



# Weekly data collection on the situation of persons in need of international protection

## Update # 5

26 October–30 October 2015

(with updates to 1 November, as appropriate)

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## Highlights: 26 October–30 October 2015

### New arrivals

- In Greece, people, including children, continue to drown while trying to cross the Eastern Aegean.
- Better coordination of movements between Croatia and Slovenia and the running of direct trains to bring people to Slovenia reduced the hardships recorded during the previous week.
- People are trapped at the Slovenian-Austrian border and have to wait for several hours at night with temperatures close to zero degrees Celsius.

### Initial registration and processing

- In Italy, the Ministry of the Interior are discussing possible legislative changes to enable the use of force and detention to implement registration of new arrivals, including the taking of fingerprints.
- Serbia readmits 10 people per day from Hungary, which leaves around 400 people waiting for their deportation in penal institutions and detention centres.
- In Germany, rumours circulate that the Danish authorities have started to register people in need of international protection by force, while they are on their way to Sweden.

### Reception conditions

- Cold weather along with inadequate or no shelter give rise to severe health conditions for many people crossing the borders in Croatia, Germany, Greece and Slovenia.
- Food supply shortages remain a serious concern on the Greek islands and in pre-removal centres.
- Germany faces serious challenges to ensure adequate hygiene in mass accommodation centres. Due to the high numbers of new arrivals, identification and protection of vulnerable people is an issue of concern.
- In Croatia, five police officers are dismissed due to inappropriate behaviour in a camp.
- Insufficient interpreters undermine appropriate provision of healthcare in Slovenia and cause problems for family tracing in Croatia. Lack of information for new arrivals at first reception and in detention facilities leads to anxiety – as reported in Croatia and Slovenia.

### Child protection

- Concerning child arrivals, unaccompanied numbers are increasing; in Bulgaria this equates to 35 % of new arrivals and in Croatia 15 % of new arrivals - posing challenges for their protection.

- In Greece, there is still a lack of appropriate housing for children. Children are kept in police custody before being transferred to open reception facilities on the mainland. Croatia opens 300 cases of family tracing, including for a three-year-old unaccompanied child.

## Legal, social and policy response

- Austria announces the installation of technical facilities at borders, together with tougher family reunification rules, and proposes the provision of asylum for a limited period of time.
- In Austria and Germany, anti-immigration rallies and racist incidents increase as do hate speech incidents in Slovenia.

# Austria

## Stakeholders contacted

The interviews were conducted via phone and email with the following stakeholders:

- Red Cross Austria (Rotes Kreuz Österreich);
- Caritas Austria (Caritas Österreich);
- Federal Agency for State Protection and Counter Terrorism (Bundesamt für Verfassungsschutz und Terrorismusbekämpfung, BVT);
- Anti-Discrimination Bureau Styria (Antidiskriminierungsstelle Steiermark);
- Federal Ministry of the Interior/Department II/2, Operational Affairs (Bundesministerium für Inneres/Abteilung II/2 Einsatzangelegenheiten);
- Worker's Samaritan Federation (Arbeiter-Samariterbund);
- Child and Youth Ombud Vienna (Kinder- und Jugendanwaltschaft Wien);
- Provincial Police Department Styria (Landespolizeidirektion Steiermark).
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## Overview of the situation in terms of size and patterns of new arrivals

### Numbers and patterns of new arrivals

There are still between 8000 to 9000 new arrivals per day in Austria.<sup>1</sup> Around 85 % of these new arrivals are from Syria, Afghanistan and Iraq.<sup>2</sup> Some new arrivals also come from Iran.<sup>3</sup> There are no disaggregated data available on the gender or further characteristics of these new arrivals.<sup>4</sup> It seems, however, that there are still predominately men travelling alone. Women or mothers travelling alone are an exception.<sup>5</sup>

Spielfeld in Styria continues to be the major place of new arrivals.<sup>6</sup> Some people also arrive in Bad Radkersburg in Styria. Increasingly people also cross in Rosenbach (Carinthia), but exact numbers are not available. First aid centres have been set up there.<sup>7</sup> Apparently, the people coming via Rosenbach travel on by train to Kufstein at the Austrian-German border in Tyrol.<sup>8</sup> The situation is calm at the Hungarian borders in Burgenland.<sup>9</sup>

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<sup>1</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs; Worker's Samaritan Federation.

<sup>2</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>3</sup> Provincial Police Department Styria (*Landespolizeidirektion Steiermark*).

<sup>4</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>5</sup> Red Cross Austria.

<sup>6</sup> Caritas Austria.

<sup>7</sup> Red Cross Austria; Caritas Austria.

<sup>8</sup> Worker's Samaritan Federation.

<sup>9</sup> Caritas Austria.

Groups of 1000 to 2000 people repeatedly broke through the barriers that are set up at the border channelling new arrivals at Spielfeld.<sup>10</sup>

The UNHCR Europe's Refugee Emergency Response Update #8, referring to the period from 23 to 29 October 2015, reported that "[s]ome 54,798 persons entered Austria from Slovenia and an average of 360 asylum claims were lodged per day."<sup>11</sup>

### **Asylum applications and registration**

The majority of people still wish to travel directly to Germany and are not registered in Austria.<sup>12</sup> Sometimes people refuse to stay in transit quarters, as they fear to miss the busses to travel on. Some decide to continue their journey by foot.<sup>13</sup>

Nevertheless, the number of asylum applications is increasing in Austria.<sup>14</sup> From 26 October to 1 November 2015, some 3000 asylum applications have been filed in Austria. Compared to the previous week, this is some 500 applications more.<sup>15</sup>

### **Unaccompanied and separated children**

Due to delays by the provinces in taking them over into their establishments, there is still a significant number of unaccompanied children hosted in initial reception centres run by the Federal State, such as Traiskirchen, which are not fully suitable to guarantee adequate care to them.<sup>16</sup>

## **Fundamental rights issue concerning initial registration and fingerprinting for Eurodac**

Nothing new to report.

## **Challenges and developments concerning reception conditions of new arrivals, also in relation to provision of healthcare**

### **Reception conditions and capacity**

The provision of accommodation for people arriving at the borders especially for overnight stays is still the main challenge.<sup>17</sup> As numerous people that are already in the asylum procedure are still residing in the transit quarters, their capacity is stretched,<sup>18</sup> although every new arrival staying overnight was provided with a

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<sup>10</sup> Caritas Austria.

<sup>11</sup> UNHCR Europe's refugee emergency response, update #8.

<sup>12</sup> Red Cross Austria; Caritas Austria.

<sup>13</sup> Caritas Austria.

<sup>14</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs; Worker's Samaritan Federation.

<sup>15</sup> Website of the Federal Ministry of the Interior, available at: [www.bmi.gv.at/cms/bmi\\_asyl\\_betreuung/\\_news/bmi.aspx](http://www.bmi.gv.at/cms/bmi_asyl_betreuung/_news/bmi.aspx).

<sup>16</sup> Child and Youth Ombud Vienna.

<sup>17</sup> Red Cross Austria.

<sup>18</sup> Caritas Austria; Worker's Samaritan Federation.

roof.<sup>19</sup> Existing winter-proof accommodation suffice for the moment.<sup>20</sup> However, expanding winter-proof accommodations for the future is still a challenge.<sup>21</sup>

The transport capacities within Austria are pushed to the extreme limits, but currently still suffice.<sup>22</sup>

UNHCR -referring to the period from 23 to 29 October 2015- reported that *"Austria's capacity of 13,000 places in emergency shelters is becoming increasingly overstretched. Due to the scarcity of emergency shelter, border crossings from Slovenia and transfers from the Spielfeld assembly point are being delayed from time to time, leading to tensions amongst refugees and migrants."*<sup>23</sup>

## Healthcare

Due to deteriorating weather conditions, new arrivals suffer from colds and flu.<sup>24</sup>

## Social response to the situation – including rallies, voluntary work (such as humanitarian assistance, private persons hosting asylum seekers) and similar actions

### Rallies and incidents

On 31 October the "Party of the People" movement (*Partei des Volkes*) organised a rally in Spielfeld with more than 500 persons. A Facebook account was set up especially for this occasion. At the rally, the Austrian government was criticised harshly as being unable to fulfil its duties and the Federal Chancellor was requested to resign.<sup>25</sup> Slogans included "We are afraid", "We are the people", "We are neither left or right, we are the middle" (*"Wir haben Angst", "Wir sind das Volk", "Wir sind weder links noch rechts, wir sind die Mitte"*). The people at the rally voiced concerns on the influx of asylum seekers and refugees. Simultaneously, they tried to counter the accusation of being right-wing activists.<sup>26</sup> The Left Action Alliance Graz (*Linkes Aktionsbündnis Graz*) organised a counter-demonstration against this rally in Spielfeld around 30 persons. Since the counter-demonstration was not announced officially, the police dissolved it.<sup>27</sup> There were no incidents in the course of these rallies.<sup>28</sup>

In the night from 31 October to 1 November, graffiti saying "close the borders" and "asylum seekers out" (*"Grenzen zu", "Asylanten raus"*) were painted on various places in Dross (Lower Austria).<sup>29</sup>

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<sup>19</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>20</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>21</sup> Worker's Samaritan Federation.

<sup>22</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>23</sup> UNHCR Europe's refugee emergency response, update #8.

<sup>24</sup> Caritas Austria; Worker's Samaritan Federation.

<sup>25</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>26</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>27</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>28</sup> Federal Agency for State Protection and Counter Terrorism; Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>29</sup> Federal Agency for State Protection and Counter Terrorism.

In the night from 31 October to 1 November, the word "scum" ("*gesindel*") and other graffiti were sprayed across a number of localities in Vienna.<sup>30</sup>

On 29 October a banner saying "refugees and foreigners - out" ("*Flüchtlinge und Ausländer raus*") has been found in a hayrick in Reutte (Tyrol) by the police.

The police stopped a 17 year old person who is suspected of having conducted various right-wing extremist crimes in Vorarlberg (some of these crimes have been reported in the previous reports).<sup>31</sup>

News came up regarding incidents that happened on 20 October. A witness reported to the police that he/she saw a person applying stickers saying "stop immigration" ("*Einwanderung stoppen*") in a tram in Vienna. Razor blades were applied underneath these stickers in order to harm those that try to remove them. The police associates these stickers with the *Identitäre Bewegung Österreichs (IPÖ)*.<sup>32</sup>

Hate crime postings continue to be reported frequently in Styria.<sup>33</sup> Hate crimes against refugees and asylum seekers also occur in public: A woman from Syria, for instance, reported to the Anti-Discrimination Bureau Styria (*Antidiskriminierungsstelle Steiermark*) that she had been pushed while walking in the streets and fell to the floor. Her husband asked the perpetrator why he had pushed his wife. The perpetrator answered: "Because you have nothing to do here" ("*Weil ihr hier nichts zu suchen habt*").<sup>34</sup>

On 31 October a private person organised a demonstration against the inhumane accommodation of asylum seekers in the former Baumax-store in Leoben (Styria), 60 – 80 persons participated. Despite the fact that the rally was pro-refugees, some people raised feelings of fear with respect to the high number of arrivals.<sup>35</sup>

### **NGO humanitarian activities**

The support of NGOs, such as Caritas, Red Cross and the Worker's Samaritan Federation, continues to be very high and indeed decisive for the successes achieved so far.<sup>36</sup> Continuing this work in a sustainable manner constitutes a challenge for these organisations.<sup>37</sup> NGOs conducting humanitarian activities are stretched beyond their limits in terms of working overtime and during weekends (also due to limits provided for in labour laws).<sup>38</sup> NGOs continue to receive positive reactions from the general population.<sup>39</sup>

### **Voluntary initiatives**

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<sup>30</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>31</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>32</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>33</sup> Anti-Discrimination Bureau Styria.

<sup>34</sup> Anti-Discrimination Bureau Styria.

<sup>35</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>36</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>37</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>38</sup> Worker's Samaritan Federation.

<sup>39</sup> Worker's Samaritan Federation.

There are still many volunteers, but the first “hype” to help, very visible in August, has decreased.<sup>40</sup>

The Red Cross tries to channel private initiatives to allow for targeted and suited supply of goods; this is not always received positively by private initiatives, which then transfer their aid to other places or regions.<sup>41</sup>

### **Legal and policy responses, including any changes to the law**

There are numerous proposals for policy responses and changes to the law discussed in Austria. They all have not been decided on yet, but generally they point to a stricter asylum policy and law.<sup>42</sup>

Austria is currently examining options to introduce a technical facility (“*technische Einrichtung*”) at the borders in Spielfeld. The envisaged technical facility could be compared to those established at stadiums, which aim to channel masses of people and protect these people from being run over.<sup>43</sup> The establishment of “transit zones” (“*Transitzonen*”) at the border to Germany are also being discussed.<sup>44</sup>

The Federal Ministry for Labour, Social Affairs and Consumer Protection proposed that 2016 will be a “voluntary integration year”, whereby voluntary work would be offered to recognised refugees.<sup>45</sup>

The Austrian People’s Party (*Österreichische Volkspartei*) presented ideas regarding asylum for a limited period of time as well as restrictions on family reunification.<sup>46</sup> On 3 November the Government supported such policy changes, which lead to an UNHCR statement expressing concerns and stressing that family reunification should rather be used as an option for legal entry.<sup>47</sup>

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<sup>40</sup> Red Cross Austria.

<sup>41</sup> Red Cross Austria.

<sup>42</sup> Worker’s Samaritan Federation.

<sup>43</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>44</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>45</sup> Red Cross Austria.

<sup>46</sup> Red Cross Austria.

<sup>47</sup> UNHCR, *UNHCR gegen Einschränkung bei Familienzusammenführung*, available at: [www.ots.at/presseaussendung/OTS\\_20151103\\_OTS0074/unhcr-gegen-einschraenkung-bei-familienzusammenfuehrung](http://www.ots.at/presseaussendung/OTS_20151103_OTS0074/unhcr-gegen-einschraenkung-bei-familienzusammenfuehrung).



# Bulgaria

## Stakeholders contacted

The interviews were conducted via phone and email with the following stakeholders:

- Ministry of the Interior, Directorate General Border Police (MoI – DGBP) (*Министерство на вътрешните работи, Главна дирекция „Гранична полиция“, МВР – ГДГП*);
- Ministry of the Interior, Directorate General Criminal Police (MoI – DGCP) (*Министерство на вътрешните работи, Главна дирекция „Криминална полиция“, МВР – ГДКП*);
- Special Home for Temporary Placement of Foreigners – Lyubimets (SHTPF – Lyubimets) (*Специален дом за временно настаняване на чужденци – Любимец, СДВНЧ – Любимец*);
- State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*);
- Bulgarian Red Cross (BRC) (*Български червен кръст, БЧК*);
- Refugee Support Group (RSG);
- Caritas Bulgaria (*Каритас България*);
- Bulgarian Lawyers for Human Rights (BLHR) (*Български адвокати за правата на човека, БАПЧ*).

## Overview of the situation in terms of size and patterns of new arrivals

### Numbers and patterns of new arrivals

During the reporting period, the number of new arrivals increased significantly. Less than 400 persons were apprehended at the border with Turkey, including over 100 children. In terms of nationality, the majority were from Syria, Iraq and Afghanistan.<sup>48</sup>

Reports continue about persons moving from Bulgaria to Serbia. During the reporting week, arrivals crossing the border with Serbia from Bulgaria were around 150-200 per day.<sup>49</sup>

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<sup>48</sup> Ministry of the Interior, Directorate General Border Police.

<sup>49</sup> UNHCR Europe's refugee emergency response, update #8, p. 2.

