, nor did the organisation issue a public statement on the matter.

According to a former employee who worked in Miral camp and spoke to us on condition of anonymity, there were cases of violence against residents, and he believed that the people in charge were fully aware of what was happening. The former employee stated that the most difficult period was during the COVID-19 pandemic. When asked about violence committed by security guards, the individual confirmed that it did occur. **'You ask me if the security was violent. Yes, there was violence. Some people the security considered more problematic were taken to their container, the one security used, where they were trying to "educate" them. It was not huge violence, but the residents were punched and beaten.'**

One of many videos of violence committed by security guards, which residents made secretly and shared with activists, was circulated online in January 2019.¹⁸⁵ The video shows three private security guards inside Miral in Velika Kladuša assaulting a resident. Again, the IOM made a public statement, saying that guards were trained by the United Nations Department of Safety and Security (UNDSS) and that the local police were called in to investigate the incident.¹⁸⁶ However, in interviews with security personnel in various camps, it was clear that guards had no such special training. Some told us that they used to work 24-hour shifts in camps in Velika Kladuša and Bihać, after which they were exhausted, and for which they received only the minimum wage for their difficult and often traumatic work. To supplement their income, many took on second jobs, working as bouncers at discotheques, or other work. The large camps like Bira and Miral in the Bihać area were the most difficult places to work, due to overcrowding and the fact that camps were built in former factories, inappropriate for accommodating people. It is important to underscore that BiH experienced a war and genocide less than 30 years ago and there remains much personal and inter-generational trauma in the country. Many of those involved in imposing EU-mandated, IOM-implemented policies, were affected by the war, which is likely to have various implications for how they work in a post-war context in such highly securitised settings with victims of other wars and conflicts.

Employees from various organisations working in Bihać, Velika Kladuša, and Sarajevo camps reported that violence committed by security personnel became normalised between 2018 and 2021. Their testimonies suggest that security agencies used force against residents in camps that the IOM described as 'humanitarian hubs' that met EU standards.¹⁸⁷ These private agencies had no prior experience of working with vulnerable groups, and it is unclear whether the IOM vetted the contractor's employees' criminal records or required health tests since the agreements between the IOM and these private agencies were not divulged. The IOM declined to answer our questions about this.

A person is sleeping in a metal bed frame, partially covered by a dark blanket. The background is a blurred wall with horizontal lines. The text is overlaid on the left side of the image.

When people attempted to enter the camps unofficially, it was often to obtain food, have a shower, or simply find shelter from harsh weather conditions. In such cases, a former employee working in Miral explained that it was the job of the security guards to deny entry to ‘illegals’ – namely, anyone without a camp registration card – often with the use of violence.

At Bira, several testimonies from former employees and asylum seekers suggest that guards used a dark and secluded area to beat people.

Other containers or rooms were also reportedly used for this purpose, and employees were aware of this practice. Some employees reported it to the IOM and the local police, although only one person mentioned a case of violence against a minor resulting in an investigation and a court case. In an interview, on condition of anonymity, the victim explained that she had been luckier with this case because she was a minor. 'I guess that was the reason they had to react', she said, explaining that it was not the first case that she had reported, but the first to be sanctioned. In most cases, individual security guards were suspended or removed from that specific post, but no further action was taken, and the same company continued to provide security services.

In May 2019, a group of journalists observed security guards using electric tasers to disperse people in front of Bira camp, which is forbidden by law and also by IOM rules. 'Those who were touched by them were screaming. It was horrible to observe', according to one of the journalists, who was taken into detention after attempting to take videos of the incident. In videos and photos, they managed to save, and permitted us to use, it is possible to see IOM personnel next to the security guards who are carrying tasers.

One of the journalists we interviewed confirmed that IOM staff were present during the incident. Journalists contacted both the security company and the IOM after the incidents.¹⁸⁸ Bakrač Security did not respond, while the IOM said it was aware of this type of incident, and that it responds with temporary sanctions against individual guards or transfers them to other camps.

All the witnesses with whom we spoke, including several camp employees and migrants, confirmed that it was common to see security guards using violence against residents, including beating them with sticks and occasionally using tasers.

In Bira and Miral, both former factories, altercations with security in the camps often arose when people who did not have a camp card attempted to enter the facilities. There were various reasons why a person might not have a card, with some not having registered as residents, either because they chose not to or because the camps were overcrowded with no available space. Often, people were denied registration when they attempted to register themselves. More often, people were registered but lost their cards while trying to cross into the EU, or when their belongings were destroyed by the Croatian police during pushbacks. Between 2018 and 2020, the camps were frequently over capacity, with often over 2,000 people living outside the TRCs and denied access to any services provided to those registered in the camps. It was not until the pandemic significantly reduced the arrivals of people at Bihać that the problem of capacity was resolved. As an EU official explained in an interview, the global pandemic was a 'godsend' for managing migration in BiH, as there were far fewer arrivals than had been expected.

When people attempted to enter the camps unofficially, it was often to obtain food, have a shower, or simply find shelter from harsh weather conditions. In such cases, a former employee working in Miral explained that it was the job of the security guards to deny entry to 'illegals' – namely, anyone without a camp registration card – often with the use of violence. On 14 May 2020, a young man died after becoming entangled in a fence while trying to enter the Miral camp to take a shower.¹⁸⁹

Over time, the criticism of private security agencies became increasingly vocal, both by camp employees and local civil society groups. L.,¹⁹⁰ a former camp employee, resigned because of having to witness frequent violence. Despite reporting these observations to her superiors, she saw no significant changes. L. recalls many occasions when security guards were relocated, prevented from working inside the camps, and even fired, yet the violence persisted. As criticism mounted against the IOM and the security agencies, there were greater efforts to stop the dissemination of information from inside the camps. Camp residents reported that security guards confiscated phones from anyone attempting to film or take photos inside the camps. One resident of a family camp in Sarajevo claimed that he had been expelled from the camp and had his registration card revoked after IOM staff discovered that he had been speaking with journalists and sharing information.

