

Pursuant to Article 101, paragraph 1, item 2) of the Law on Asylum and Temporary Protection ("Official Gazette of the Republic of Serbia", No. 24/18) (hereinafter: Law on Asylum and Temporary Protection) and Article 7 of the Law on Refugees ("Official Gazette of the Republic of Serbia", No. 18/92,"Official Gazette of FRY", No. 42/02 – FCC and "Official Gazette of RS", No.30/10),

Acting Commissioner, issues:

Rulebook

On keeping records and the content of the records maintained by the Commissariat for Refugees and Migration of the Republic of Serbia

"Official Gazette of RS", No. 48 of 22 June 2018

Article 1

This Rulebook shall more closely regulate the manner of keeping records and the content of the records maintained by the Commissariat for Refugees and Migration in accordance with Article 98 of the Law on Asylum and Temporary Protection, as follows:

- 1) records on foreigners who are asylum seekers and who have been provided with material conditions for reception, as defined in Article 98, paragraph 1, item 1) of the Law on Asylum and Temporary Protection;
- 2) records on foreigners granted the right to asylum or temporary protection provided with some type of support in the integration process, as defined in Article 98, paragraph 1, item 2) of the Law on Asylum and Temporary Protection, and
- 3) records on foreigners included in the programs of voluntary return to the country of origin, as defined in Article 98, paragraph 1, item 3) of the Law on Asylum and Temporary Protection.

The data referred to in paragraph 1 of this Article shall be kept for five years from the date of the processing of the last data, except for data related to the foreigner (and related persons) granted asylum (refuge or subsidiary protection) or temporary protection in the Republic of Serbia, which shall be kept permanently.

Article 2

Commissariat for Refugees and Migration of the Republic of Serbia shall keep records of the persons referred to in Article 1, paragraph 1, item 1 to 3 of this Rulebook, who are accommodated in the centers for asylum in the Republic of Serbia.

Records are kept both in electronic form and on paper.

Registration, i.e. data entry for record keeping referred to in Article 1, paragraph 1, item 1 to 3 of this Rulebook shall be carried out in the Centers for Asylum in the Republic of Serbia, managed by the Commissariat for Refugees and Migration of the Republic of Serbia, by the Commissariat's staff working in the Centers for Asylum in the Republic of Serbia.

Article 3

Authorized personnel, that is, the Commissariat's staff working in the Asylum Centers, who enter the data referred to in Article 1, paragraph 1, items 1 to 3 of this Rulebook shall be responsible for the accuracy of the data.

Article 4

Access to all the data and records referred to in Article 1, paragraph 1, items 1 to 3 of this Rulebook, for all centers for asylum in the Republic of Serbia, shall be granted to the employees of the Group for Information Technologies at the Commissariat for Refugees and Migration of the Republic of Serbia, while the staff in the asylum centers will have limited access to records pertaining only to a specific asylum center.

Article 5

Data from the records referred to in Article 1, paragraph 1, items 1 to 3 of this Rulebook constitute strictly confidential information, which may be obtained upon a written request to the Ministry of Interior of the Republic of Serbia, the Republic Public Prosecutor's Office, and the courts, for the purpose of conducting proceedings.

Article 6

Employees of the Commissariat working in the asylum centers have no right to provide access and share the data from records kept to anyone other than the employees of the Group for Information Technologies who are solely authorized to provide the data only in the manner stipulated in Article 5 of this Rulebook.

Article 7

This Rulebook shall enter into force on the eighth day from its publication date in the "Official Gazette of the Republic of Serbia".

No. 019-2627 / 2018

In Belgrade, May 31, 2018

Commissariat for Refugees and Migration

Acting Commissioner,

Vladimir Cucic, sgd