## Asylum applications and registration

The number of applicants for asylum marked a slight increase during the reporting period. More than 700 persons applied for international protection<sup>50</sup>, mostly Iraqis, Afghans and Syrians. Most applicants were men and about 150 were children.<sup>51</sup>

Many asylum seekers keep leaving the reception centres of the State Agency for Refugees before being registered and fingerprinted. During the reporting week, 121 persons left the reception centre in Ovcha Kupel before being registered.<sup>52</sup>

## Criminal proceedings against irregular border crossing

In the reporting week, proceedings initiated against smugglers of human beings increased. In Svilengrad, a Turkish driver was charged with facilitating irregular crossing of the border,<sup>53</sup> in Stara Zagora two men were charged for facilitating irregular entry<sup>54</sup> and a procedure for aiding irregular stay was initiated in Plovdiv.<sup>55</sup>

## Unaccompanied and separated children

On 29 October 2015, two Afghan children seeking international protection were found on the road between the towns of Razgrad and Rousse. The children, 16 and 12 years old, were provided with police protection for 48 hours. The local child protection department and the Regional Prosecutor's Office in Razgrad was notified. The children are to be transferred to a reception centre in Sofia.<sup>56</sup>

## Other

No incidents involving asylum seekers or irregular migrants were registered by the police during the reporting week.<sup>57</sup>

Asylum seekers and people detained at the special homes for temporary accommodation of foreigners often complain that they have been subjected to violence and robbery at the border. However, they cannot explain if such violence

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<sup>50</sup> This is the total number of asylum applicants including new arrivals at the border and persons that have managed to cross the border without being apprehended.

<sup>51</sup> State Agency for Refugees.

<sup>52</sup> State Agency for Refugees.

<sup>53</sup> Prosecutor's Office of the Republic of Bulgaria (2015), *След двудневно разследване Районна прокуратура-Свиленград постигна осъдителна присъда срещу турски шофьор, превел незаконно чужденци в страната*, Press release, 29 October 2015, available at: [www.prb.bg/bg/news/aktualno/sled-dvudnevno-razsledvane-rajonna-prokuratura-svi/](http://www.prb.bg/bg/news/aktualno/sled-dvudnevno-razsledvane-rajonna-prokuratura-svi/).

<sup>54</sup> Prosecutor's Office of the Republic of Bulgaria (2015), 'Regional Prosecutor's Office in Stara Zagora investigates two men for aiding foreigners to illegally enter the country' (*Районна прокуратура-Стара Загора разследва двама мъже за подпомагане на чужденци да преминат незаконно в страната*), Press release, 27 October 2015, available at: [www.prb.bg/bg/news/aktualno/rajonna-prokuratura-stara-zagora-razsledva-dvama-m/](http://www.prb.bg/bg/news/aktualno/rajonna-prokuratura-stara-zagora-razsledva-dvama-m/).

<sup>55</sup> Prosecutor's Office of the Republic of Bulgaria (2015), 'Regional Prosecutor's Office in Plovdiv opened pre-trial proceedings for illegally aiding foreigners to reside in the country' (*Районна прокуратура-Пловдив образува досъдебно производство за незаконно подпомагане на чужденци да пребивават в страната*), Press release, 2 November 2015, available at: [www.prb.bg/bg/news/aktualno/rajonna-prokuratura-plovdiv-obrazuva-dosdebno-pr-2/](http://www.prb.bg/bg/news/aktualno/rajonna-prokuratura-plovdiv-obrazuva-dosdebno-pr-2/).

<sup>56</sup> Mediapool Online (2015), 'Two refugee boys found on main road Razgrad-Rousse' (*Две момчета-бежанци са открити на главния път Разград-Русе*), 30 October 2015, available at: [www.mediapool.bg/dve-momcheta-bezhantsi-sa-otkriti-na-glavniya-pat-razgrad-ruse-news241170.html](http://www.mediapool.bg/dve-momcheta-bezhantsi-sa-otkriti-na-glavniya-pat-razgrad-ruse-news241170.html).

<sup>57</sup> Ministry of the Interior, Directorate General Criminal Police.

came from border police officers or from smugglers.<sup>58</sup> At the same time, volunteers reported that those leaving Bulgaria might have been advised to tell the authorities in the country they travel to about cases of kidnapping or harassment by smugglers or police officers in Bulgaria in order to avoid being sent back to the country or to what they call “the Balkan zone”.<sup>59</sup>

There is a new development concerning an earlier incident with a Syrian citizen who was kidnapped and robbed in the city of Varna in January 2015. The offenders, three Bulgarian citizens and one Iraqi citizen, promised the victim that they would help him go to Germany for €6,000. When the victim went to meet them he was forced to get in a car where he was beaten up and robbed and afterwards left on the road outside the city. On 30 October 2015, the District Prosecutor’s Office in Varna brought charges against the four offenders for kidnapping and robbery.<sup>60</sup>

## Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.

## Challenges and developments concerning reception conditions of new arrivals, also in relation to provision of healthcare.

### Reception conditions and capacity

Overcrowding continues to be a major problem for the accommodation of new arrivals in the special homes for temporary accommodation of foreigners. During the reporting week, in the Special Home for Temporary Placement of Foreigners in Lyubimets, 168 new persons were accommodated, 263 persons were released, and the overcrowding was 31 % above the occupancy rate.<sup>61</sup>

It should be noted that reception and registration centres of the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) are underused. Bulgaria operates six reception centres, with more than 5,000 beds, but today the centres are currently around 70 to 80 percent of their capacity.<sup>62</sup> The reception centre in Sofia no longer accommodates asylum seekers because it is being prepared to accommodate people who will be relocated to Bulgaria from Italy and Greece. The first group is expected to arrive in December 2015.<sup>63</sup> There is still a shortage of

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<sup>58</sup> Bulgarian Red Cross; Refugee Support Group.

<sup>59</sup> Refugee Support Group.

<sup>60</sup> Darik News (2015), ‘Four persons charged for kidnapping and robbing a Syrian refugee’ (*Обвиниха четирима за отвлечане и грабеж на сирийски бежанец*), 30 October 2015, available at: [http://dariknews.bg/view\\_article.php?article\\_id=1524189](http://dariknews.bg/view_article.php?article_id=1524189).

<sup>61</sup> Special Home for Temporary Placement of Foreigners – Lyubimets.

<sup>62</sup> UNHCR (2015), *Fearing rough seas, refugees chance Bulgaria land route*, 23 October 2015, available at: [www.unhcr.org/562a3ee16.html](http://www.unhcr.org/562a3ee16.html).

<sup>63</sup> Bulgarian Red Cross.

interpreters. The State Agency for Refugees continues to seek interpreters to and from Dari, Pashto and Farsi.<sup>64</sup>

In relation to food supply, the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) provides three meals per day in its reception centres. NGOs reported that those accommodated in the centres did not always get a breakfast. This is often due to the asylum seekers' habits to get up late and thus missing it. In response to a recommendation by NGOs, breakfast started to be offered in the afternoon. However, this practice is not strictly followed in all centres.<sup>65</sup> NGOs are concerned that the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) intends to stop using the UNHCR-built kitchens in the reception centres and outsource the food supply to an external catering company through a public procurement procedure because at the current levels of occupancy it is not economically viable to pay salaries to the people working in the kitchen. Given the fact that the cited price for food supply for one asylum seeker per month is BGN 108 (approximately €54),<sup>66</sup> NGOs question the quality and sufficiency of the food to be provided if less money is spent for catering.<sup>67</sup> Damages at reception centres needing reparation works have been reported. Volunteers said that due to anger and frustration, some asylum seekers have broken doors and walls with kicks and punches. In addition, washing machines and other sanitary devices due to some asylum seekers' lack of familiarity with washing machines and other facilities. In order to prevent such damages, in Voenna Rampa centre in Sofia one of the staff members was assigned with the task to assisting asylum seekers in washing. Furthermore, the disposal of waste is another challenge in the reception centres.<sup>68</sup>

## Child protection

Most unaccompanied children continue to be children ages 16-17 from Afghanistan. A majority of the children are first accommodated at the so called 'closed-type special homes for temporary accommodation of foreigners' managed by the Ministry of the Interior (MoI). From there, they are transferred with priority to the open-type centres of the State Agency for Refugees (SAR), (*ДАБ*), where the conditions are more suitable for children.

There are certain difficulties in relocating children whose families refuse to apply for international protection. They usually remain in the closed-type special homes for about 10 days. In most cases, with the support of NGOs, such families file an asylum application and are transferred to the open-type centres. The Ovcha Kupel centre in Sofia started to re-organise its premises in order to allow unaccompanied children to be accommodated on a separate floor. This decision is a response to the reported cases of harassment of children who share rooms with adults and

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<sup>64</sup> State Agency for Refugees (2015), 'SAR with Council of Ministers seeking interpreters' (*ДАБ при МС набира преводачи*), press release, 23 October 2015, available at: <http://saref.government.bg/?cat=13&newsid=941>.

<sup>65</sup> Refugee Support Group.

<sup>66</sup> Achev, I. (*Ачев, И.*) (ed.) (2015) 'Public procurement procedure to refugee centres' food supply is on hold again' (*Обществената поръчка за изхранването на бежанците пак е спряна*), *Actualno.com*, 25 September 2015, [http://society.actualno.com/Obshtestvenata-porychka-za-izhranvaneto-na-bejancite-pak-e-sprjana-news\\_497480.html](http://society.actualno.com/Obshtestvenata-porychka-za-izhranvaneto-na-bejancite-pak-e-sprjana-news_497480.html).

<sup>67</sup> Refugee Support Group.

<sup>68</sup> Refugee Support Group.

respective recommendations by NGOs.<sup>69</sup> An unaccompanied child was harassed in the special home for temporary accommodation of foreigners in Busmantsi.<sup>70</sup>

In Voenna Rampa centre in Sofia, unaccompanied children were accommodated on the floor designated for families. However, children there complained about other problems, such as adults smoking in the rooms.<sup>71</sup>

## Healthcare

During the reporting week, the centres managed by the State Agency for Refugees (SAR) experienced problems with the availability of medications. A public procurement procedure was opened to provide for medical supply, but it will take a certain period of time for its completion.

Meanwhile, NGOs such as the Bulgarian Red Cross (BRC) and the Council of Refugee Women in Bulgaria (CRWB) supply medicines to persons in need. For that purpose, the two organisations require a valid medical prescription.<sup>72</sup> The two organisations support other vulnerable people as well. For example, BRC bought glasses for an asylum seeker living at an external address. It is also looking for specialised care for a woman with mental disability.<sup>73</sup>

Some of the doctors at reception centres, such as the one in Harmanli, were not informed about an earlier donation of medicines and were asking NGOs for assistance while at the same time the donation was available on stock in Sofia.<sup>74</sup> The total number of medical staff working in the six reception and registration centres is 12 people, including both doctors and nurses. In the centre in Harmanli there are two paramedics and two nurses, in the centres in Ovcha Kupel, Pastrogor and Voenna Rampa there is one doctor or paramedic and one nurse, and in the centres in Banya and Vrazhdebna there is only one doctor or paramedic and no nurse.<sup>75</sup>

## Social response to the situation – including rallies, voluntary work (such as humanitarian assistance, private persons hosting asylum seekers) and similar actions

### Rallies and incidents

Nothing new to report.

### NGO humanitarian activities

Maleeva Tennis Club (*Тенис клуб Малееви*) donated campaign-collected clothes for children, which the Bulgarian Red Cross (BRC) distributed among asylum seekers at external addresses. The humanitarian activities in the reception centres

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<sup>69</sup> Bulgarian Red Cross.

<sup>70</sup> Bulgarian Red Cross.

<sup>71</sup> Refugee Support Group.

<sup>72</sup> Bulgarian Red Cross.

<sup>73</sup> Bulgarian Red Cross.

<sup>74</sup> Refugee Support Group.

<sup>75</sup> State Agency for Refugees.

are more limited due to the reluctance of people to take along the donated items when they leave.<sup>76</sup>

### Voluntary initiatives

The Council of Refugee Women in Bulgaria (CRWB) (*Съветът на жените бежанки в България, СЖББ*) launched a campaign to recruit volunteers for unloading and sorting a two-tone donation from Germany.<sup>77</sup>

### Legal and policy responses, including any changes to the law

The chair of the State Agency for Refugees announced that Bulgaria was currently accommodating less than 1,500 persons seeking international protection and had capacity for about 3,600 more people. By the end of September 2015, the agency had processed 12,000 international protection applications and protection was granted in about 43 % of the cases.<sup>78</sup>

The National Council for Migration and Integration (NCMI) (*Национален съвет по миграция и интеграция, НСМИ*) adopted a framework to meet Bulgaria's obligations related to relocation. The document outlines the parameters of cooperation related to relocation of asylum seekers from Greece and Italy. A working group will draft a regulation, outlining the timeframe of activities, included in the integration package.<sup>79</sup>

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<sup>76</sup> Bulgarian Red Cross.

<sup>77</sup> TimeHeroes (2015), 'Help in unloading a big donation for Refugees in Sofia' (*Помогни в разтоварването на голямо дарение за бежанци в София*), 28 October 2015, available at: <https://timeheroes.org/bg/crw/raztovarvane-darenie-bezhantsi#information>.

<sup>78</sup> Mediapool Online (2015), 'Refugee agency: Bulgaria can receive 3600 more migrants' (*Агенцията за бежанците: България може да приеме още 3600 мигранти*), 29 October 2015, available at: [www.mediapool.bg/agentsiyata-za-bezhantsite-bulgaria-mozhe-da-prieme-oshte-3600-migranti-news241131.html](http://www.mediapool.bg/agentsiyata-za-bezhantsite-bulgaria-mozhe-da-prieme-oshte-3600-migranti-news241131.html).

<sup>79</sup> Ministry of the Interior (2015), 'National Council for Migration and Integration adopting framework of national mechanism for meeting Bulgaria's obligations related to relocation' (*Националният съвет по миграция и интеграция прие Рамката на националния механизъм за изпълнение на ангажиментите на Република България по релокацията*), press release, 27 October 2015, [http://press.mvr.bg/NEWS/news151027\\_07.htm](http://press.mvr.bg/NEWS/news151027_07.htm).

# Croatia

## Stakeholders contacted

The interviews were conducted via phone and email with the following stakeholders:

- United Nations International Children's Emergency Fund Country office (UNICEF) Croatia, based in Zagreb;
- Ministry of Interior, Department for illegal migration (*Ministarstvo unutarnjih poslova, Služba za nezakonite migracije, MUP*);
- Ministry of Social Policy and Youth, Minister's cabinet (*Ministarstvo socijalne politike i mladih, Kabinet ministrice, MSPM*);
- Ombudsman's Office, National Preventive Mechanism (*Ured Pučke pravobraniteljice, Nacionalni preventivni mehanizam*);
- Welcome Initiative (*Inicijativa Dobrodošli*).

## Overview of the situation in terms of size and patterns of new arrivals

### Numbers and patterns of new arrivals

From 16 September until 1 November some 300,000 people entered Croatia. During the reporting period, over 50,000 people crossed the border from Serbia to Croatia,<sup>80</sup> which corresponds to an average daily arrival of over 7,200 people.<sup>81</sup> The majority were Syrian nationals, followed by Afghan and Iraqi nationals.<sup>82</sup> Children constituted around 15% of the new arrivals.<sup>83</sup> The border sector most affected was Bapska.<sup>84</sup>

### Asylum applications and registration

The Ministry of the Interior provided no data on whether any of new arrivals applied for asylum. As in the past weeks, all new arrivals were registered.<sup>85</sup>

### Criminal proceedings against irregular border crossing

On 1 November, four Turkish citizens who entered Croatia in an irregular manner, were arrested in Ličko Petrovo Selo and subjected to investigation. They entered

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<sup>80</sup> Ministry of the Interior, Department for Illegal Migration.