The IOM also strictly controls access to the TRCs, including to journalists. Many local and international journalists recounted difficulties in gaining access to the camps, often being denied entry by the IOM and security guards. Those who were granted entry reported strict control and monitoring of their activities by IOM personnel.¹⁹¹ Several local journalists told us they were accompanied by IOM personnel while inside the camp, making residents hesitant to talk openly about their situation, fearing reprisals for speaking out against the conditions.¹⁹² This was corroborated by several other journalists who managed to gain access to the camps. Some local media also describe this limited access, with cameras in one location often placed near the entrance gate and individuals being brought to journalists for interviews.

Interviews we conducted over several years paint a nightmarish picture of the conditions inside the camps. Residents said that they did not feel safe, secure or dignified in them and that the conditions, particularly in Bihać and Miral (those closest to the Croatian border), were not fit for animals, let alone humans. It was common to hear people describe the conditions as being worse than Moria, which many journalists, NGOs and Members of the European Parliament (MEPs) have described as an open-air prison.¹⁹³ Several people who were in BiH, especially those from Afghanistan, had stayed in Moria before finding their way off the island and continuing towards other areas in the EU.

One of the most pressing issues was the lack of health care. Health services are provided by the IOM and its partner organisation, the Danish Refugee Council (DRC), and each camp is supposed to have an emergency room. Residents at Bira, as well as other camps, complained that the DRC generally provided only basic assistance.¹⁹⁴ **‘We got paracetamol for anything, from diabetes to cancer. Nothing else’,** one of the residents told us. It was common to see people inside the camps with untreated skin infections. **None of the camps provides a safe environment for women, unaccompanied minors or LGBTQ+ individuals, which was confirmed in the statement issued by the UN Special Rapporteur on the Human Rights of Migrants, Felipe González during his visit in 2019.**¹⁹⁵ **A number of LGBTQ+ people, after briefly staying in camps, preferred to live outside, either in rented rooms or squats. According to some of those with whom we spoke, they were offered no protection in the camps, and were often targeted by other migrants. According to their testimonies, some of them talked about rape and other types of violence they had experienced in the camps, and the lack of any kind of support. For women, just going to the toilet was an ongoing issue in many of the camps, as the**

facilities were not properly separated or safeguarded. In addition, minors are often placed too close to adults, and there have been reports of the sexual exploitation of children inside the camps.¹⁹⁶

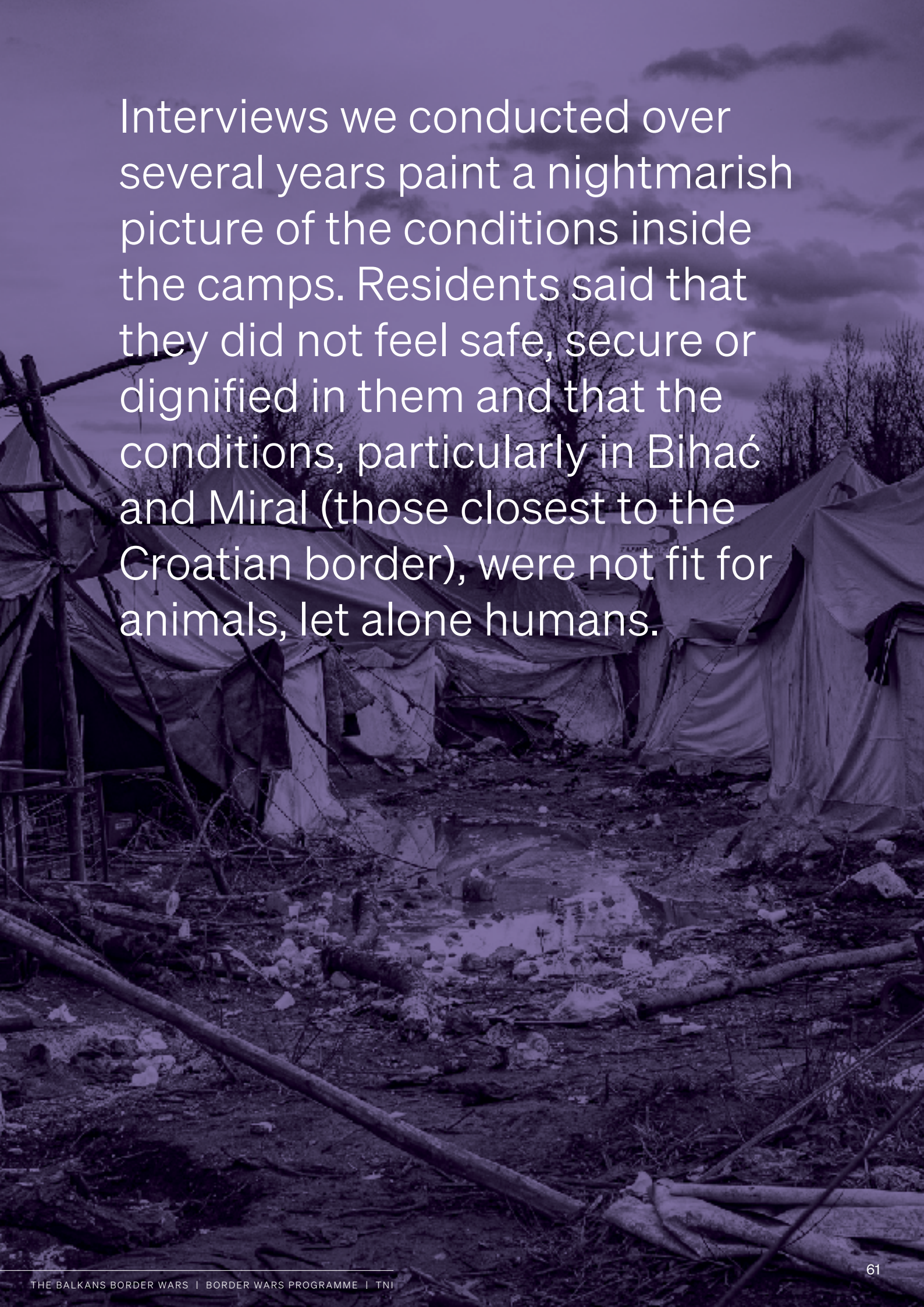
The conditions and structural violence inside the IOM-run TRCs were so dire that on more than one occasion they resulted in preventable deaths. However, the mortalities that occurred, like A.O., who is buried in Sarajevo, as well as others, are not mentioned or counted in the annual IOM Missing Migrant Projects,¹⁹⁷ which claims to provide global data on migrant deaths, and it is almost impossible to number these missing cases. The report counts only those who died in transit, not in the centres and facilities run by states or other organisations. Like A.O., other deaths in IOM-run facilities in BiH were not included in these reports, such as that of a 17-year-old Pakistani boy who died in 2019 in the camp Bira in Bihać. According to the local coroner, the boy died of pneumonia, which could have been cured with antibiotics if it had been treated in a timely fashion. Another example is that of H., who was hit by a car at the entrance of Camp Miral, which is built on a rural highway. His friends claimed that despite their desperate attempts to get help, none of the camp personnel offered assistance. As he lay on the ground two hours after the accident, H. was still alive, but no camp doctor or ambulance ever arrived. He was eventually transferred in a police car to the hospital, where he died.¹⁹⁸

