

# Road Map

ROAD MAP FOR MIGRANTS – Guide through the Labyrinth



Republic of Serbia



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## ROAD MAP

The graphical representation, called the Road Map, indicates some of the key steps that need to be taken to improve the legal status and access to labour market and education for various migrant categories identified in mixed migration flows facing the Republic of Serbia for almost a decade.

All the proposals displayed in the graphical representation are based on case analyses, practical experience and outcome documents of the “Road Map for Migrants – Guide through the Labyrinth” Project. The graphical representation and the conducted analysis match in time with the announced amendments to key laws in the fields of asylum and treatment and employment of foreigners, and some of the suggested solutions rely on the proposed amendments to the applicable legislative framework of Serbia.

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# LEGAL STATUSES OF VARIOUS CATEGORIES

		MIGRANTS WHOSE LEGAL STATUS HAS NOT BEEN REGULATED	PERSONS WHOSE INTENTION TO SEEK ASYLUM HAS BEEN REGISTERED	ASYLUM SEEKERS	PERSONS GRANTED ASYLUM	PERSONS GRANTED HUMANITARIAN RESIDENCE PERMIT	
RIGHTS OF VARIOUS CATEGORIES	STATUS REGULATION	Amendments to the legislative framework	<ol style="list-style-type: none"> <li>Adoption of a Regulation on Tolerated Stay</li> <li>Defining the corpus of rights for persons granted the tolerated stay status</li> </ol>	<ol style="list-style-type: none"> <li>Adoption of the proposed amendments to the Law on Asylum and Temporary Protection providing for the establishment of a corpus of available rights and obligations in detail.</li> <li>Amendments to the Law on Foreigners and the Rulebook on residence registration form layout and manner of registering a foreign national's residence</li> </ol>		<ol style="list-style-type: none"> <li>Amendments to the Rulebook on more detailed requirements for approval of temporary residence, layout of request for approval of temporary residence, layout and the manner of entering temporary residence sticker into a foreign travel document, to closer define the manner of interpretation of the set two-year time limit in cases of categories and situations that do not involve the assessment of the level of grounds due to family, cultural or social ties with the Republic of Serbia.</li> </ol>	
		Changes in practice	<ol style="list-style-type: none"> <li>Introducing the national identity practice.</li> <li>Introducing the practice of issuing a decision on postponement of forced removal.</li> </ol>	<ol style="list-style-type: none"> <li>Introducing the national identity practice (biometric data, foreigner's registration number, residence for persons staying in reception and asylum centres)</li> </ol>	<ol style="list-style-type: none"> <li>Introducing the national identity practice (biometric data, foreigner's registration number, residence for persons staying in reception and asylum centres)</li> <li>Specifying practice related to the grounds for a subsequent asylum application (including the corpus of rights) and to the lodging of a new asylum application</li> </ol>	<ol style="list-style-type: none"> <li>Introducing the national identity practice.</li> </ol>	
	RIGHT TO WORK	Amendments to the legislative framework	<ol style="list-style-type: none"> <li>Consider a possibility of expanding the corpus of guaranteed rights for persons who received a decision on postponement of forced removal (in case of adoption of a Decree and persons granted a tolerated stay) so that these persons are also allowed to be employed in accordance with the Law on Simplified Work Engagement on Seasonal Jobs in Certain Activities.</li> </ol>		<ol style="list-style-type: none"> <li>Adoption of the proposed amendments to the Law on Employment of Foreigners providing for a simplified access to the labour market</li> <li>Amend the provisions of the Rulebook on Registration and Deregistration of Seasonal Workers laying down the data on seasonal workers that need to be provided in the registration.</li> </ol>	<ol style="list-style-type: none"> <li>Adoption of the proposed amendments to the Law on Employment of Foreigners providing for a simplified access to the labour market</li> <li>Amend the provisions of the Rulebook on Registration and Deregistration of Seasonal Workers laying down the data on seasonal workers that need to be provided in the registration.</li> </ol>	<ol style="list-style-type: none"> <li>Adoption of the proposed amendments to the Law on Employment of Foreigners providing for a simplified access to the labour market, and specifying that the persons granted temporary residence will also have a possibility of free access to the labour market in Serbia.</li> </ol>
		Izmene u praksi			<ol style="list-style-type: none"> <li>Change the practice related to issuing a tax identification number and establishing other taxes for legal and natural persons so as to enable their issuing based on the identity card of the asylum applicant.</li> <li>Consider a possibility of introducing special measures based on the current active labour market measures, which would be tailored to the needs of the labour market in Serbia and to the qualifications of the persons entitled to work in Serbia (the measures should be implemented in cooperation with the NES)</li> </ol>	<ol style="list-style-type: none"> <li>Change the practice related to issuing a tax identification number and establishing other taxes for legal and natural persons so as to enable their issuing based on the identity card of a person granted asylum.</li> <li>Consider a possibility of introducing special measures based on the current active labour market measures, which would be tailored to the needs of the labour market in Serbia and to the qualifications of the persons entitled to work in Serbia (the measures should be implemented in cooperation with the NES)</li> </ol>	
	RIGHT TO EDUCATION	Amendments to the legislative framework	<ol style="list-style-type: none"> <li>During the forthcoming implementation of the Strategy for Development of Education in Serbia by 2030, and in line with the set impact indicator for achieving a general goal: <i>Increased quality of teaching and learning, fairness and availability of primary and secondary education and enhanced upbringing role of educational institutions</i>, it is necessary to further develop and define support measures for inclusion of refugee and migrant children in the educational system, while they are staying in Serbia, including the measures aimed at increasing the number of these children in secondary schools.</li> <li>Expecting the new 2022 Annual Plan for Adult Education and for the purpose of including migrants as a specific group of adults into the educational system, the measures facilitating access to the Functional Migrant Adult Education Programme need to be defined in detail.</li> </ol>				
		Changes in practice	<ol style="list-style-type: none"> <li>Support further institutionalisation of sustainable solutions for inclusion of migrant children in primary education, ensuring higher coverage of children by the mainstream education.</li> <li>Analyse effects of development plans of primary and secondary school attended by migrant children and consider the extent to which migrant children's inclusion in educational system and wider in the life of a local community, could be supported.</li> </ol>				