<sup>81</sup> Information based on the Ministry of the Interior's data available on their official web page, daily reports on migration crisis, available at: [www.mup.hr](http://www.mup.hr).

<sup>82</sup> Ministry of the Interior, Department for Illegal Migration.

<sup>83</sup> Ministry of the Interior, Department for Illegal Migration.

<sup>84</sup> Welcome Initiative.

<sup>85</sup> Ministry of the Interior, Department for Illegal Migration.

Croatia through Bosnia and Herzegovina and are allegedly of Kurdish background.<sup>86</sup>

## Returns

There were no returns based on the third safe country rule.<sup>87</sup>

## Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.

## Challenges and developments concerning reception conditions of new arrivals, also in relation to provision of healthcare.

### Reception conditions and capacity

During the reporting period conditions in the Opatovac camp exacerbated due to severely cold weather. At night, temperature sometimes dropped to around zero degrees Celsius, with the vicinity of the river and the moist air intensifying the cold. In certain cases, people could not find room in the tents, so they had to sleep outside. This issue was aggravated by the occasional lack of blankets. After the initial hesitance towards washing and reusing the blankets, the first batch of around 1,600 blankets finally was cleaned and ready to be reused on 29 October. According to the information provided by the Croatian Red Cross, they were distributed on the same day. Another 2,500 blankets arrived on 30 October. In the night of 30 October, between 4 and 7 am, instead of blankets, thermo-foils were distributed.<sup>88</sup> Similarly, during the night between 1 to 2 November, which was very cold and unpleasant, some people had to be wrapped in thermo-foils. Winter clothes and shoes were also lacking, an issue which humanitarian workers tried to overcome with donations.<sup>89</sup>

As a result of the agreement reached between the Croatian and Serbian Ministers of the Interior on 24 October on intensifying the engagement of Serbian police at the Serbian (Berkasovo) border of the Bapska border crossing, the people's crossings was smooth and better controlled and onward movement to the Opatovac camp more organised. This was also partly due to the fact that people arrived in relatively small groups, thus the number of people waiting at the Bapska border crossing never exceeded 500 people at a time. On average, the number was significantly smaller in comparison to the previous reporting period.<sup>90</sup>

People who entered Croatia through the Bapska border crossing were brought to the Opatovac camp for registration by buses. Having spent several hours in the Opatovac camp, they were transported towards the Slovenian border. Some short

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<sup>86</sup> Welcome Initiative; Izbjeglička kriza, *Preko Bihaća došli u Ličko Petrovo Selo*, 2 November 2015, available at: <http://izbjeglice.hrt.hr/306176/desetak-izbjeglica-u-hrvatsku-pokusalo-uci-kod-lickog-petrovog-sela>.

<sup>87</sup> Ministry of the Interior, Department for Illegal Migration.

<sup>88</sup> Welcome Initiative.

<sup>89</sup> Welcome Initiative.

<sup>90</sup> Welcome Initiative.



delays were reported on 29 October, when people stayed in the camp for up to six hours.<sup>91</sup>

In the reporting week, the daily number of new arrivals ranged between 4,500 and 6,800. The number of people arriving per hour ranged from 480 on 26 October to 300 and 208 in the following days. The number of people in the Opatovac camp (at 8 am) ranged from 729 to 1,330, well under its full capacity of around 5000 people, given the expediently organised transportation to Slovenia.<sup>92</sup>

Between 26 October and 28 October both buses and trains were used for transportation to Slovenia - buses leaving for the Harmica-Rigonce border crossing and trains leaving for the Ključ Brdovečki border crossing, where people had to walk for one kilometre to the Sutla train station, escorted by the police. The lack of transportation was especially troublesome for persons with disabilities. The report also indicated that people with medical issues (mostly in need of paracetamols or bandages) abstained from seeking medical attention at the Croatian side of the border, in order to avoid hospitalisation in the country. The Croatian Red Cross was present on site, but there was no distribution of humanitarian aid, besides snacks and water supplied by self-organised volunteers.<sup>93</sup>

On 27 October, the transportation was reorganised. The buses were discontinued and the trains leaving from the Tovarnik train station headed straight to Dobova inside Slovenia. This remained so until the end of the reporting period. Both before and after 28 October, trains were leaving regularly every four hours, with on average 1,100 people on board.<sup>94</sup>

Conditions in the Opatovac camp remained largely unchanged. The Croatian Red Cross distributed food and water regularly. On 27 October, the Croatian Army assisted in transporting six palettes of lunch packages to the Tovarnik train station<sup>95</sup> and fixed a water leakage in a sector of the camp.

The Welcome Initiative continues to report cases of family separation (occurring either at the Bapska border crossing or inside the camp, as people are placed in different camp sectors). On 26 October, 305 cases of family tracing were reported. The tracing service experienced a shortcoming of interpreters and other organisations assisted the service. Volunteers in the camp, namely those of the Welcome Initiative, were also involved, providing basic information to people with regards to their stay in Croatia and further transit, which was insufficiently provided for by the authorities.<sup>96</sup>

In addition, there was an increased number of reports of inappropriate behaviour by police officers in the Opatovac camp, which were discussed at daily camp coordination meetings. This included, for example, an aggressive use of the megaphone on 28 October to wake people up. Some policemen pushed people, including children, in order to make them enter or exit tents. The vast majority of police officers, however, were polite and helpful. Five members of the police force

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<sup>91</sup> Welcome Initiative.

<sup>92</sup> Welcome Initiative.

<sup>93</sup> Welcome Initiative.

<sup>94</sup> Welcome Initiative.

<sup>95</sup> Welcome Initiative.

<sup>96</sup> Welcome Initiative.

were dismissed due to inappropriate behaviour. On 30 October, as a new shift of police officers was on duty (it changes every 10 days), they were given instructions by their Chief on how to treat the refugees; however, no official training was provided on how to treat vulnerable groups.<sup>97</sup>

During the reporting week, people received insufficient information on their whereabouts and further routes, which resulted in some anxiety.<sup>98</sup>

A new temporary transit camp in the town of Slavonski Brod is under construction. The Slavonski Brod camp should replace the Opatovac camp. The Slavonski Brod camp should provide "much better conditions" and people would stay there for 12, 24, or 48 hours maximum. The Ministry of the Interior's announcements on the opening date kept changing, the last one being 3 November. People are supposed to be brought to the new camp by trains directly from the borders, so that nobody would need to walk long distances. After basic medical check-up in dedicated tents, people will move to the registration tent located next to a tent for family reunification. Humanitarian organisations will also have the chance to stay within the camp, and spend the night in the sleeping facilities specially arranged for their staff. The Croatian Red Cross will be in charge of food and clothes distribution; the tents will be heated, which is important due to the upcoming winter; there will be Wi-Fi and a charging station for cell phones.<sup>99</sup> According to the information supplied by the Ministry of the Interior so far, the Opatovac camp is expected to be closed.<sup>100</sup>

## **Child protection**

During the reporting period, the number of very small babies increased in the Opatovac camp. On October 27, a five days old infant and a seven days old infant were admitted. The Social Welfare Centre had to intervene in at least three cases of unaccompanied children separated from their families.<sup>101</sup> There were six heated tents reserved for children and their mothers. However, children aged 14 and above often did not have access to these tents, so they were not adequately protected from the cold weather. This is an alarming practice, detrimental to the wellbeing of children.

The Ministry of Social Policy and Youth reported a case of a three year old unaccompanied girl. She was found in the town of Velika Gorica on her own. The police contacted the social welfare service which placed her in a children's home in Zagreb. She was clean and tidy, wearing clean clothes. She hardly spoke and initially the language could not be identified. During the reporting week, it was identified that she spoke Pashto and Urdu. No tracing service found any information about the girl.<sup>102</sup>

## **Healthcare**

On site healthcare was provided by the Ministry of Health emergency teams and the NGO MAGNA Children at Risk paediatricians. According to the Migrants' Health

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<sup>97</sup> Welcome Initiative.

<sup>98</sup> Welcome Initiative.

<sup>99</sup> Ombudsman's Office, National Preventive Mechanism.

<sup>100</sup> Welcome Initiative.

<sup>101</sup> Welcome Initiative.

<sup>102</sup> Ministry of Social Policy and Youth, Minister's cabinet.

Protection report from 26 October (6 am) until 2 November (6 am) published by the Ministry of Health,<sup>103</sup> there were about 400 emergency medical interventions, with around 40 people being referred to further treatment. Four emergency medical teams were present on site on a daily basis, except for two days when there were five (29 October; 1 November). There were more than 1,200 family medical team interventions, with around 40 people being referred to further treatment. In hospitals, 54 people were treated, six of which were hospitalised. Six people were released after immediate treatment throughout the week. In total, from 16 September until 2 November, at 6 am, the Ministry of Health provided 15,296 interventions.<sup>104</sup>

As mentioned above, the main reason for concern in the reporting period was the cold weather coupled with the lack of adequate shelter. People were found lying on ground half frozen and unable to move, having spent a night outside the tents. The conditions for those sleeping inside the non-heated tents were not much better, either.

On 29 October, the issue of drug addicts was raised for the first time, as around 10 such cases have been noted. The NGO MAGNA Children at Risk was only able to provide pain killers, as they did not have any methadone in their stocks. The NGO MAGNA Children at Risk also raised concern about a relatively high number of children with fever and diarrhoea, but concluded there was no need for quarantine. In such cases, the children were hospitalised and families were provided medical care too. On 27 October, the Croatian Red Cross received five more wheelchairs for use in the Opatovac camp, as the two that were left, were insufficient.<sup>105</sup>

On 30 October, a 63 year old person from Afghanistan died in a bus from a heart attack. The person was to be buried at a common burial site in Croatia.<sup>106</sup>

## Social response to the situation – including rallies, voluntary work (such as humanitarian assistance, private persons hosting asylum seekers) and similar actions

### Rallies and incidents

On 31 October, a self-organised initiative “Migrations Without Borders” organised a demonstration of support and solidarity with refugees and against closing the EU borders and repressive measures towards persons in need of international protection. The protest took place in Zagreb. Between 100 and 200 people were present.<sup>107</sup>

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<sup>103</sup> Please note the Ministry of Health daily reports stretch from 6AM until 6AM the following day. At this point it is impossible to officially subtract numbers from midnight until 6AM, so as to obtain statistics that would present 0-24h timelines.

<sup>104</sup> Ministry of Health, available at: [www.zdravlje.hr/novosti/migrantska\\_kriza/broj\\_pruzenih\\_zdravstvenih\\_usluga](http://www.zdravlje.hr/novosti/migrantska_kriza/broj_pruzenih_zdravstvenih_usluga).

<sup>105</sup> Welcome Initiative.

<sup>106</sup> Welcome Initiative.

<sup>107</sup> Welcome Initiative.

## Legal and policy responses, including any changes to the law

Nothing new to report.

## Incidents affecting persons in need of international protection as well as irregular migrants

### **Racist and related incidents**

- On 28 October 2015, in the Opatovac camp two volunteers overheard a bus driver making a comment about a Sudanese interpreter, stating that he was a “person who had fallen through a chimney.” The volunteers told him that such comment was inappropriate. The bus driver said that he drove people from the Opatovac camp and that they were all filthy cattle who did not know how to behave. The bus driver was accompanied by two other bus drivers – one of them agreed with him and the other said that Hitler should return and bring some order among these people. Volunteers raised this issue at the NGO coordination meeting on 29 October. The Croatian Red Cross stated they would alert the police about this issue.<sup>108</sup>

### **Violence against migrants and refugees**

- On 28 October 2015, at the exit of the Opatovac camp, a police officer took a man out of a line of people waiting for a bus. After a few minutes, the man returned to the line, clearly disturbed and unwell. A volunteer who saw the man being taken out of the line and then brought back sought medical help for the man as the man stated that he was severely beaten by the police and subjected to electroconvulsive treatment. A doctor that saw the man confirmed that he had been beaten. The whole incident was discussed at the NGO coordination meeting on 29 October. The Croatian Red Cross stated they would make sure that the incident was investigated.<sup>109</sup>

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<sup>108</sup> Welcome Initiative.

<sup>109</sup> Welcome Initiative.

# Germany

## Stakeholders contacted

The interviews were conducted via phone and email with the following stakeholders:<sup>110</sup>

- UNHCR Germany;
- Refugee Council Bavaria (*Flüchtlingsrat Bayern*);
- Refugee Council Schleswig Holstein (*Flüchtlingsrat Schleswig Holstein*);
- Refugee Council North Rhine-Westphalia (*Flüchtlingsrat Nordrhein-Westfalen*);
- Refugee Council Rhineland-Palatinate (*Arbeitskreis Asyl Rheinland-Pfalz*);
- Germans Children Charity (*Deutsches Kinderhilfswerk e. V., DKHW*);
- Diakonie Germany (*Diakonie Deutschland e. V.*);
- Lesbian and Gay Federation Germany (*Lesben- und Schwulenverband Deutschland, LSVD*).

In addition, media reports and Government's answers to parliamentary requests were used to fill in gaps caused by the fact that authorities could not be interviewed.

## Overview of the situation in terms of size and patterns of new arrivals

### Numbers and patterns of new arrivals

Thousands of persons in need of international protection arrived every day during the reporting week.<sup>111</sup> Most affected border regions were Passau, Wegscheid and Simbach.

### Criminal proceedings against irregular border crossing

According to an answer from the Federal Government to a parliamentary request, the Federal Police registered more than 300,000 cases of irregular entry from 1 January till 8 October 2015. This number, however, does not include the number of cases registered by the Länder police forces.<sup>112</sup> Border authorities arrested nearly 3000 persons for smuggling of migrants between January and September 2015.<sup>113</sup>

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<sup>110</sup> The following text does not make reference to individual interviews.

<sup>111</sup> Tagesschau, *An fünf Übergängen nach Deutschland*, 30 October 2015, available at: [www.tagesschau.de/inland/fluechtlinge-deutschland-oesterreich-101.html](http://www.tagesschau.de/inland/fluechtlinge-deutschland-oesterreich-101.html).

<sup>112</sup> Parliamentary request and answer available at: <http://dip21.bundestag.de/dip21/btd/18/064/1806468.pdf>.

<sup>113</sup> Parliamentary request and answer available at: <http://dip21.bundestag.de/dip21/btd/18/064/1806445.pdf>.

## Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

In Schleswig Holstein, rumours circulated that the Danish authorities have started to register persons in need of international protection on their way to Sweden by force. On Friday 30 October 2015, this resulted in around 400-450 persons in need of international protection from not continuing their journey to Sweden by train. As no ferries were available, it was difficult to find accommodation for those persons.

## Challenges and developments concerning reception conditions of new arrivals, also in relation to provision of healthcare.

### **Reception conditions and capacity**

Authorities, staff members and volunteers concerned with the reception of persons in need of international protection worked hard to provide “a roof over their heads” to the vast majority of newly arrived persons. However, it could not be excluded that persons had to wait in the cold until a sleeping place was provided. Moreover, it could not be excluded that in particular cases people in need of international protection could not find a proper sleeping place, so that they had to sleep outside.

In some German states such as North Rhine Westphalia, Hesse and Rhineland Palatine the vast majority of persons in need of international protection is accommodated in mass reception facilities. Mass reception facilities include gyms, air halls and heated tents. In Gießen (Hesse), for instance, 18,000 persons in need of international protection are hosted in such mass accommodation centres. A backyard in one of those accommodation centres has allegedly turned into a mass toilet. The conditions are reportedly so disastrous that photographers are not allowed to enter and shoot photos as this could damage the reputation of the government.

In North Rhine-Westphalia further 20,000 persons in need of international protection are to be accommodated in temporary mass accommodation centres by the end of November. Numbers of new mass accommodation centres with a capacity up to 1000 persons are therefore being established. In Rhineland Palatine, one third of the persons in need of international protection are accommodated in heated tents. It has become impossible to overview the situation in those tents anymore. The government has given over the “accommodation management” to the “disaster control” (*Katastrophenschutz*) agency. The main aim is to prevent homelessness.