According to one of the IOM camp managers, the protocol is to refer any death that occurs within a camp to the SFA, in accordance with state procedures and regulations, such as contacting the embassy of the deceased person's country of origin and arranging for the body to be repatriated if that is what the family wishes. However, when we asked the SFA about this, they said that H.'s body was eventually returned to Algeria for burial, thanks to the efforts of local and international volunteers, rather than any assistance from the state institutions.

IOM's questionable procurement processes with private entities

The IOM hires private entities to achieve its migration management objectives. According to its procurement data from 2019 to 2020, it spent €850,097 on security service agreements with three private security companies: Glock Security (named after the well-known gun producer), Bakrač Security, and Bodyguard Fileković. It is unclear what procedure IOM followed when engaging these agencies.¹⁹⁹

The main security agency the IOM contracted was Bakrač Security, which was paid €643,601 between 2019 and 2021 to provide services in four TRCs in the Bihać area, including facilities for housing families and vulnerable individuals.²⁰⁰ The testimony outlined above and corroborated in various media reports shows the security personnel in these camps were frequently involved in violent incidents against migrants. The owner of the company, Asmir Bakrač, is a former police officer and maintains connections with local authorities and several contracts with local institutions to provide security services. He was implicated in the murder of Cvijan Radić, a Serb who returned to the area shortly after the war in BiH.²⁰¹ In 2014 Bakrač was given a prison sentence of 31 years and eight months, along with other defendants, but his sentence was later overturned and a retrial was ordered.²⁰² Bodyguard Fileković was paid €92,798 between 2019 and 2021 and has equally worrying connections. In July 2021, members of the State Investigation



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and Protection Agency (SIPA) searched its premises in connection with allegations of large-scale tax evasion.²⁰³ Although the problematic nature of these two security companies was a matter of public record, and the continued violence of their personnel towards residents in camps in BiH, they remained on IOM's payroll.

Furthermore, the lease agreements the IOM signed with private owners to set up TRCs are also seriously flawed and suggest a failure to follow due diligence procedures. Dysfunctional governance was the formal justification for why the IOM was tasked with 'migration management', yet it paid scant attention to conducting background checks on the owners of the land and premises rented or ensuring that they were suitable for accommodating people.

- One such example is Hotel Sedra, located between Bihać and Velika Kladuša, which was an old and dilapidated hotel with no running water and mould on the walls when the IOM agreed to rent it to turn it into a family camp. The contract was made directly with the owner, Halil Bajramović, a controversial businessman with political alliances in the Bihać area. The hotel was about to be auctioned to clear accumulated debts. This was public knowledge, yet just days before the auction it was purchased to house vulnerable migrants, and the IOM signed a lease with Bajramović for €256,401, thus averting the court decision to put it up for auction. Furthermore, in 2019, Bajramović was indicted for embezzlement, but even then the IOM did not terminate the contract.²⁰⁴

A similar picture emerges in relation to the IOM's lease with the owner of an abandoned BIRA factory in Bihać, where the IOM set up its largest TRC in BiH. The factory was up for sale to settle debts, with a court case pending against the owner.²⁰⁵ In 2017, the mayor of Bihać offered support to the factory, describing it as a good investment. Indeed, between 2019 and 2021, the factory owner was the largest private beneficiary of EU funds in BiH, receiving a total of €1,464,747.²⁰⁶

The same issues are illustrated again with regard to KM Trade, which received €27,880 of EU funds²⁰⁷ paid by the IOM for the purchase of protective ballistic equipment for the USC Police. From the database of the Organized Crime and Corruption Reporting Project, there are many entries about the two owners of the company, Kadrija Kolić and Nihad Masić; and the company itself was reportedly linked to corrupt business practices with public money.²⁰⁸ As reported in the local media, for years KM Trade won all the tenders for the provision of police uniforms, in violation of BiH procurement law.²⁰⁹

The IOM's procurement principles, including its Fraud and Corruption guidelines, clearly state that the organisation must reject any proposal or terminate a contract with a bidder who has engaged in corrupt, fraudulent, collusive, or coercive practices. Despite this, the IOM awarded procurement contracts to the companies mentioned, which raises questions about its adherence to its own guidelines. It is unclear why the IOM decided to award contracts to these companies, nor why these were not terminated immediately or at least much sooner in view of the public information regarding the allegations levelled against them.

A changing securitisation response in BiH – but structural violence remains

Essentially, it seems that in implementing the EU's externalisation agenda in BiH, humanitarian principles or due diligence procedures play a secondary role and from the outset migrants' humanitarian needs come last.

Since the formal transfer of responsibility from the IOM to the SFA, the IOM has officially stopped hiring private security agencies to work in the camps because, according to the Head of the IOM mission in BiH, Laura Lungarotti, the SFA in charge of security are professionals. When we visited Blažuj and Ušivak camps in September 2023, the SFA presence was visible and the situation in general was less tense. Speaking off the record, a police officer in one of the camps told us that they took over from the private agencies who often abused their position and power. We were also told that the conditions are precarious, and not safe especially for minors, but also for women. The IOM still supervises permission to enter and move around within the camp. The Ministry was formally included in the email correspondence, but was not visible inside the camps.

In Lipa camp, SFA is more present. However, as stated earlier,²¹⁰ it is employed by the IOM. Based on our observations, the transfer of responsibility to local authorities and institutions is only formal, and essentially little has changed in practice, while living conditions remain basic. People live in small containers, occasionally there is no water, and the place remains unsuitable. There is also a new detention unit with 12 containers. In family camps in Sarajevo and Bihać, there are not enough basic supplies, including clothes, blankets, and toiletries, while the conditions remain sub-standard. In mid-2023, the head of the IOM announced the possibility that the camp in Bihać could be closed soon. While the camps are usually half empty, the IOM has continued to invest even more of the IPA funds committed by the EU in various forms of securitisation, such as ongoing support for the local police force with a range of high-tech equipment, as well as advanced video surveillance and data-collection systems.

Reports in relation to the next round of EU funding imply that the structural violence of its migration management is projected to continue for the foreseeable future – albeit in new and more sophisticated ways – with more EU funding for securitisation measures. While the IOM's securitisation approach has taken on new forms and involve different local actors, the outcome remains much the same: structural violence and degrading and dangerous conditions for people on the move continue. This is simply the next phase in the lucrative (border) security industry from which the IOM and many other agencies, like Frontex or ICMPD, profit. Police agencies in the country are more militarised than they have been since the war, and besides donations from the EU, they are investing in new equipment, mostly to use it in the event of 'civil unrest'.²¹¹ In addition, they have a growing number of employees, and even in 2021, BiH had more police officers for every 100,000 citizens than the EU average (438 vs 333).²¹²

CHAPTER 5

Will the Balkans become a deportation hub?

In late July 2022, BiH deported the first two people to Pakistan,²¹³ and a few weeks later, the authorities deported a group of Moroccan nationals. The EU and IOM assisted in these deportations. In both cases, the government authorities issued a press statement,²¹⁴ accompanied by posts on social networks, and images of handcuffed people being taken through airport control, as if they were criminals.

The Ministry of Security issued a statement that in all cases, the deportees were ‘illegal’ and that they had committed crimes while they were in BiH, but gave no further details. The same practice continued in 2023, with deportations to Algeria, Bangladesh, and Morocco, countries with no official agreement of readmission with BiH. By the end of June 2023, at least 25 people had been deported.²¹⁵

Deportation to Pakistan was facilitated by the readmission agreement reached between the two countries in November 2020,²¹⁶ and paid by the BiH government. The agreement is a part of the conditions for Bosnia’s eventual accession to the EU.

There is no such agreement with Morocco and there have been no published details about the deportation of Moroccan nationals. The cost was met with the help of the EU and Austria, and Frontex and ICMPD were involved. After the deportation of Pakistani nationals, the authorities told the local media that to continue with the process of sending people back to their countries of origin, they will need further financial help.²¹⁷ In October 2022, the European Commission Vice President for Promoting our European Way of Life, Margaritis Schinas, visited Bosnia and some of the EU-funded accommodation centres in Sarajevo, and announced a new project worth €39.5 million,²¹⁸ ‘focused on supporting Bosnia and Herzegovina in managing mixed migration flows and border management’. He called for greater cooperation and coordination with Frontex, and for BiH to finalise the establishment of the Joint Contact Point for Europol. He underlined the need to step up the returns of those not in need of protection (not recognised as refugees or asylum seekers, or victims of human trafficking, for instance) ‘as an essential component of any credible migration policy’, and that the EU had since 2018 dedicated over €100 million to ‘migration management’ in Bosnia. In the same week, the EU recommended BiH for candidate status, even though the progress report showed no progress in any of the areas, concluding that the rule of law is weak, and the state dysfunctional.²¹⁹

This aim to turn the region into a hotspot, in which the IOM plays a leading role, is not new but has intensified since 2015. The deportations from BiH mark both the culmination of a long process and open the door to new forms of EU border externalisation, implemented by the IOM, at the expense of the human rights of people on the move.