The only reception centre for vulnerable groups in Rhineland Palatine has a capacity for 100 persons. It is hopelessly overcrowded.

It is, in general, not possible to consider the needs of vulnerable people. Due to the overcrowded situation in mass accommodation centres, it is additionally very difficult to discover discrimination. LGBTI persons are reportedly victims of discrimination in accommodation centres. It is assumed that many cases of discrimination remain unreported.

## **Child protection**

The conditions in temporary mass accommodation centres raise concern: Space is limited, no playgrounds are available and children cannot develop themselves. Moreover, children are often isolated from German children and, finally, it is difficult to fulfil the obligation of compulsory education as schools do not have the required capacity.

From a children's rights perspective, civil society actors consider it highly problematic that according to the "*Asylverfahrensbeschleunigungsgesetz*", persons in need of international protection are obliged to stay three months longer (in total six months) in initial registration facilities.

## **Immigration detention**

In North Rhine-Westphalia, cases of detention pending deportation allegedly increased.

## **Facilitation**

The Refugee Council Schleswig Holstein called on all voluntary supporters to buy ferry tickets for persons in need of international protection on their way to Sweden. This initiative has been appreciated by the Schleswig Holstein Ministry of the Interior. However, the public prosecutor's office has started investigation proceedings for smuggling of migrants against some supporters who bought tickets. Even though those proceedings have been terminated, many voluntary supporters are unsure whether or not this way of support is legal. The Refugee Council Schleswig Holstein expects a criminal charge for this initiative.

## **Social response to the situation – including rallies, voluntary work (such as humanitarian assistance, private persons hosting asylum seekers) and similar actions**

### **Rallies and incidents**

During the reporting week, 12 hostile demonstrations against asylum seekers took place. The biggest demonstration was in Dresden on 26 October 2015. More than 10,000 supporters of PEGIDA participated. A further demonstration with more than 1,000 participants of the right wing party "*Alternative for Germany*" (*Alternative für Deutschland, AfD*) took place in Erfurt, Thuringia, on 28 October 2015. All other demonstrations had less than 500 participants. Most of them were initiated to protest against proposed accommodations centres in Saxony.

Approximately 400 charges of treason against Chancellor Angela Merkel have been submitted in connection with her recent decisions in asylum policy. It is likely that these accusations are part of a right-wing campaign. From a legal perspective, the charges of treason will not lead the Federal State Prosecutors to investigate Chancellor Merkel.<sup>114</sup>

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<sup>114</sup> Die Tageszeitung, *Merkel wegen Hochverrats angezeigt*, 28 October 2015, available at: [www.taz.de/!5245492/](http://www.taz.de/!5245492/)

In Saxony, staff members of the Diakonie complained about threat calls from right wing extremists.

## Legal and policy responses, including any changes to the law

Following the crisis meeting of the Federal Coalition, the CDU and CSU agreed on the implementation of "transit zones". However, their coalition partner, SPD, continues to refuse the concept of "transit zones".<sup>115</sup>

According to the Consortium of public broadcasters in Germany (*Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland, ARD*) - except for Bavaria no other German Land has yet decided to shift from cash to in-kind benefits during the asylum procedure. Due to the high administrative burdens, Bremen, Lower Saxony, Schleswig-Holstein and Rhineland-Palatinate stated that they do not intend to establish in-kind benefits. The shift from cash to in-kind benefits is part of the "*Asylverfahrensbeschleunigungsgesetz*", which entered into force on 24 October.<sup>116</sup>

## Incidents affecting persons in need of international protection as well as irregular migrants<sup>117</sup>

### Violence against asylum seekers and refugees

- In Berlin, on 29 October 2015 a four year old missing boy in need of international protection was found dead. One month ago he had been kidnapped in front of the registration office in Berlin. The perpetrator confessed to the sexual assault and murder of the child.<sup>118</sup>
- In Dresden, on 27 October 2015 on the margins of a demonstration against an accommodation centre for persons in need of international protection, an 18 year old man, who was perceived as a leftist, was injured by unknown perpetrators. He was put in a headlock and beaten up.

### Racist and related incidents

- In Freital, Saxony, on 1 November 2015 unknown perpetrators threw an explosive device against the window of an apartment of asylum seekers. Three windows broke. One asylum seeker suffered cuts on his forehead.

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<sup>115</sup> Sueddeutsche Zeitung, *Merkel und Seehofer entschärfen ihren Asylstreit*, 1 November 2015, available at: [www.sueddeutsche.de/politik/transitzonen-fuer-fluechtlinge-merkel-und-seehofer-entschaerfen-ihren-asylstreit-1.2717122](http://www.sueddeutsche.de/politik/transitzonen-fuer-fluechtlinge-merkel-und-seehofer-entschaerfen-ihren-asylstreit-1.2717122).

<sup>116</sup> Tagesschau, *Sachleistungen – zu bürokratisch?*, 28 October 2015, available at: [www.tagesschau.de/inland/fluechtlinge-1133.html](http://www.tagesschau.de/inland/fluechtlinge-1133.html).

<sup>117</sup> Unless otherwise specified, the source of these incidents are Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

<sup>118</sup> Berlin.de, *32-Jähriger gesteht Gewalttat an Mohamed – Muter gab den Hinweis*, 29 October 2015, available at: [www.berlin.de/aktuelles/berlin/4175184-958092-32jaehriger-gesteht-gewalttat-an-mohamed.html](http://www.berlin.de/aktuelles/berlin/4175184-958092-32jaehriger-gesteht-gewalttat-an-mohamed.html); RBB, *Vierjähriger Mohamed wurde missbraucht und erwürgt*, 30 October 2015, available at: [www.rbb-online.de/politik/thema/fluechtlinge/berlin/2015/10/soko-mohamed-polizei-berlin-nimmt-verdaechtigen-fest.html](http://www.rbb-online.de/politik/thema/fluechtlinge/berlin/2015/10/soko-mohamed-polizei-berlin-nimmt-verdaechtigen-fest.html).



- In Magdeburg, Saxony-Anhalt, on 1 November 2015 three asylum seekers were assaulted and injured by a group of 30 persons. Some of them had baseball bats. The police investigates for grievous bodily harm, serious breach of public peace, arms violation and resistance against enforcement officers.
- In Berlin, on 1 November 2015 unknown perpetrators threw firecrackers at an accommodation centre.
- In Dortmund, on 1 November 2015 garbage containers were burned besides an accommodation centre. The police found fire accelerant and started investigating.
- In Jena, Thuringia, on 1 November 2015 a 27 year old asylum seeker was beaten up by unknown perpetrators while waiting for the tram. He had to be taken to a hospital.
- In Sehnde, Lower-Saxony, on 1 November 2015 a fire broke out in an accommodation centre inhabited by asylum seekers. The police assumes arson and has arrested one suspect.
- In Wismar, Mecklenburg-Western Pomerania, on 31 October 2015 two asylum seekers were assaulted and injured. The perpetrators used baseball bats. The asylum seekers had to be taken to the hospital. One of them suffered a rib fracture.
- In Dippoldiswalde, Saxony, on 31 October 2015 unknown perpetrators set fire to containers which were planned to be used for accommodation.
- In Castrop-Rauxel, North Rhine-Westphalia, on 31 October 2015 unknown perpetrators tried to set fire to an accommodation centre.
- In Dresden, on the same day, a 20 year old man from Eritrea was assaulted and injured by three unknown perpetrators. He had to be taken to a hospital.
- Another incident happened on the same day in Pirna, Saxony, where 25 unknown perpetrators attacked and injured two asylum seekers. The police are investigating for grievous bodily harm.
- In Hannover, Lower-Saxony, on 30 October 2015 an asylum seeker from Syria was attacked by a group of unknown perpetrators. He had to be taken to the hospital. The police started investigations.
- In Ahlbeck, Mecklenburg-Western Pomerania, on 29 October 2015 unknown perpetrators threw a Molotov cocktail at a building which was planned to be used as an accommodation facility. The door of the building was burned. The damage was €1000.
- In Frankenberg, Saxony, on 29 October 2015 an unknown perpetrator threw a bottle against the window of an accommodation centre. A woman inside the building suffered shock.
- In Harsewinkel, North Rhine-Westphalia, on 27 October 2015 unknown perpetrators entered a homeless shelter, destroyed the newly renovated bath room, insulted the inhabitants "shitty foreigners" and hit a Turkish inhabitant in the head with a bottle.
- In Freital, Saxony on 26 October 2015 an 18 year old man from Iraq was beaten up by two unknown perpetrators while he was waiting at a bus stop. A passer-by came to help the victim and called the police.

- In Bremen, on 26 October 2015 a fire broke out in a gym, which was planned to be used as an accommodation centre. The police assumed arson.

# Greece

## Stakeholders contacted

The interviews were conducted via phone and email with the following stakeholders:

- Ministry for Migration Policy (Υπουργείο Μεταναστευτικής Πολιτικής);
- Ministry of Health (Υπουργείο Υγείας);
- Hellenic Police Headquarters (Αρχηγείο Ελληνικής Αστυνομίας);
- First Reception Service (Υπηρεσία Πρώτης Υποδοχής);
- Attica Aliens Directorate (Διεύθυνση Αλλοδαπών Αττικής);
- The Hellenic Coastguard (Λιμενικό Σώμα-Ελληνική Ακτοφυλακή);
- Asylum Service Greece (Υπηρεσία Ασύλου);
- United Nations High Commissioner for Refugees (UNHCR) Greece (Ύπατη Αρμοστεία του ΟΗΕ για τους Πρόσφυγες, γραφείο Ελλάδας);
- Racist Violence Recording Network (Δίκτυο Καταγραφής Περιστατικών Ρατσιστικής Βίας);
- Greek Council for Refugees (Ελληνικό Συμβούλιο για τους Πρόσφυγες);
- NGO METAction (ΜΚΟ ΜΕΤΑδραση);
- NGO PRAKSIS.

## Overview of the situation in terms of size and patterns of new arrivals

### Numbers and patterns of new arrivals

The number of new arrivals by sea decreased compared to previous week due to adverse weather conditions.<sup>119</sup> In the period from 24 to 30 October 2015, some 35,000 people arrived in Greece by sea. Lesbos island continues to be the main point of entry, followed by Samos, Chios, Leros, and Kos. Smaller numbers arrived in Rhodes, Patmos, Ikaria and Kalymnos. New arrivals include mostly Syrians, followed by Afghans and Iraqi nationals.<sup>120</sup> In recent weeks, an increase in arrivals from Afghanistan and Iraq has been observed.<sup>121</sup>

During the reporting period on average 6,500 to 7,000 people transited to Macedonia through Idomeni every day.<sup>122</sup> The largest number of people transiting the area of Idomeni was noted on 25 October 2015, with 8,400 individuals. A significant number of third-country nationals spoke fluently the Greek language, which means they were not newcomers.<sup>123</sup>

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<sup>119</sup> UNHCR Greece.

<sup>120</sup> Hellenic Coastguard.

<sup>121</sup> UNHCR Europe's refugee emergency response, update #8.

<sup>122</sup> UNHCR Greece.

<sup>123</sup> NGO PRAKSIS.

From 26 October to 1 November 2015 the First Reception Service recorded 224 cases of third-country nationals. The majority were Syrian nationals, followed by Afghans and Iraqis. The majority were men and nearly 40 were unaccompanied children, under 17 years of age.<sup>124</sup>

### **Asylum applications and registration**

Almost 200 persons applied for asylum applications in the week of 26-30 October 2015,<sup>125</sup> including 7 unaccompanied children. The main region of registration was Attica, followed by Thessaloniki, Lesbos, and South and North Evros.<sup>126</sup> Most of them were Syrian nationals, followed by Afghan and Pakistani nationals.<sup>127</sup>

### **Criminal proceedings for irregular border crossing**

No criminal proceedings were initiated against third-country nationals for irregular border crossing. The Greek authorities proceeded to prosecute only cases of suspects involved in smuggling.<sup>128</sup>

### **Returns**

The total number of forced returns for the period of 26 October 2015 to 1 November 2015 was 20. The majority concerned Albanian nationals.<sup>129</sup>

### **Unaccompanied and separated children**

From 19 to 25 October 2015 the First Reception Service recorded about 40 unaccompanied children. The majority were boys and their average age was under 15 years old. The greatest number was recorded in the First Reception Centre of Moria, Lesbos, followed by 14 in the First Reception Service in Orestiada.

From 26 October to 1 November 2015 the First Reception Service recorded 34 unaccompanied children, mostly boys (32). Their average age was under 15 years old. The greatest number was recorded in the First Reception Centre of Moria in Lesbos (30 out of 34), followed by the First Reception Service in Orestiada.<sup>130</sup>

The majority of unaccompanied children arriving to the Greek islands stated that they were adults, in order to complete the registration procedure faster and avoid referral to reception facilities.

The children accommodated in reception facilities continued to abscond even within a day from their referral.

Between 28 October 2015 and 1 November 2015, the NGO METAction escorted 28 unaccompanied and separated children from the country's entry points to accommodation centres in mainland Greece. The majority of children were Syrian

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<sup>124</sup> First Reception Service.

<sup>125</sup> Asylum Service.

<sup>126</sup> No information available on whether the asylum seekers were new arrivals.

<sup>127</sup> Asylum Service. The Asylum Service provided the recognition rate statistics, based on data from decisions (at first instance) until 30 September 2015.

<sup>128</sup> Hellenic Police Headquarters.

<sup>129</sup> Attica Aliens Directorate.

<sup>130</sup> The First Reception Service states that the provided data for unaccompanied minors may have a slight deviation from the final numbers issued at the end of each month.

nationals, followed by Afghans. Their average age was 14 to 17 years and all were boys.<sup>131</sup>

## Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Frontex, in cooperation with the Hellenic Police, EASO and eu-LISA, started a one month pilot in the Moria hotspot, testing a new accelerated process for identifying and registering arrivals as well as providing them with information on access to international protection and relocation. In the context of this pilot, the first group of 35 asylum seekers to take part in the relocation scheme, has been identified by EASO and processed by the Greek Asylum Service, with support of UNHCR. The asylum seekers are expected to be transferred from Athens to Luxemburg in the next weeks.<sup>132</sup> The relocation procedure started with 35 people being transferred from Lesvos to Athens

The authorities changed the registration procedure in Moria and Kara Tepe camps in Lesvos by implementing a priority system in order to avoid tensions between the people waiting outside to get in line for registration. Vulnerable groups and families are given priority in the registration procedure.

## Challenges and developments concerning reception conditions of new arrivals, also in relation to provision of healthcare

### Reception conditions and capacity

On 27 October 2015 the Minister for Migration Policy announced the establishment of the hotspot in Chios.<sup>133</sup> In Chios, the registration procedure takes place in the screening centre of Mersinidi and in the municipality park. There are some oppositions from parts of the municipality of Chios regarding the extension of hosting new arrivals in tents in the area of the municipality park. UNHCR in cooperation with the Mayor of Chios and the Ministry for Migration Policy is in search of an alternative site for the accommodation of new arrivals.

UNHCR is concerned by the deteriorating reception conditions whilst arrivals continue, weather conditions worsen and limited shelter is available. Many people are sleeping rough on Kos, Samos, Lesvos and Chios. Cases of hypothermia, other cold-related pathologies and psychological distress were reported on Lesvos. Due to the cold, refugees and migrants are making fires in the open to stay warm, creating possible hazards.<sup>134</sup> The international NGO Human Appeal began operating nightshifts in Moria reception centre.<sup>135</sup>

With the provision of food being stopped in all sea locations, the NGO Samaritan's Purse is distributing meals on daily basis in Chios and Samos.