Deportation blackmail through the EU accession process

For over 20 years, the EU has involved the Balkan countries in deporting migrants who are considered undesirable. In June 2002, at the European Council of Seville, the Council wrote in its conclusions that ‘any future cooperation, association or equivalent agreement which the European Union or the European Community concludes with any country should include a clause on joint management of migration flows and on compulsory readmission in the event of illegal immigration’.²²⁰ In other words, any agreement negotiated between the EU and a third country must support the externalisation of EU migration policies, and especially deportation (readmission) to the migrant’s country of origin.

The EU accession process for the Balkan countries, launched in 2003 at the Thessaloniki Summit,²²¹ is no exception. The first step was to make visa issuance conditional on signing readmission agreements that commit the Balkan countries to accept their nationals if they have been apprehended as illegals within the EU.

On 7 November 2005, Albania became the first country to sign such an agreement with the EU. It introduced the obligation to admit any Albanian national who is not, or is no longer, in a legal situation in the EU, as well as any third-party national who can be proved or reasonably assumed to have directly and ‘illegally’ entered the EU after having stayed or transited through Albania. The readmission agreement was followed two years later by the adoption of the EU–Albania agreement on the facilitation of issuing short-stay visas. There are similar arrangements with Serbia, BiH, Montenegro and North Macedonia and in 2010, all the Balkan countries, except Kosovo, signed a visa-free regime agreement with the EU.

Very early on, the EU involved the IOM in supporting these returns, via the AVRR programmes.²²² In 2015, the IOM Mission in Albania, for example, assisted over 3,700 Albanian nationals to return from EU countries in Western Europe,²²³ although their ‘voluntary’ nature was often contested. Indeed, people who accept a ‘voluntary’ return generally do so to avoid the five-year ban on entering the Schengen Area which usually accompanies an expulsion order.

The IOM: the EU’s partner in creating a ‘hotspot’ in the Balkans

Not only must the Balkan countries accept the return of their own nationals, but increasingly they are also asked to control, detain and return migrants who are regarded as unsuitable for settlement in an EU country. As defined by Migreurop (2019):

‘The hotspot approach is a scheme introduced in 2015 to strengthen border control and prevent access to the European continent, by identifying and sorting migrants directly after they have landed in Italy or Greece and by turning them back, from these places to the detriment of their fundamental rights. It is, today, the new “model” of governance in the “management and control of migratory flows” at the EU’s external borders.’²²⁴

Implemented in response to the ‘migration crisis’, this approach led to triage centres aiming to distinguish between ‘legitimate’ refugees and asylum claimants, and ‘undesirable’ economic migrants.

Since 2015 there have been similar centres set up in Greece and Italy, and now the entire Balkan region appears to have become a buffer zone to keep undesirable migrants far beyond the EU's borders. The IOM is playing the principal role in this process.

‘Voluntary return’: depoliticising mobility control and deportations

By making the IOM its preferred partner agency the EU's strategy is quite clear: trying to give a humanitarian veneer to policies that are in reality driven by a securitised agenda. The fact that IOM is loosely related to the UN gives an illusory guarantee of neutrality. The IOM's concept of ‘voluntary return’ shows that state interests outweigh the rights and interests of people on the move. Although it is meant to be of service to migrants wishing to return home, ‘voluntary return’ is the EU's preferred mechanism to try to depoliticise the issue of controlling mobility and deportations. As Antoine Pécoud writes:

‘One consequence of this tension between a “universalist” and positive representation of migration and the security or utilitarian concerns of Western states is the transformation of the exercise of control, which takes forms far removed from the police measures that are generally associated with it. It is within this framework that it is possible to interpret the development of information campaigns [including on “voluntary returns”] as a form of “consensual” surveillance, insofar as they incorporate concerns for “victim protection”, which are conducive to the cooperation of countries of departure or NGOs.’²²⁵

For several years, the EC has indeed encouraged ‘voluntary returns’ over deportations. One reason is financial (a forced deportation costs approximately €15,000, whereas a ‘voluntary return’ is about €3,000),²²⁶ the EU has also emphasised the more dignified nature of ‘consensual’ returns, which are theoretically carried out without a police escort or physical constraint.

In its current strategy, announced in April 2021, the EC promised that it would ‘continue to provide assistance for voluntary return and reintegration of migrants stranded in other countries’²²⁷. In 2019, the IOM launched a two-year programme entitled ‘Support sustainable return and reintegration of migrants voluntarily returning from the Western Balkans to their countries of origin’,²²⁸ jointly funded by the IPA II fund, the German Federal Foreign Office, the Austrian Ministry of Interior and the Dutch Ministry of Justice and Security. The programme includes an information campaign on ‘voluntary return’, logistical and financial support in travel planning, procuring travel documents, being met at the airport upon arrival and for reintegration.

In the Balkans, by 2021 the IOM was the only government partner organisation offering the possibility of a ‘voluntary’ return to migrants stranded in the region. Between 2018 and 2020, the IOM facilitated the ‘voluntary’ return of 1,448 people to their country of origin.²²⁹ Among them, 519 returned to Iran, 239 to Iraq, 120 to Algeria, 116 to Pakistan and 99 to Tunisia.²³⁰ As underlined by the ICMPD, the number of ‘voluntary’ returns varies, depending on each country's status:

‘Being traditionally the WB6 [the six Western Balkans countries] country with the highest number of “stranded” migrants, Bosnia and Herzegovina is also the country with the highest number of voluntary returns of migrants to their countries of origin (189 for the period January – December 2021), followed by Serbia, and then other countries with low numbers of return. Significance between returns in Bosnia and Herzegovina, and Serbia, with higher numbers, and other countries, with lower numbers or no returns, is that Albania, Kosovo, North Macedonia and Montenegro are typically transit countries, while BiH and Serbia are the last countries geographically before the EU border.’²³¹

To raise awareness about its ‘voluntary’ return programme, the IOM relies on the network of camps throughout the region. While the organisation is involved in the management of many of the reception centres (with the exception of the camps in Serbia), its presence is also valuable in reaching as many migrants as possible. The IOM has also deployed outreach teams going to squats, arrival posts, hostels where people stay, places where volunteers distribute humanitarian aid, and other locations where migrants live to tell them about the AVVR programme. It has a dedicated website on the programme²³² and a mobile application. Unlike images of people being handcuffed and forcefully taken to the airports, AVVR propaganda shows people smiling at the departure airport, accompanied by IOM personnel, and holding a bag bearing the IOM insignia, and a story about happy returns.

But the role of the IOM in the returns from the Balkan region goes far beyond this humanitarian facade of ‘voluntary’ return.

Detention and deportation centers



Supporting detention and deportation centres across the region

With the start of the accession process, detention and deportation centres appeared in the Balkan region, supported and often built with EU funding, and linked to the IOM. In 2006, the Ministry of Security of Bosnia and Herzegovina signed an MoU with the IOM and the European Commission on establishing a 'reception centre for irregular migrants in line with international and European standards'²³³. Opened in 2009 in Lukavica, on the outskirts of Sarajevo, the centre bears the EU flag at its gates.²³⁴ In late 2022, the IOM issued a public call for contractors to work on an 'extension and upgrade of the Immigration Center in Lukavica'.²³⁵

Similar centres were opened across the region: in Serbia (Padinska Skela in 2004), North Macedonia (Gazi Baba in 2007), Albania (Karreç in 2008), Kosovo (Magurë in 2012 and Vranidollë in 2014) and Montenegro (Spuž in 2013). These centres are used to detain migrants, often suspected of being about to enter the EU, before their deportation, either to their country of origin or to the country through which they previously transited (on the basis of readmission agreements signed between the 'Western Balkans' countries).

Although according to available information, the IOM has not supported the construction of these centres except the one in BiH, the organisation has a presence in most of them, promoting the AVVR programme. According to several testimonies and documents gathered, this is the case in Vranidollë,²³⁶ Gazi Baba,²³⁷ Padinska Skela²³⁸ and Lukavica.²³⁹ The fact that these information campaigns are often carried out in detention centres raises serious doubts about their 'voluntary' nature. **Migrants with whom we spoke before or after they agreed to AVVR told us that they give up out of fatigue and sheer desperation and accept returning 'voluntarily' to their country of origin as the only way to escape inhumane and degrading detention conditions.**

When asked about this, the IOM's Head of Mission and Coordinator for the Western Balkan region stated categorically that 'the IOM did not operate voluntary return operations from closed centres' and 'had strict red lines on a voluntary return that they do not cross'.²⁴⁰ In the Balkans, however, it is clear that this line has long been crossed, which is all the more alarming since most of these centres are notoriously reported as places where human rights violations against detainees are committed.²⁴¹ People, including asylum seekers and minors, are often detained without access to free legal aid, and police abuse is commonplace.²⁴² Given that the IOM has a presence in many of these detention centres, and that the public is not aware it has ever raised concerns about these illegal practices, it effectively legitimises them.

The centre in Lukavica has been especially problematic from the outset. According to several reports over the years, including one in 2019 by the Global Detention Projects, minors were held in the centre.²⁴³

More screening centres for those who want to reach the EU

With EU funding, the IOM has helped to maintain and development camps and screening centers along the 'Balkan route', which are an integral part of the EU's deportation system, for example in Serbia and North Macedonia.²⁴⁴ Albania, for example, has screening centres at the

country's two main entry points from Greece, namely Gjirokastër and Kapshticë. The Council of Europe Development Bank's 'Migrant and Refugee Fund' supported the IOM in building the two centres.²⁴⁵ Anyone intercepted at the border is taken to these centres, where their information is recorded. In theory, if someone wishes to apply for asylum, they are transferred to Tirana, the capital, while the others are ordered to leave the country. Since June 2020, however, transfers from the border to Tirana have been suspended and most migrants have been systematically pushed back over the border to Greece.²⁴⁶

Gevgelija centre, located close to the Greek border in the south of North Macedonia, also seems to act as a screening centre. Migrants, refugees and asylum seekers who have been intercepted by the Macedonian police are taken there to be registered and screened. As in Albania, those who declare their intent to seek asylum are transferred to the Vizbegovo centre, near the capital, Skopje. As CSOs²⁴⁷ have noted, it is not uncommon for people to be pushed back before having the chance to express their need for protection. In this centre, the IOM actively promotes its AVVR programme, which is usually the only way to avoid collective expulsion to Greece.

From 2020, Montenegro has a similar centre, which is a camp in Božaj near the border with Albania. The EU contributed up to €400,000 for its construction through the IPA fund and an IOM mobile team works there on a daily basis to support the authorities.²⁴⁸

These screening centres have all the characteristics of Greek and Italian hotspots, serving as triage points to identify migrants who must either be intercepted or deported to their country of origin.