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<sup>131</sup> NGO METaction.

<sup>132</sup> Ministry for Migration Policy; UNHCR Europe's refugee emergency response, update #8.

<sup>133</sup> Ministry for Migration Policy.

<sup>134</sup> UNHCR Europe's refugee emergency response, update #8.

<sup>135</sup> UNHCR Greece.

The Ministry for Migration Policy is in search of an alternative site for the accommodation of newcomers instead of the Olympic stadium in Galatsi.<sup>136</sup> The Ministry had agreed with the Mayor of Galatsi for the provision of the stadium until the end of October. However the two parties agreed to extend the evacuation process for one week.<sup>137</sup>

The First Reception Centre in Leros will be operational by the end of November 2015 in a public building called PIKPA.<sup>138</sup>

On 26 and 27 October the number of arrivals in Leros was low and a large number of people who had completed the registration procedure was transferred from Leros to the mainland. UNHCR erected additional rub halls and improved hygiene conditions due to the deterioration of the reception conditions in the abandoned hospital used for the accommodation of new arrivals. On 28 October 2015 a backlog was created by the high number of arrivals from Farmakonisi. UNHCR provided core relief items which were distributed with support from volunteers. UNHCR in cooperation with the military authorities is planning the establishment of a temporary shelter on Farmakonisi.<sup>139</sup>

### **Child protection**

There is still a lack of appropriate shelters for children in almost all sea locations. Children are kept in police custody before being transferred to open reception facilities in the mainland. The transit facility for children in Kos is not operational yet. However, following the intervention of UNHCR the local Prosecutor consented to the referral of unaccompanied and separated children in reception facilities of partner NGO PRAKSIS in Athens, until the transit facility becomes operational.<sup>140</sup>

### **Immigration detention**

The current capacity of pre-removal centres in Greece is 5,157. On 1 November 2015, the total number of detainees was 476 people, 95 of whom were asylum seekers. The total capacity for all pre-removal centres, screening centres and the First Reception Centre (Orestiada) is 5,856. At present, there are 1,614 people in immigration detention, which means 28 % occupancy rate. In Samos the screening centre is still overcrowded with 997 people accommodated there, when its official capacity is limited to 285. On 30 October 2015, four children were placed in detention in a special facility for children in the pre-removal centre of Amygdaleza.

The number of detainees in pre-removal centres has decreased compared to the previous week. There are serious gaps regarding the provision of food in all pre-removal centres across the country. The quantity of meals is limited and the quality is not good.

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<sup>136</sup> The Olympic Stadium in the Galatsi municipality (in the Northern suburbs of Athens) can host up to 1000 persons.

<sup>137</sup> Ministry for Migration Policy.

<sup>138</sup> First Reception Service.

<sup>139</sup> Farmakonisi is an uninhabited island, which administration belongs to the municipality of Leros. A military base is operating on the island. Newcomers spent one or two days on the island after their referral to Leros.

<sup>140</sup> UNHCR Greece.

Detention is imposed when an individual presents a threat to public order. The decision that orders the detention does not take into account the individual circumstances of the person. Despite provisions for the adoption of special measures for vulnerable groups, it is noted that there are cases of vulnerable people, including patients and victims of torture, detained in the same conditions as other migrants and asylum seekers.<sup>141</sup>

## Social response to the situation – including rallies, voluntary work (such as humanitarian assistance, private persons hosting asylum seekers) and similar actions

### Rallies and incidents

- On 28 October 2015 a financial aid concert took place in Athens for the funding of the nationwide mobilisation for the demolition of the fence of Evros and the funding of the housing squat in 36 Notara Street.<sup>142</sup>
- On 30 October 2015 the “Housing squat for refugees and immigrants” based in 36 Notara street in Athens published a press release stating that 800 refugees and migrants have been accommodated in the occupied building after one month of operation. The group uses Facebook to communicate with the public.<sup>143</sup>
- On 31 October 2015 a demonstration took place in Evros against the fence with participants from all over Greece.<sup>144</sup>

### Voluntary initiatives

The volunteers in Chios announced their intention to stop providing services due to their opposition to use the municipality park as a temporary accommodation facility.

## Legal and policy responses, including any changes to the law

Nothing new to report.

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<sup>141</sup> Greek Council for Refugees.

<sup>142</sup> Official page of the “Housing squat for refugees and migrants” on Facebook, available at: <https://www.facebook.com/%CE%9A%CE%B1%CF%84%CE%AC%CE%BB%CE%B7%CF%88%CE%B7-%CE%A3%CF%84%CE%AD%CE%B3%CE%B7%CF%82-%CE%A0%CF%81%CE%BF%CF%83%CF%86%CF%8D%CE%B3%CF%89%CE%BD%CE%9C%CE%B5%CF%84%CE%B1%CE%BD%CE%B1%CF%83%CF%84%CF%8E%CE%BD-%CE%9D%CE%BF%CF%84%CE%B1%CF%81%CE%AC-26-645186555621294/>.

<sup>143</sup> Official page of the “Housing squat for refugees and migrants” on Facebook.

<sup>144</sup> Official page of the “Housing squat for refugees and migrants” on Facebook.

## Incidents affecting persons in need of international protection as well as irregular migrants

### Search and rescue operations

- On 26 October 2015, the Hellenic Coastguard rescued 35 people and located the deceased body of a 21 year old man in the sea area of Chios.<sup>145</sup>
- On 26 October 2015, the Hellenic Coastguard rescued 42 people and recovered the body of a woman in the sea area of Lesvos.<sup>146</sup>
- On 28 October 2015, the MRCC Greece held an extensive search and rescue operation in the sea area of Agathonisi.<sup>147</sup> The Hellenic Coastguard located the bodies of three deceased people (one woman and two children). According to testimonies of those rescued, one infant was missing. On 30 October 2015 the body of a deceased infant was recovered in the maritime area of Agathonisi.<sup>148</sup>
- On 28 October 2015, Mytilene's Coastguard was informed by MRCC Greece of a wooden boat capsizing in the maritime area in north Lesvos. An extensive search and rescue operation took place under adverse weather conditions during which 274 people were rescued. Mytilene's Coastguard recovered 42 bodies (17 men, six women, 18 children and one infant).<sup>149</sup>
- On 28 October 2015 in the sea area of Samos, the Hellenic Coastguard rescued 52 individuals and recovered three bodies (one man and 2 children). An infant was missing at sea. The search for the missing infant continued with negative results.<sup>150</sup>
- On 29 October 2015, Mytilene's Coastguard rescued 71 individuals among whom there were two children without consciousness in the sea area of Mytilene. The two children (a boy and a girl) aged six and three respectively, were directly transferred to the Health Centre of Kalloni. The boy died and the girl was then transferred in the General Hospital of Mytilene, where she remains hospitalised in the emergency department.<sup>151</sup>
- On 29 October 2015, an incident with a wooden boat took place in the sea area of Kalymnos. The Hellenic Coastguard rescued 138 persons and recovered 19 corpses.<sup>152</sup>
- On 30 October, a shipwreck took place in the maritime area of Rhodes. The Hellenic Coastguard rescued six individuals and recovered three bodies (one infant, one child and one woman).<sup>153</sup>

It should be noted that the Hellenic Coastguard recovered the bodies of deceased persons in all sea locations. However, they do not know which shipwreck caused the deaths.<sup>154</sup>

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<sup>145</sup> Hellenic Coastguard.

<sup>146</sup> Hellenic Coastguard.

<sup>147</sup> Agathonisi is the northernmost island of the Dodekanese complex and lies close to Samos.

<sup>148</sup> Hellenic Coastguard.

<sup>149</sup> Hellenic Coastguard.

<sup>150</sup> Hellenic Coastguard.

<sup>151</sup> Hellenic Coastguard.

<sup>152</sup> Hellenic Coastguard.

<sup>153</sup> Hellenic Coastguard.

<sup>154</sup> Hellenic Coastguard.



# Hungary

## Stakeholders contacted

The interviews were conducted via phone and email with the following stakeholders:

- United Nations' High Commissioner for Refugees (UNHCR) Hungary;
- Hungarian Helsinki Committee (*Magyar Helsinki Bizottság*);
- Hungarian Association for Migrants (*Menedék Migránsokat Segítő Egyesület*);
- Migration Aid, based in Budapest;
- Hungarian Catholic Charity Mission (*Katolikus Karitás*);
- Ministry of Internal Affairs (*Belügyminisztérium*);
- Ministry of Human Capacities (*Emberi Erőforrások Minisztériuma*);
- National Police Headquarters (*Országos Rendőr-főkapitányság*);
- General Attorney's Office (*Legfőbb Ügyészség*);
- Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal*) (headquarters in Budapest);
- County Court of Szeged (*Szegedi Törvényszék*);
- County Court of Zalaegerszeg (*Zalaegerszegi Törvényszék*);
- County Court of Pécs (*Pécsi Törvényszék*).

## Overview of the situation in terms of size and patterns of new arrivals

### Numbers and patterns of new arrivals

Only 88 people crossed the border into Hungary, compared to 227 people the previous week (19-25 October 2015).<sup>155</sup>

Only five people entered the country from the border with Croatia. Most people entered Hungary through the Hungarian-Serbian border or through the Slovenian, Ukrainian or Romanian borders. Arrivals originated mainly from Afghanistan and Syria. 92 % were men, 8 % were women. With respect to their age, around 6 % of the new arrivals were under 14 years old, around 10 % were between 14-17 years old, nearly 80 % were between 18-34 years old, and around 6 % were between 35-64 years old.<sup>156</sup> Authorities register all new arrivals.<sup>157</sup>

### Asylum applications and registration

Between 26 October and 1 November 2015, 41 people applied for asylum in Hungary, mainly from Afghanistan and Syria.<sup>158</sup> There is no information available

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<sup>155</sup> National Police Headquarters, Press Department.

<sup>156</sup> Office of Immigration and Nationality.

<sup>157</sup> Office of Immigration and Nationality.

<sup>158</sup> Office of Immigration and Nationality.

on whether the 41 new claims submitted in the reporting period are from new arrivals. Very few of those people accused of committing the crime of unauthorised border fence crossing, also filed claims for asylum.

## **Criminal proceedings against irregular border crossing**

### *Unauthorised border fence crossing*

Only a few of the 88 new arrivals were apprehended by the police as they were suspected to have committed the crime of unauthorised border fence crossing when they had climbed over the fences installed at the Serbian-Hungarian borders and the Croatian-Hungarian borders. Criminal proceedings for unauthorised border fence crossing (*határzár tiltott átlépése*) were initiated by the police against 19 of them, mainly at the Hungarian-Serbian border.<sup>159</sup> This constitutes a significant decrease in numbers compared to the previous reporting period. The total number of criminal proceedings initiated between 15 September 2015 (the date when Hungary amended the Criminal Code in order to criminalise unauthorised border fence crossing) and 1 November 2015 is 868.

The District Court of Szeged (*Szegedi Járásbíróság*) held 14 criminal trials in the reporting period. In 13 cases, the Court found the defendants guilty of unauthorised border crossing. Twelve people received a one-year entry ban; one person a two-year entry ban. In one case, the Court sent the case back to the prosecutor for further investigation. In the majority of cases the Court expelled defendants to Serbia. However, the readmission procedure is still long; it can take weeks. People wait for their deportation in detention; men are accommodated in penal institutions, women and children are accommodated in detention centres. None of the defendants appealed against the decisions, therefore the judgments are final. All the defendants made a statement right after the verdict that they waive their right to appeal. None of the defendants requested the translation of the Court's verdict in writing, they were satisfied with the oral translation of the judgments. The defendants were nationals of Kosovo and Iraq.<sup>160</sup>

There were no trials held against defendants who committed the crime of unauthorised border fence crossing at the Croatian borders before the District Courts of Pécs and Zalaegerszeg in the reporting period.<sup>161</sup>

In the reporting period, the Police initiated criminal procedures against 11 people (out of the 88 new arrivals) who were suspected of having committed the crime of forging public documents when they tried to enter into Hungary.<sup>162</sup>

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<sup>159</sup> The provision of unauthorised border crossing as offence is set out in Article 352/A of Act C of 2012 on the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről*; Criminal Code), available at: [njt.hu/cgi\\_bin/njt\\_doc.cgi?docid=152383.297990#foot\\_121\\_place](http://njt.hu/cgi_bin/njt_doc.cgi?docid=152383.297990#foot_121_place). The provision was introduced in the Criminal Code by Act CXL of 2015 on the amendment of certain laws as a result of the migrant situation (*2015. évi CXL. törvény egyes törvényeknek a tömeges bevándorlás kezelésével összefüggő módosításáról*; Act CXL of 2015), available at: [njt.hu/cgi\\_bin/njt\\_doc.cgi?docid=177552.298006](http://njt.hu/cgi_bin/njt_doc.cgi?docid=177552.298006). Act CXL of 2015 entered into force on 15 September 2015.

<sup>160</sup> County Court of Szeged, Press Department.

<sup>161</sup> County Court of Pécs; County Court of Zalaegerszeg.

<sup>162</sup> National Police Headquarters.

### *Facilitation of irregular entry or stay*

In the reporting period, the police reported two cases when Hungarian nationals tried to help irregular migrants to enter Hungary through the fences at the Serbian borders in Csongrád County. The police did not initiate criminal procedures in these cases, they just warned the individuals.<sup>163</sup>

With respect to human smuggling, a number of persons have been charged with this crime in the reporting period. The District Court of Szeged sentenced a Tunisian man to six years in prison. The Tunisian perpetrator tried to transport 38 refugees from the Hungarian-Serbian borderline to the Austrian border. The refugees were stuck in the cargo area of the truck without ventilation. The Hungarian police stopped the truck a few kilometres after its departure, close to the Serbian border.<sup>164</sup>

The Prosecutor's Office in Budapest's XX, XXI and XXIII District (*Budapesti XX., XXI. és XXIII. Kerületi Ügyészség*) pressed charges against a Hungarian national accused on 27 October 2015. According to the indictment, the defendant made an agreement with ten foreign nationals at the Serbian borders to help them get to Budapest in exchange for some money. The Police apprehended the defendant in Budapest and found the ten foreign nationals in the cargo area of his van. The Prosecutor's Office in Budapest's XX, XXI and XXIII District brought another Hungarian defendant to court initiating an accelerated procedure on human smuggling. This defendant helped 11 Syrian nationals to cross the border irregularly and get to Budapest. The court sentenced the defendant to three year long probation.<sup>165</sup>

The District Office of the Mosonmagyaróvár Prosecutors (*Mosonmagyaróvári Járásí Ügyészség*) pressed charges against 16 Hungarian nationals for committing human smuggling in a criminal organisation on 27 October 2015. The perpetrators organised multiple transports of refugees between March and December in 2013. The destination of these transports were Austria, Italy and France. The criminal organisation was led by a Kosovo national who is currently under prosecution in Kosovo. According to the indictment, the perpetrators helped at least 136 people to reach their destinations.<sup>166</sup>

The Prosecutor's Office in Budapest's V and XIII District (*Budapesti V. és XIII. Kerületi Ügyészség*) pressed charges against a Bulgarian and two German nationals for human smuggling on 30 October 2015. According to the indictment, the three perpetrators tried to illegally transport 67 Afghan and Iranian nationals to Germany in two minivans and in one car in September 2015. The police apprehended the convoy before it could reach Budapest.<sup>167</sup>

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<sup>163</sup> National Police Headquarters.

<sup>164</sup> County Court of Szeged, Press Department.

<sup>165</sup> Hungarian prosecutor, Indictment and accelerated procedure on human trafficking in the capital (*Vádemelés és gyorsított eljárás a fővárosban embercsempészség miatt*), available at: <http://mklu.hu/hnlp14/?p=23361>.