Improving data collection to facilitate deportation

As a key element in facilitating returns, improving data collection has become an EU priority. A 'Feasibility Study on Irregular Migration in Western Balkans' conducted by IOM experts in 2013 highlighted an 'insufficient share and exchange of information between countries in the region, which serves to hinder the ability of competent bodies to manage these increases in irregular migration flows in a systematic manner', adding that:

***'Enhancing mechanisms for the sharing of information on applicants for international protection and those irregular migrants who crossed the national borders among the countries in the Western Balkan region would constitute an effective response to irregular migratory flows through the Western Balkans and consequently into the EU.'*²⁴⁹**

Consequently, the Balkan countries have been equipped with systems to improve data collection and sharing, with the dual objective of avoiding multiple asylum applications in different countries and facilitating the deportation of 'irregular' migrants. Various European Council documents refer to the objective of 'stimulating the development by Western Balkan partners of national biometric registration/data-sharing systems on asylum applicants and irregular migrants'.²⁵⁰ The documents specify that these systems must be compatible both with each other and with the Eurodac database in order to guarantee their future interconnection and interoperability. Used by the EU in the context of the application of the Dublin Regulation (Regulation III, also

known as the Dublin Convention) to determine the EU member state responsible for an asylum application, the database contains the fingerprints of third-country nationals who have lodged an asylum application or who have been intercepted after ‘irregularly’ crossing an external border. It is used to deport migrants to their first country of entry to an EU member state, in application of the Dublin Regulation.

In the Balkans, the aim to increase data-collection capacity is supported by the EU-funded programme ‘Regional support to protection-sensitive migration management in the Western Balkans and Turkey Phase II’. Along with Serbia, BiH seems to be one of the most advanced countries in this field. Under this programme, the two countries have been equipped with the Automated Fingerprint Identification System (AFIS).

Given the rapid adoption of data-collection technologies in the Balkans, the question arises of whether these will be used to set up an ‘extended Dublin mechanism’, allowing EU member states to send back to the Balkans anyone whose fingerprints were collected before their entry to a EU country:

‘The potential interest of the European Union in extending the Eurodac system to the Balkan countries is clear. This would be a prelude to the establishment of an “extended Dublin mechanism” and would complete the implementation of the EU’s “hotspot approach” in the region. As a result, the extension of the Eurodac database into this region would allow authorities to know which countries people on the move – those apprehended crossing a border “irregularly” or applying for asylum in an EU Member State – previously crossed during their migratory journey. These countries would then be responsible for examining the person’s asylum application or, if the application is rejected, for deporting the person to their country of origin. A person arriving in Italy, but whose fingerprints were collected in a camp in Sarajevo, could thus be sent back to Bosnia.’²⁵¹

This scenario seems to be taking shape with the establishment of a ‘Joint Coordination platform’, completing the transformation of the Balkans into the EU’s deportation hub.

‘Joint Coordination Platform’: towards a large-scale deportation hub in the Balkans

The idea of coordinating return capacity regionally is not new. Back in 2013, the IOM stated that:

‘[t]he provision of support for joint operations in relation to voluntary and non-voluntary return could benefit countries in the region through facilitating increased economies of scale [...] a regional centralized system for the coordination of assisted voluntary return activities led by an international organization/regional initiative could have a positive impact on the effective management of these operations.’²⁵²

The regional cooperation in this field accelerated in 2019, following a meeting on readmission organised by the IOM and the Presidency of Bosnia and Herzegovina,²⁵³ with the objective to ‘discuss readmission practices, challenges and opportunities at a regional level, therefore fostering further regional cooperation and harmonisation with EU standards and practices on readmission’.²⁵⁴ On this occasion, the IOM mentioned the possibility of extending the European Readmission Capacity Building Facility (EURCAP) project to the Balkans.²⁵⁵ In 2021, this initiative saw the light of day with the launch of the Western Balkans Readmission Capacity Building Facility (WBCAP) programme, funded by the Danish Foreign Ministry.²⁵⁶

In July 2020, at the occasion of the Vienna Ministerial Conference (with ministers from the EU and Balkan countries), an ‘Operational Platform for the Eastern Mediterranean Route’ was launched, aiming among other objectives at increasing cooperation on returns:

‘Returns of persons not in need of international protection to the respective countries of origin must be carried out without delay. The promotion of voluntary return and the exchange of best practices are essential elements for further cooperation. The Ministers welcome the European Commission’s intention to step up its activities in relation to third countries and create win-win partnerships, including cooperation in the area of return/readmission, using all available incentives and leverages.’²⁵⁷

In April 2021, it was announced that Austria and BiH had signed an agreement on forced readmissions; Austria committed to fund charter flights from Bosnia, sending their police officers to build the capacity of Bosnian authorities on return operations and to support them in negotiating an agreement that would allow Frontex’s operational deployment in the country.²⁵⁸ This agreement appeared to be a bilateral pilot phase of a larger project to be deployed at the regional level.²⁵⁹

This assumption is confirmed following a conference held in Vienna in February 2022, dealing specifically with the issue of returns, and organised by the Minister of the Interior of Austria and the Minister of Security of Bosnia and Herzegovina. The objective of this ‘Joint Coordination Platform’ is to set up a ‘flexible return partnerships’ with Western Balkan states and to support these countries to take charge of the deportation of migrants to their countries of origin, by coordinating their efforts at the regional level.²⁶⁰ The IOM has been joined by two other major partners of the EU border externalisation policies:

‘The Joint Coordination Platform now wants to establish a “regional return mechanism for the Western Balkans” with the ICMPD. This is not only about deportations and “voluntary” return measures to European third countries; the JCP is also to support the Western Balkan countries themselves in deportations. In this way, the platform assumes a hinge function for Frontex. Under its new regulation, the border agency is setting up a “Return Centre” and organising charter flights for deportations from various EU member states, but is not allowed to do this on behalf of third countries (even if there is a status agreement with these countries). However, such a restriction does not apply to the ICMPD as one of the parties to the JCP.’²⁶¹

The IOM continues to be active as a supporter and as an organisation that channels IPA funds used for deportations. The IOM representatives were present at some of the meetings between BiH and other countries, such as Pakistan, in an advisory role while the agreement on readmission was signed. In March 2023, when the Croatian government started sending large numbers of people back to BiH, using readmission agreements, the IOM was present at the borders organising this process and taking people to the camps it had built with EU funding.²⁶²



'Voluntary' return advertisement

CONCLUSION

This research was carried out over a five-year period during which the world experienced some key moments that are likely to affect the trajectory of people, states, and geopolitical dynamics for decades to come.