<sup>166</sup> Indictment against the members of a human trafficking crime organisation in Mosonmagyaróvár (*Embercsempész bűnszervezet tagjai elleni vádirat Mosonmagyaróváron*), available at: <http://mklu.hu/hnlp14/?p=23429>.

<sup>167</sup> Hungarian prosecutor, Perpetrators transported the foreign families in minivans (*Kisbuszokkal szállították a külföldi családokat az embercsempészek*), 28 October 2015, available at: <http://mklu.hu/hnlp14/?p=23535>.

## Returns

Hungary started to implement readmissions to Serbia under the readmission agreement between the two countries.<sup>168</sup> Still, due to the daily limit of ten people, readmission remains very slow. Around 40 people were readmitted to Serbia in the reporting period.<sup>169</sup> Additionally, 24 nationals of Kosovo were also deported to their home country by air through a Frontex-coordinated return flight which was monitored by the General Attorney's Office in Hungary.<sup>170</sup> Because of the slow readmission procedures, around 400 people have been waiting for deportation in penal institutions and detention centres.<sup>171</sup> Due to automatic use of detention, hundreds of them have been in detention for 30-60 days awaiting readmission into Serbia. They normally get little and insufficient information about the expected date of the readmission.<sup>172</sup>

## Unaccompanied and separated children

The Hungarian authorities did not register unaccompanied or separated children among the new arrivals in the reporting period.<sup>173</sup>

## Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.<sup>174</sup>

## Challenges and developments concerning reception conditions of new arrivals, also in relation to provision of healthcare

### Reception conditions and capacity

The four transit zones (Rösztke and Tompa at the Serbian borders, Letenye and Beremend at the Croatia borders) were open in the reporting period. Two to three refugees reach the transit zones per day.<sup>175</sup>

All four existing transit zones follow the same setting. The transit zones consist of a few dozen containers with various purposes (containers accommodating refugees waiting for the asylum decision, containers accommodating offices, medical assistance container, dining room container, etc.). The transit zones have doors at each end. People may enter the transit zone through the door at one end, while the exit door at the other end leads back to Serbia or Croatia. There is another door leading to Hungary that is always guarded by the police. The bedroom containers are typically either 20m<sup>2</sup> (5x4m) or 12.5m<sup>2</sup> (5x2.5m) and have four to five beds. Both types of containers leave almost no free space for the people to move within the room. Civil society organisations expressed concerns

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<sup>168</sup> Ministry of the Interior.

<sup>169</sup> National Police Headquarters.

<sup>170</sup> General Attorney's Office.

<sup>171</sup> Helsinki Committee.

<sup>172</sup> Helsinki Committee.

<sup>173</sup> Office of Immigration and Nationality.

<sup>174</sup> Office of Immigration and Nationality; Helsinki Committee; UNHCR Hungary.

<sup>175</sup> Office of Immigration and Nationality.

about the crowded and inhuman setting of these bedroom containers, and also about the policy that Hungary does not grant free movement inside the transit zones (people are confined within the area designated for accommodation) and it only keeps the zones open on one end (the door leading back to Serbia or Croatia).<sup>176</sup> The European Council on Refugees and Exiles' (ECRE) published a report on 27 October 2015 that describes and criticises the reception conditions at the Röszke transit zone (Serbian border) as they were in September 2015.<sup>177</sup> The report mainly criticised and assessed the poor and patchy access to medical care, crowded housing conditions and prompt asylum procedure.<sup>178</sup> While the reception facilities in Röszke have not changed since the end of September, the number of refugees using them is much less than it was in September 2015.

The total capacity of the four refugee camps (Bicske, Debrecen, Vámosszabadi, Nagyfa) assigned to accommodate asylum seekers in the country is currently 1,913. 177 asylum seekers were accommodated in Bicske, 20 in Debrecen, 131 in Vámosszabadi and 89 in Nagyfa on 30 October 2015.<sup>179</sup> The number of asylum seekers (417) is well below the maximum capacity of these institutions, therefore reception conditions are adequate in all four refugee camps.<sup>180</sup>

### Child protection

The two institutions that accommodate unaccompanied or separated refugee children in Fót and Hódmezővásárhely housed around 30 children in the reporting period. The total capacity of the two institutions is 88 beds.<sup>181</sup>

### Healthcare

Healthcare services provided to people detained in prisons and detention centres are still not satisfactory. It may take up to several days to get access to a medical doctor if the detention officer does not consider that the medical situation is urgent.<sup>182</sup> It should be noted that it is subject to the discretion of the officer to decide on whether or not access to a medical doctor is necessary.

### Immigration detention

39 asylum seekers (all adults) were put in immigration detention during the reporting period.

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<sup>176</sup> Helsinki Committee, A report on the reception conditions in Röszke titled 'From the transit zone of promises to the bottomless deep of reality' (*Az ígéret tranzitónájából a valság feneketlen bugyraiba*), 22 October 2015, available at: [http://helsinkifigyelo.blog.hu/2015/10/22/az\\_igeret\\_tranzitonajabol\\_a\\_valosag\\_feneketlen\\_bugyraiba](http://helsinkifigyelo.blog.hu/2015/10/22/az_igeret_tranzitonajabol_a_valosag_feneketlen_bugyraiba).

<sup>177</sup> European Council on Refugees and Exiles, *Crossing Boundaries, The new asylum procedure at the border and restrictions to accessing protection in Hungary*, 1 October 2015, pp. 14-16., available at: <http://ecre.org/component/downloads/downloads/1056>.

<sup>178</sup> *Crossing Boundaries, The new asylum procedure at the border and restrictions to accessing protection in Hungary*, pp. 14-16., available at: <http://ecre.org/component/downloads/downloads/1056>.

<sup>179</sup> Ministry of the Interior.

<sup>180</sup> Helsinki Committee.

<sup>181</sup> Ministry of Human Capacities.

<sup>182</sup> Helsinki Committee.

The District Court of Szeged ordered the pre-trial detention of the ten asylum seekers and refugees who had committed a riot in the prison of Nagyfa on 23 October 2015.<sup>183</sup> Seven perpetrators were from Iraq, two from Syria and one of them was a Serbian national. The Serbian national had received a suspended prison sentence earlier for human smuggling, while the others were detained because the court expelled them from the country after committing the crime of unauthorised border fence crossing or their claims for asylum were rejected. All of them had been waiting for deportation to Serbia for weeks. Among them, an Iraqi was apprehended on 15 September 2015 when he had climbed over the fences at the Serbian border. The court found him guilty and imposed an entry-ban against him the following day. The Iraqi man was suffering from cancer and had been through bowel surgery in India earlier where the doctors implemented a cannula to lead his bowel content out from his body. The doctors in India suggested that he should go to Germany where the medical technology was advanced enough to restore his normal bowel function and remove the cannula. This is why the Iraqi man started his journey to Europe. After the Hungarian court had imposed an entry-ban order against him, he was placed in detention in the Nagyfa penal institution. He spent 40 days there and continuously complained about the lack of proper medical care. It was one of the reasons behind the riot in the Nagyfa penal institution. Detainees blocked the entrance of their cells, damaged the heating system, broke some windows, refused the food and threatened the guards with hunger strike. The riot actions took almost a day and around 70 detained persons were involved in it. After the Court ordered the pre-trial detention of the 10 initiators, they were transported to different penal institutions across the country to prevent them from communicating to each other.<sup>184</sup> Civil society organisations and the defence lawyers of the defendants believe that the riot proves the inadequate conditions (most importantly the lack of proper medical care) in the detention centres where people have to spend weeks or months due to the slow readmission procedures to Serbia.<sup>185</sup> Detained people also complain about the use of force in response to protests, as tensions are erupting in many detention facilities.<sup>186</sup>

## Social response to the situation – including rallies, voluntary work (such as humanitarian assistance, private persons hosting asylum seekers) and similar actions

### Rallies and incidents

Following an initiative by Amnesty International, Belgian students send letters to the Hungarian Government protesting against the criminalisation of unauthorised border fence crossing. The campaign started on 22 October 2015. The Prime Minister of Hungary replied to these letters on 26 October 2015 suggesting that

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<sup>183</sup> County Court of Szeged, Press Department.

<sup>184</sup> HVG, Prisoner riot in Nagyfa: a cancer patient refugee is also in pre-trial detention (*Nagyfai fogolyzandulás: daganatos beteg menekült is előzetesbe került*), 26 October 2015, available at: [http://hvg.hu/itthon/20151026\\_Nagyfai\\_fogolyzandules\\_embercsempesz\\_is\\_e](http://hvg.hu/itthon/20151026_Nagyfai_fogolyzandules_embercsempesz_is_e).

<sup>185</sup> Helsinki Committee.

<sup>186</sup> UNHCR Hungary.

in case the students have questions about the present and future of Europe, the potential future effects of the refugee crisis, they should discuss them with their parents and families.<sup>187</sup> The Centre for Fundamental Rights (*Alapjogokért Központ*), a centre that was founded by young lawyers and law students in 2003 to conduct research on the functioning of the rule of law and the protection of fundamental rights in Hungary, disapproved Amnesty International's action.<sup>188</sup>

### NGO humanitarian activities

As fewer and fewer refugees arrive in Hungary, the Hungarian NGOs diverted their focus on the situation at the Croatian-Slovenian borders. They state that there is very little need for their help in Hungary at present.<sup>189</sup>

The Hungarian Catholic Charity Mission (*Katolikus Karitás*),<sup>190</sup> established by the Catholic Church of Hungary in 1991 to provide social assistance to those in need, set up a permanent base close to the temporary reception centre of Dobova (Slovenia) on 28 October 2015. The base provides refugees at the Croatian-Slovenian border with temporary shelter in a large tent. The tent is divided into three sections (accommodation part, sanitary section, medical section) and it is heated.<sup>191</sup>

### Voluntary initiatives

It seems that Migration Aid, the volunteer project organised on Facebook in June 2015, is expanding. Migration Aid became a well-known association that collects donations and organises the efficient distribution of the collected items and money in Hungary and abroad. In the reporting period, Migration Aid distributed most of the donations collected from Hungarian citizens and organisations in Dobova, Slovenia.<sup>192</sup>

In the reporting period, Migration Aid registered a new association, Migration Aid International in the United Kingdom. Migration Aid International is led by a group of Hungarian volunteers. The purpose of the new association is to assist refugees Europe-wide and to distribute effectively the donations they continuously get from Hungarian and foreign citizens and organisations to those who are in need outside Hungary.<sup>193</sup>

On 31 October 2015, Migration Aid launched a new project called SIRIUS.HELP to save lives of refugees at sea. They plan to establish a centre of volunteer lifeguards on the island of Lesbos in Greece to save refugees who are trying to

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<sup>187</sup> Magyar Idők, Viktor Orbán replied to the letter of the Belgian students (*Orbán Viktor válaszolt a belga diákok levelére*), 26 October 2015, available at: <http://magyaridok.hu/belfold/orban-viktor-valaszolt-a-belga-diakok-levelere-72392/>.

<sup>188</sup> Eötvös Károly Intézet, The biggest problem is that they used the children as campaign tools (*A legnagyobb probléma, hogy kampányeszközt csináltak a gyerekekből*), available at: [www.ekint.org/ekint/ekint.news.page?nodeid=851](http://www.ekint.org/ekint/ekint.news.page?nodeid=851).

<sup>189</sup> Migration Aid; Hungarian Association for Migrants.

<sup>190</sup> Website of the Hungarian Catholic Charity Mission (*Katolikus Karitás*), available at: <http://karitasz.hu>.

<sup>191</sup> Hungarian Catholic Charity Mission.

<sup>192</sup> Migration Aid.

<sup>193</sup> The campaign on Migration Aid's Facebook timeline is available at: [www.facebook.com/migrationaidhungary/posts/477938135741771:0](http://www.facebook.com/migrationaidhungary/posts/477938135741771:0).

reach Europe by sea. Migration Aid started a campaign on its Facebook page to collect €60,000 for the establishment of the centre.<sup>194</sup>

### Other activities

The Hungarian Academy of Sciences (*Magyar Tudományos Akadémia*) published the outcome of their research project on 29 October 2015.<sup>195</sup> In August 2015, the Government requested the Academy to conduct research on the current refugee crisis. According to the Academy, most asylum seekers who arrived in Hungary were young men (around 80% of all new arrivals in 2015 were men, and the average age was 23 years old). According to the Academy, the Government should do more for the integration of the refugees. The Academy believes that an integration project would help the current employment crisis in Hungary as many skilled Hungarian nationals left the country in the past few years to work abroad. If the Government supported a language and vocational training project for the refugees, the crisis would be able to provide skilled workers for the Hungarian service sector in a reasonable time period. The Academy's project stresses that around one third of all asylum seekers came from Syria, and one fourth of them were from Afghanistan. This proves that most people certainly have a legitimate reason to leave their country and they cannot be considered migrants with economic purposes.

### Legal and policy responses, including any changes to the law

Act CLXI of 2015 on the protocol amending the agreement between the Government of the Republic of Hungary and the Office of the United Nations High Commissioner For Refugees<sup>196</sup> on UNHCR premises and utilities entered into force on 28 October 2015.

Act CLXIII of 2015 on amending Act CLIV of 1997 on health law<sup>197</sup> entered into force on 28 October 2015. The amendment authorises the Chief Medical Officer to order mandatory medical examination of all refugees in case of a medical emergency. The Chief Medical Officer has not exercised this power yet.

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<sup>194</sup> Website of the SIRIUS.HELP project is available at: <http://migaid.org/sirius-help/>.

<sup>195</sup> Hungarian Academy of Sciences, Directions, perspectives and reasons of the migration that targets Europe and became faster in 2015 (*Az Európába irányuló és 2015-től felgyorsult migráció tényezői, irányai és kilátásai*), 29 October 2015, available at: [http://mta.hu/mta\\_hirei/az-europaba-iranyulo-es-2015-tol-felgyorsult-migracio-tenyezoi-iranyai-es-kilatasai-137008/](http://mta.hu/mta_hirei/az-europaba-iranyulo-es-2015-tol-felgyorsult-migracio-tenyezoi-iranyai-es-kilatasai-137008/).

<sup>196</sup> Act CLXI of 2015 on the protocol amending the agreement between the Government of the Republic of Hungary and the Office of the United Nations High Commissioner For Refugees (2015. évi CLXI. törvény a Magyar Köztársaság Kormánya és az Egyesült Nemzetek Menekültügyi Főbiztosának Hivatala közötti Megállapodás módosításáról szóló Jegyzőkönyv szövegének végleges megállapításáról és kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1500161.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1500161.TV).

<sup>197</sup> Act CLXIII of 2015 on amending Act CLIV of 1997 on health law (2015. évi CLXIII. törvény az egészségügyről szóló 1997. évi CLIV. törvény módosításáról), available at: <http://magyarkozlony.hu/dokumentumok/cd9e562d6d1b167359d657ec9557d4b13ee39e04/megtekintes>.



Government Decree No. 315/2015. (X. 30.) on the temporary reestablishment of border control at the Hungarian-Slovenian internal border<sup>198</sup> grants joint power to the Minister of Internal Affairs, the Minister of National Defence and the Head of the Hungarian Secret Services to review whether the border control is still necessary in the Hungarian-Slovenian borderline every 20 days.

Government Decree No. 316/2015. (X. 30.) on procurement measures related to the mass migration crisis<sup>199</sup> provides a specific regime for the procurement procedures related to products, services and constructions that are necessary to handle the mass migration crisis. The procedural rules describe a faster procurement regime compared to those in ordinary procurement procedures.

Government Decision No. 1723/2015. (X. 7.) on authorising foreign armed forces to support border protection tasks<sup>200</sup> provides the legal basis for the deployment of foreign armed forces to assist Hungarian authorities in guarding the borders of Hungary. Under the scope of this decision, 50 Czech police officers arrived in Szeged on 30 October 2015 to assist Hungarian border patrol and to guard the fences in three cities at the Serbian borderline. The Czech police officers will be on duty in Hungary until 15 December 2015.

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<sup>198</sup> Government Decree no. 315/2015. (X. 30.) on the temporary reestablishment of border control in the Hungarian-Slovenian internal borderline (*315/2015. (X. 30.) Korm. rendelet a Magyarország és a Szlovén Köztársaság közti belső határon a határellenőrzés ideiglenes visszaállításáról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1500315.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1500315.KOR).

<sup>199</sup> Government Decree no. 316/2015. (X. 30.) on procurement measures related to the mass migration crisis (*316/2015. (X. 30.) Korm. rendelet a tömeges bevándorlás okozta válsághelyzettel összefüggő intézkedésekhez kapcsolódó beszerzésekről*), available at: <http://magyarkozlony.hu/dokumentumok/ea665e861fccf60fcf0b702f3af0fc641e390b9d/megtekintes>.

<sup>200</sup> Government Decision no. 1723/2015. (X. 7.) on authorising foreign armed forces to support border protection tasks (*1723/2015. (X. 7.) Korm. határozat külföldi fegyveres erőknek a határrendészeti feladatok támogatásában való részvételének engedélyezéséről*), available at: [magyarkozlony.hu/dokumentumok/217825da702a1a0ad8b44004f2ae5e2bafa95511/megtekintes](http://magyarkozlony.hu/dokumentumok/217825da702a1a0ad8b44004f2ae5e2bafa95511/megtekintes).

# Italy

## Stakeholders contacted

The interviews were conducted via phone and email with the following stakeholders:

- Ministry of the Interior, Public Security Department, Directorate General for Immigration and Border Police (Ministero dell'Interno, Dipartimento della Pubblica Sicurezza, Direzione centrale dell'Immigrazione e della Polizia delle Frontiere);
- NGO Doctor Without Borders, ('Medici Senza Frontiere Italia') (MSF Italia);
- Association for Legal Studies on Immigration (Associazione per gli Studi Giuridici sull'Immigrazione, ASGI);
- Mediterranean Hope, a project in Lampedusa of the Federation of the Evangelical Church in Italy (Federazione delle Chiese Evangeliche in Italia, FCEI), financed by the share of revenues voluntarily devolved to the Waldensian and Methodist churches' activities.

## Overview of the situation in terms of size and patterns of new arrivals

### Numbers and patterns of new arrivals

Some 1,200 people arrived in Italy.<sup>201</sup> According to other sources, UNHCR estimates that there were around 400 asylum applications between 23 and 29 October.<sup>202</sup>

On 28 October 2015, more than 1000 people were rescued: by the ships of the Irish, English, Slovenian, German Navy, the Doctors without Borders NGO and the Italian Coast Guard.<sup>203</sup> The rescued people were transferred to the ships 'Fiorillo' of the Italian Coast Guard and 'Siem Pilot' of the Norwegian Navy. On 29 October 2015, the ship 'Fiorillo' disembarked about 200 people in Lampedusa.<sup>204</sup> On 30 October 2015, the Norwegian ship 'Siem Pilot' disembarked the remaining people in Reggio Calabria.<sup>205</sup> New arrivals consisted of mostly men, and there were 80 children. One baby was born prematurely before the sea crossing and was transferred to a hospital together with her mother.<sup>206</sup>

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<sup>201</sup> Ministry of the Interior, Civil Liberties and Immigration Department.

<sup>202</sup> UNHCR Europe's refugee emergency response, update #8.

<sup>203</sup> Information available on the Twitter accounts of the Italian Coast Guard (@guardiacostiera), of MSF (@MSF\_sea and @MSF\_espana) and the Norwegian police (@Kripos\_NCIS), of the Irish Defence Forces (@defenceforces); La Repubblica, *Migranti: salvate oltre mille persone nel Canale di Sicilia*, 28 October 2015, available at: [http://palermo.repubblica.it/cronaca/2015/10/28/news/migranti\\_salvete\\_oltre\\_mille\\_persone\\_nel\\_canale\\_di\\_sicilia-126087368/](http://palermo.repubblica.it/cronaca/2015/10/28/news/migranti_salvete_oltre_mille_persone_nel_canale_di_sicilia-126087368/).

<sup>204</sup> Information available on the Twitter account of the Italian Coast Guard (@guardiacostiera).

<sup>205</sup> Information available on the Twitter account of the Norwegian police (@Kripos\_NCIS).

<sup>206</sup> Il Quotidiano, *Ottocento migranti arrivati al porto di Reggio Calabria*, 30 October 2015, available at: [www.ilquotidianoweb.it/news/cronache/741897/Ottocento-migranti-arrivati--](http://www.ilquotidianoweb.it/news/cronache/741897/Ottocento-migranti-arrivati--)

UNHCR underlined that the EU relocation scheme is used in Italy not only in the hotspots but also in the reception centres located across Italy with the support of the Ministry of the Interior and NGOs. Apparently no new relocation took place during the reporting period.<sup>207</sup>

## Registration

In the reception centre for asylum seekers (CARA) of Bari a riot was staged to protest against the long time needed by the Territorial Commission for Granting International Protection (*Commissione Territoriale per il Riconoscimento della Protezione Internazionale*) to process applications for international protection. Seven protesters were arrested for blocking the activities and the access to the centre.<sup>208</sup>

## Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

In a hearing in front of the Parliamentary Commission of Inquiry on the centres for immigrants at the Chamber of Deputies, the Head of the Department for Immigration and Border Police, stated that a new legal provision in relation concerning the registration of asylum seekers is currently studied. This new provision makes it compulsory for the newly arrived immigrants to be registered and fingerprinted as soon as they enter Italian soil. This provision should include the possibility to use police force and detention against those immigrants who refuse to be registered upon arrival.<sup>209</sup>

He affirmed that he is aware that the subject is sensitive. Moreover, he informed that the Ministry invited Frontex to send 10 fingerprint experts from other countries in order to explain the difficulties at the border during the registration and fingerprinting procedure.

He has also underlined that the perception of the Ministry of Interior is that the number of people who refuse to be registered and fingerprinted is decreasing. In particular in the last 30 days, about 95 % of the people have accepted to be fingerprinted and registered. He has also confirmed that Lampedusa is the only functioning hotspot. The other identified hotspots are Trapani, Pozzallo, Porto Empedocle, Augusta and Taranto (the last two would be the last to start working.) According to UNHCR, Porto Empedocle is already functioning as hotspot.<sup>210</sup>

The Head of the Department for Immigration and Border Police explained that people in Lampedusa who apply for asylum are transferred from Lampedusa to Villa Sikania, a former touristic resort in Siculiana (AG), which is a second line

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[al-porto.html](#); Newz, *Sbarcati a Reggio Calabria 824 migranti da nave "Siem Pilot"*, 30 October 2015, available at: [www.newz.it/2015/10/30/sbarcati-a-reggio-calabria-824-migranti-da-nave-siem-pilot/239664/](http://www.newz.it/2015/10/30/sbarcati-a-reggio-calabria-824-migranti-da-nave-siem-pilot/239664/).

<sup>207</sup> UNHCR Europe's refugee emergency response, update #8.

<sup>208</sup> La Repubblica, *Immigrazione, tempi lunghi per l'asilo politico: rivolta e sette arresti al Cara di Bari*, 28 October 2015, available at: [http://bari.repubblica.it/cronaca/2015/10/28/news/immigrazione\\_scoppia\\_la\\_rivolta\\_al\\_cara\\_di\\_bari\\_arrestati\\_sette\\_ospiti-126075656/](http://bari.repubblica.it/cronaca/2015/10/28/news/immigrazione_scoppia_la_rivolta_al_cara_di_bari_arrestati_sette_ospiti-126075656/).

<sup>209</sup> Hearing available at: <http://webtv.camera.it/evento/8545>.

<sup>210</sup> UNHCR Europe's refugee emergency response, update #8.

reception facility, where people fill in the asylum application form used in Italy. EASO operates in Villa Sikania. The others are expelled or transferred to an Identification and Expulsion Centre across Italy.<sup>211</sup>

## Challenges and developments concerning reception conditions of new arrivals, also in relation to provision of healthcare.

### Reception conditions and capacity

In Lampedusa, there is one operator from UNHCR and IOM respectively. Save the Children provides two operators, one of whom is a mediator who speaks Tigrinya (usually the only person mastering this language). They provide information at the dock during disembarkation and they can enter the centre in Lampedusa.<sup>212</sup>

The *Forum Lampedusa Solidale* (a group of volunteers established with the support of the parish priest of Lampedusa) provides first aid to new arrivals. The group provide them with blankets, hot tea, water, and something to eat. The Forum's assistance often fills in institutional gaps in first aid assistance. During the reporting period, it should be noted however that the staff of the reception centre gave some initial support to new arrivals (some blankets and some food).<sup>213</sup>

### Healthcare

The Italian Navy has declared their intention to start, from February 2016, training courses in gynaecology for Navy members involved in search and rescue operations in the Mediterranean Sea. The project, developed in partnership with Maria Vittoria Hospital of Turin, is aimed at training Italian Navy members working on the vessels which rescue immigrants trying to arrive to Italy, so that they are prepared to face the needs of pregnant women on board and the possibility that they deliver their baby before arriving on Italian soil.<sup>214</sup>

## Social response to the situation – including rallies, voluntary work (such as humanitarian assistance, private persons hosting asylum seekers) and similar actions

### Rallies and incidents

On 26 October 2015, the far right party "Casapound Italia" held a demonstration against the forthcoming opening of a reception centre in Sferracavallo in Palermo. The party considers the opening of the centre as compromising the local economy and the locals' safety.<sup>215</sup> On 30 October 2015, the police arrested members of

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<sup>211</sup> Hearing available at: <http://webtv.camera.it/evento/8545>.

<sup>212</sup> Mediterranean Hope.

<sup>213</sup> Mediterranean Hope.

<sup>214</sup> Marina Militare, *Stage formative in ginecologia per il personale medico della Marina Militare*, 26 October 2015, available at: [http://www.marina.difesa.it/Notiziario-online/Pagine/20151026\\_ginecologia.aspx](http://www.marina.difesa.it/Notiziario-online/Pagine/20151026_ginecologia.aspx).

<sup>215</sup> La Repubblica, *Centro di accoglienza a Sferracavallo, striscioni contro di Casa Pound*, 26 October 2015, available at: [http://palermo.repubblica.it/cronaca/2015/10/26/news/centro\\_di\\_accoglienza\\_a\\_sferracav\\_allo\\_striscioni\\_contro\\_di\\_casa\\_pound-125906578/?ref=search](http://palermo.repubblica.it/cronaca/2015/10/26/news/centro_di_accoglienza_a_sferracav_allo_striscioni_contro_di_casa_pound-125906578/?ref=search).

Casapound who were responsible for preventing the transfer of asylum seekers to a reception centre in Rome on 17 July 2015.<sup>216</sup>

### **Voluntary activities**

During the reporting period, various associations are promoting initiatives aiming at building trust among the society and asylum seekers. For example, the NGO Tangram has launched the recruitment of volunteers to share everyday life with asylum seekers.<sup>217</sup>

### **Legal and policy responses, including any changes to the law**

The Ministry of Public Health recently adopted a measure (a *circular*), concerning the exemption of asylum seekers from payment of health services in the 60 days which follow their asylum application.

The Legislative Decree No. 142 of 18 August 2015 foresees that asylum seekers are forbidden to work in Italy in the 60 days following the submission of their asylum application. During that period, they are considered as unemployed Italian citizens, exempting them from health care fees.<sup>218</sup> The Association for Legal Studies on Immigration (ASGI) will start monitoring implementation of this decree in regions (the healthcare system is run by the regions in Italy).

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<sup>216</sup> Information available at: [www.ansa.it/lazio/notizie/2015/10/30/migranti-scontri-a-roma-arrestati-esponenti-di-casapound-8dd8f8a0-23d8-4365-b7ef-20d1acda6154.html](http://www.ansa.it/lazio/notizie/2015/10/30/migranti-scontri-a-roma-arrestati-esponenti-di-casapound-8dd8f8a0-23d8-4365-b7ef-20d1acda6154.html).

<sup>217</sup> An example is available at: [www.progettogiovani.pd.it/associazione-tangram-ricerca-volontari](http://www.progettogiovani.pd.it/associazione-tangram-ricerca-volontari).

<sup>218</sup> Information available at: [www.asgi.it/wp-content/uploads/2015/10/2015\\_Ministero\\_Salute\\_-12\\_10\\_richiedenti\\_asilo.pdf](http://www.asgi.it/wp-content/uploads/2015/10/2015_Ministero_Salute_-12_10_richiedenti_asilo.pdf).

# Slovenia

## Stakeholders contacted

The interviews were conducted via phone and email with the following stakeholders:

- The Directorate for Internal Administrative Affairs, Migration, and Naturalization (*Direktorat za upravne notranje zadeve, migracije in naturalizacijo*) at the Ministry of the Interior (*Ministrstvo za notranje zadeve, MNZ*), still awaiting reply and establishment of contact persons;
- Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*Uprava Republike Slovenije za zaščito in reševanje, URSZR*);
- Centre for foreigners in Postojna (*Center za tujce Postojna*);
- The Office of the State Prosecutor General of the Republic of Slovenia (*Vrhovno državno tožilstvo Republike Slovenije*);
- Red Cross Slovenia (*Rdeči Križ Slovenije*);
- Slovenian Philanthropy (*Slovenska Filantropija*), an NGO;
- Amnesty International Slovenia (*Amnesty International Slovenije*), an NGO;
- Human rights division of the Legal Information Centre of NGOs (*Pravnoinformacijski center nevladnih organizacij, PIC*) - the UNCHR implementation partner in Slovenia;
- Advocacy division at SLOGA, a platform for non-profit NGOs;
- The Peace Institute (*Mirovni Inštitut*);
- Coordinator of the hotline for reporting hate speech and child sexual abuse images on the internet "Web eye" (*Spletno oko*);
- Editor-in-chief of the news portal MMC RTVSLO (National radio television web portal) (MMC RTVSLO).

## Overview of the situation in terms of size and patterns of new arrivals

### Numbers and patterns of new arrivals

The police reports<sup>219</sup> that around 54,000 people crossed the border into Slovenia from 25 to 31 October 2015.<sup>220</sup> Figure 1 provides a daily overview of flows based on preliminary figures published by the police.<sup>221</sup>

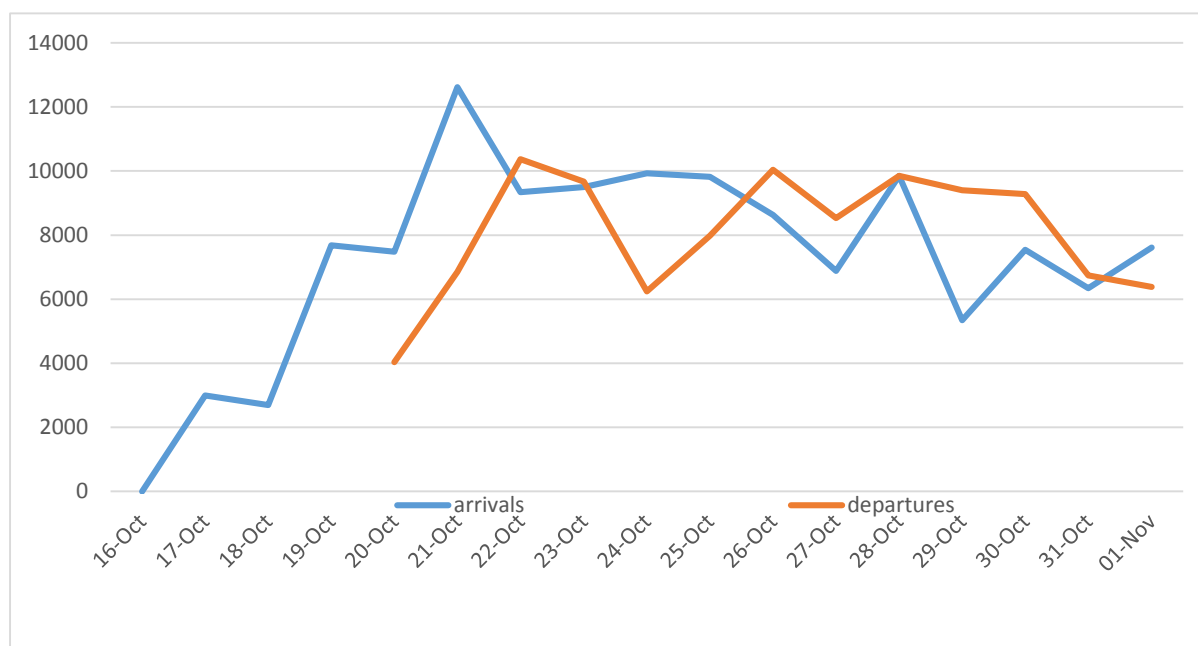
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<sup>219</sup> The police publishes daily and weekly press releases on its website concerning the number of new arrivals. These numbers are current estimates that may be subsequently revised when all identification data obtained in the registration procedure is processed (entered into the main Police statistical database).