The COVID-19 pandemic laid bare the extent to which those in power would rather prioritise capital and profit over protecting human lives, even in the face of an unprecedented global health emergency, which necessarily required a global response. Over this same period military spending continued to increase each year, with the expansion of powerful armies and military alliances driving wars and conflict and taking the world closer to potential confrontation between nuclear powers than at any time since the end of the Cold War. The Doomsday Clock, which represents the likelihood of human-made catastrophe, is set at 90 seconds to midnight. All of this has taken place as the planet is burning and sea levels are rising. In the midst of these events, UNHCR estimated that at least 108.4 million people worldwide were experiencing forced displacement by the end of 2022. A small fraction of these people will traverse the Balkans in the hope of reaching safety inside the EU.

This report exposes the extent to which humanitarianism, human rights norms, international protection and asylum procedures, all of which are underpinned by long-standing legal principles, have been intentionally hollowed out by the EU and its member states, to the detriment of the world's most vulnerable people. Its official discourse frames migration as a threat to the EU's stability; and migrants, who themselves are desperately seeking safety and stability, are treated with contempt, stigmatised and criminalised, their most fundamental rights are systematically violated and they seldom have any means to seek legal recourse. Within this context of denying people's basic rights, imperialism operates under the veneer of humanitarianism.

As this research shows, various (mostly western) donors have worked in conjunction with the IOM since the early 1990s to 'manage' migration. EU-funded, IOM-implemented projects have been developed across the Balkans that serve the EU's deadly borders agenda. The IOM uses EU funding to equip police units, fund the costs of board and lodging for border guards, participate in migrant-related data collection across the region and promote the ever-increasing 'voluntary' return programmes. The reliance on detention camps like those featured in this research permits the creation of conditions where migrants' fundamental rights are systematically denied while at the same time they are subjected to increased surveillance and control. For this reason, many migrants try to remain 'under the radar', and thus become more vulnerable. At times they will accept return procedures – but seldom entirely of their own free will, and more often out of desperation. The IOM is a key player in enforcing strict migration control, including militarised policing on the one hand, while on the other it operates under the auspices of the UN banner, portraying itself as a humanitarian actor that centres the rights of migrants at its core.

The way in which the IOM operates in the Balkans is not unique to this context or region. As this research has shown, since its inception the IOM has always been a deeply politicised organisation, which is more accountable to its donors than to the migrants it is supposed

to assist. Nor is this trend peculiar to the IOM. There is a sense that many humanitarian organisations and non-profit organisations have backed themselves, or been manoeuvred, into a corner, where their operational independence is eclipsed by the agendas set by their major donors and where they increasingly shape their actions based less on human need than on funding calls. Some resort to self-censorship because of their reliance on donor funding. There is an urgent need to reflect on the extent to which humanitarianism has been cajoled or manipulated to play a passive role among the main actors in the border-industrial complex, thereby allowing 'business as usual' for deadly border politics. In a nutshell, funds that go towards implementing these policies, be it through militarism and arms deals, often come from the same pot as the humanitarian funding allocated to address the disastrous consequences for civilian populations.

The IOM's activities show its deep involvement in the EU's violent migration regime. Contrary to its widely promoted image, the IOM is not simply a passive or humanitarian actor, but rather a key player that actively contributes to the EU's re-bordering and the militarisation and securitisation of migration routes within Europe and beyond. Through the IOM, the EU can 'bluewash' its migration policy in the Balkans. The 'humanitarian' border control approach and the process of fortification and return systematically violate the fundamental rights of migrants and force them to adopt more dangerous routes creating the smuggling market that the EU, among other major bodies, claims to fight. The EU, via the IOM, also contributes to destabilising regional social cohesion and potentially to reactivating local conflicts. This is not only true in the Balkans, but also elsewhere, particularly north and west Africa.

As this research project was concluding, some countries in the Balkans were experiencing a political crisis, with many questioning whether the region might be on the brink of war. Tensions between countries and politicians were high, escalating at some points in Kosovo, Serbia and BiH. People were often on the streets, demanding basic rights, while inflation was in double figures and poverty was rising. The entire region suffers from what many describe as the exodus of skilled workers, who are invited to take up jobs in various EU countries. Despite all these issues, the EU overall remained focused on migration and border regime externalisation, directing more funds towards police, border security, and deportations. Plans to create a regional deportation hub were being firmed up as this report went to print. If these plans come to fruition, this would signal the scaling up of expulsions from Fortress Europe.

The events documented in this research are not due to an unfortunate set of circumstances, but are the result of carefully crafted policies developed over many years that perpetuate unequal power structures rooted in centuries of racist colonialism. These dynamics continue to shape how the EU and its member states engage with the world beyond Europe. Enabling the genocide in Palestine is the most recent and shameful case in point. EU bureaucrats attempt to appropriate the concept of solidarity by evoking it in relation to 'migration management', while true solidarity across borders and between peoples is criminalised. Fascism is rising across Europe whipping up fear and hatred against migrants in a desperate bid to win votes.

Against the odds, migrants continue to leave their homes and traverse foreign lands in search of protection, peace and prosperity. Each migrant's journey is one of survival, undertaken with great courage and conviction. Their agency brings hope and inspiration in these dark times.

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