<sup>220</sup> This number was reached by adding up the numbers published by the police in the following spreadsheet.

<sup>221</sup> The police warns that numbers published are intended solely for informational purposes and are not yet part of official records (*Statistical data on the number of migrants having arrived in Slovenia by 6:00 today*, Press release, 1 November 2015, available at:

**Figure 1: Number of people who entered and left Slovenia, 16 October–1 November 2015**



### Communication and cooperation with Croatia

An agreement was reached with Croatia on announced arrivals of large groups of refugees. A test run was carried out on 26 October, and since 27 October all trains are arriving announced and directly at Dobova train station (located in Slovenia). Mr Boštjan Šefic, State Secretary at the Ministry of the Interior, stated that Slovenia is now satisfied with Croatia's cooperation.<sup>222</sup>

### Returns

During the reporting period, about 200 people were detained either because their identity was not known, or because they were under the return procedure, including safe country of origin procedure, in the Centre for foreigners in Postojna (*Center za tujce Postojna*).<sup>223</sup> Among them, there were people from Syria, Afghanistan, Iraq, Iran, Kosovo, Albania, Lebanon, Bangladesh and Bosnia and Hercegovina. Also two people under the return procedure on the basis of a bilateral agreement (one adult from Syria, one an unaccompanied child from Kosovo) were detained.<sup>224</sup>

[www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska\\_besedila/Novem ber/01\\_november/600\\_number\\_of\\_migrants.doc](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/Novem ber/01_november/600_number_of_migrants.doc).

<sup>222</sup> State Secretary at the Ministry of the Interior, *The new system of registering migrants is excellent and effective*, press conference, 28 October 2015, available in English at: [www.mnz.gov.si/en/media\\_room/news/article/12208/9459/f31a9c24d255ca5fa82c1d843839a1c5/](http://www.mnz.gov.si/en/media_room/news/article/12208/9459/f31a9c24d255ca5fa82c1d843839a1c5/).

<sup>223</sup> These are the categories on which database entry is disaggregated. More detailed information is not available.

<sup>224</sup> Centre for foreigners in Postojna (*Center za tujce Postojna*).

## Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.

## Challenges and developments concerning reception conditions of new arrivals, also in relation to provision of healthcare

### Reception conditions and capacity

During the night of 25 to 26 October 2015, over 4,000 people had to make their way from Rigonce at the Croatian border to Dobova accommodation centre, crossing Slovenian farmland and two kilometres of difficult terrain on foot under police escort. The police published photographs of this difficult journey.<sup>225</sup> Subsequently, train transport was ensured between the border crossing with Croatia into Slovenia so that people did not have to walk to the centre (around 8 km) and a more dignified transit was provided. During the reporting period communication with Croatia improved greatly: from 27 October to 31 October trains were arriving as announced which enabled more effective logistics.<sup>226</sup>

Trains were arriving directly to Dobova train station (Croatian-Slovenian border) from where people were transferred either directly to Šentilj accommodation centre (Slovenian-Austrian border) by train or to other centres across Slovenia by buses.<sup>227</sup> Registration was carried out either directly upon arrival at Dobova train station or later on in other centres. Depending on the number of arrivals, all efforts are being made to ensure that people do not wait outside without shelter.<sup>228</sup> A streamlining of the registration procedure has also lightened the strain on the police, members of the civil protection services, humanitarian organisations and volunteers.<sup>229</sup>

On the other hand, despite these efforts, between 26 October and 29 October people were still waiting outside without access to food, water and shelter in the cold for several hours for the registration to be completed.<sup>230</sup> Since the middle of the reporting period (around 29 October) registration procedures have primarily taken place indoors.<sup>231</sup> There have not been any reports of people sleeping outside since the night of October 31.<sup>232</sup> The police try to register people either on the

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<sup>225</sup> The police, *Columns of migrants between Rigonce and Dobova – photographs*, Press release, 27 October 2015, available at: [www.policija.si/eng/index.php/component/content/article/13-news/1747-statement-to-the-press-about-todays-situation-of-new-arrivals](http://www.policija.si/eng/index.php/component/content/article/13-news/1747-statement-to-the-press-about-todays-situation-of-new-arrivals).

<sup>226</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>227</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily reports on protection, rescue and help activities*, 28, 29, 30 and 31 October 2015.

<sup>228</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>229</sup> The Ministry of the Interior, *The new system of registering migrants is excellent and effective*, Press conference, 28 October 2015, available in English at: [www.mnz.gov.si/en/media\\_room/news/article/12208/9459/f31a9c24d255ca5fa82c1d843839a1c5/](http://www.mnz.gov.si/en/media_room/news/article/12208/9459/f31a9c24d255ca5fa82c1d843839a1c5/).

<sup>230</sup> Amnesty International Slovenia; Human rights division of the Legal Information Centre of NGOs.

<sup>231</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>232</sup> Amnesty International Slovenia.



train ride from Dobova (Croatian-Slovenian border) to Šentilj (Slovenian-Austrian border) or in accommodation centres where people are taken by buses to get some rest and where they wait until they can be taken to Šentilj. A new train station right next to the accommodation centre Šentilj is being set up in order for the train to be able to drop people off directly at the centre, sparing them the long walk from the old train station to Šentilj.<sup>233</sup> NGOs monitoring the situation agree that there has been a clear organisational improvement in this regard.<sup>234</sup>

During the reporting period 130 people were accommodated in the Centre for foreigners in Postojna (*Center za tujce Postojna*) solely for the reason of quicker and better accommodation (a building, instead of a tent site or waiting outside), as other centres were overcrowded. All these people have been transferred to the accommodation centre Šentilj (exit point to Austria).<sup>235</sup> The Posavje area (where accommodation and reception centres Brežice, Dobova-Beti and the Dobova-Tent site are located) was extremely crowded until 28 October.<sup>236</sup> Since 28 October the situation there has calmed down. An agreement was reached with the local community to temporarily empty reception centre Dobova-Beti.<sup>237</sup> The accommodation centre Šentilj (exit point at the Slovenian-Austrian border) which can officially hold up to 2,000 people is, however, still rather strained. It has been overcrowded every day during the reporting period – with the exception of 28 October. The number of people decreased towards the end of the reporting period as opposed to the beginning: on 27 October there were more than 4,500 people in the centre, whereas on 31 October the number dropped to less than 3,000 people.<sup>238</sup> This can also in part be attributed to a smaller number of people arriving at the end of the week.<sup>239</sup>

Other centres in the northern part of Slovenia, such as Petišovci, Dolga vas, Gornja Radgona and Vrhnika have also accepted people beyond their capacities, yet not in the scale seen in the Posavje region in the previous week. The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*URSZR*) reports every day that people involved in helping the arrivals are experiencing signs of burnout.<sup>240</sup> International material aid supplied from abroad has been distributed to centres.<sup>241</sup>

At times people get trapped in the “no man’s land” border area between Slovenia and Austria,<sup>242</sup> when Austria closes the border for periods of time. At night, when

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<sup>233</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>234</sup> Amnesty International Slovenia; Human rights division of the Legal Information Centre of NGOs.

<sup>235</sup> Centre for foreigners in Postojna.

<sup>236</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 26, 27, and 28 October 2015.

<sup>237</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>238</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 27, 28, 29, 30, and 31 October 2015.

<sup>239</sup> Amnesty International Slovenia.

<sup>240</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 25, 26, 27, 28, 29, 30, and 31 October 2015.

<sup>241</sup> Ministry of the Interior, *The new system of registering migrants is excellent and effective*, press conference, 28 October 2015, available in English at: [www.mnz.gov.si/en/media\\_room/news/article/12208/9459/f31a9c24d255ca5fa82c1d843839a1c5/](http://www.mnz.gov.si/en/media_room/news/article/12208/9459/f31a9c24d255ca5fa82c1d843839a1c5/).

<sup>242</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

temperatures are very low (i.e. close to zero degree Celsius) people have to wait for hours with no humanitarian assistance available.<sup>243</sup>

People that arrive and wait in reception and accommodation centres are not adequately and uniformly informed about the procedures that are about to unfold, which causes stress and anxiety.<sup>244</sup> As during the previous reporting period, there are still not enough translators available at reception and accommodation centres.<sup>245</sup> It is still difficult to ensure adequate hygiene.<sup>246</sup> For example, in the accommodation centre in Šentilj there are only 10 mobile toilets, which is not enough. Furthermore, a separation between women's and men's sanitary units would be welcomed.<sup>247</sup> A looming threat in many centres across Slovenia is that due to low temperatures, the water in sanitary units located outside could freeze (which would cause a problem in providing drinking water and water for basic hygiene).<sup>248</sup>

There are supposedly sufficient food reserves,<sup>249</sup> however, as in the previous reporting period, until 30 October there were many reports that food was not being distributed until the registration process was completed<sup>250</sup> and that warm meals were available only at accommodation, but not reception centres.<sup>251</sup> The *URSZR*'s argues that a protocol must be in place and that food can only be distributed when there is enough for every single person (in order to prevent a "stampede") and when the registration process is completed.<sup>252</sup>

A much needed heated tent to accommodate volunteers and manage all other activities in the reception centre Dobova Šotorišče has been set up next to the centre.<sup>253</sup>

## Child protection

The Director of UNICEF Slovenia has offered the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*URSZR*) some child friendly tents that can be set up in the Šentilj accommodation centre.<sup>254</sup>

One new information point for family reunification was set up in Dobova during the reporting period.<sup>255</sup> Red Cross Slovenia volunteers and employees are making efforts to prevent the separation of families by making sure all family members travel together (e.g. when boarding buses; in case of hospitalisation in Brežice:

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<sup>243</sup> Amnesty International Slovenia.

<sup>244</sup> Amnesty International Slovenia.

<sup>245</sup> Amnesty International Slovenia.

<sup>246</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily reports on protection, rescue and help activities*, 26, 27, 28, 30, and 31 October 2015.

<sup>247</sup> Amnesty International Slovenia.

<sup>248</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 31 October 2015.

<sup>249</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>250</sup> Amnesty International Slovenia; Human rights division of the Legal Information Centre of NGOs.

<sup>251</sup> Peace Institute.

<sup>252</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>253</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily reports on protection, rescue and help activities*, 27 October 2015.

<sup>254</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily reports on protection, rescue and help activities*, 27 October 2015.

<sup>255</sup> Another information point for family reunification is in Šentilj.

information is passed on to volunteers who alert the police that a family member is in the hospital and other members should not be sent forward).<sup>256</sup>

On 29 October, a delegation of the International Committee of the Red Cross (ICRC) visited the two accommodation centres *šotorišče* (tent site) and *tovarna Beti* (ex-factory) in Dobova, mainly to look at family reunification procedures.<sup>257</sup>

## Healthcare

There are not enough translators assisting doctors, especially for Farsi.<sup>258</sup> A translator was provided by UNHCR for the infection clinic which admitted a child from the Vrhnika accommodation centre.<sup>259</sup> The *URSZR* held a meeting with a representative from Women and Health Alliance International (WAHA) concerning the provision of healthcare in the field.<sup>260</sup> Voluntary immunisation against influenza for everyone involved with asylum seekers will be provided in Brežice next week (2, 3 and 4 November).<sup>261</sup>

## Social response to the situation – including rallies, voluntary work (such as humanitarian assistance, private persons hosting asylum seekers) and similar actions

### NGO humanitarian activities

NGOs and humanitarian organisations working with asylum seekers and refugees met at their weekly meeting on 27 October in order to coordinate activities. Attendees discussed how to better organise their volunteers. A need for additional government funding came up. They discussed a meeting scheduled for 3 November with the authorities from the Ministry of the Interior (*Ministrstvo za notranje zadeve*).<sup>262</sup> Their main point of contention with the government will be fixing the issue of the “no man’s land” area between Slovenia and Austria, where people have been trapped several times during the reporting period.<sup>263</sup> The main focus of the meeting was preparing an appeal to the Prime Minister requesting that people are not left outside waiting in the cold for hours as this is clearly inhuman or/and degrading treatment and, therefore, a violation of the European Convention on Human Rights.<sup>264</sup> The appeal was sent to the Prime Minister on 28 October and published on the website of the Peace Institute (*Mirovni Inštitut*).<sup>265</sup>

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<sup>256</sup> Red Cross Slovenia.

<sup>257</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily reports on protection, rescue and help activities*, 29 October 2015.

<sup>258</sup> PIC report from the field of 29 October.

<sup>259</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 30 October 2015.

<sup>260</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 27 October 2015.

<sup>261</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily reports on protection, rescue and help activities*, 30 and 31 October 2015.

<sup>262</sup> Advocacy division at SLOGA, a platform for non-profit NGOs.

<sup>263</sup> Amnesty International Slovenia.

<sup>264</sup> Advocacy division at SLOGA, a platform for non-profit NGOs.

<sup>265</sup> A Call of NGOs to Prime Minister Miro Cerar (*Poziv NVO predsedniku vlade Miru Cerarju*), 29 October 2015, available at: [www.mirovni-institut.si/poziv-nvo-predsedniku-vlade-miru-cerarju/](http://www.mirovni-institut.si/poziv-nvo-predsedniku-vlade-miru-cerarju/).

It was withdrawn on 2 November as the organisations determined that this problem has been remedied.<sup>266</sup>

The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*Uprava Republike Slovenije za zaščito in reševanje, URSZR*) and a representative of the UNHCR agreed on more frequent information exchanges.<sup>267</sup>

### Voluntary initiatives

NGOs and humanitarian organisations report that they have a sufficient number of volunteers on their roster,<sup>268</sup> however, it is clear from the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief's (*URSZR*) daily reports that some reception and accommodation centres would benefit from additional help from other, less burdened regions of the country.<sup>269</sup> This points to inadequate communication between the *URSZR* – which includes Red Cross Slovenia and Caritas Slovenia, and the Slovenian Philanthropy (*Slovenska Filantropija*) which coordinates all other volunteers.

Red Cross Slovenia as well as Slovenian Philanthropy urged people to register as volunteers with established humanitarian NGOs rather than coming to centres unannounced and trying to help at their own initiative and in an uncoordinated manner.<sup>270</sup> This was also stressed in a press conference by the Civil Protection Commander Mr Srečko Šestan.<sup>271</sup> The *URSZR* reports that such "activists" are causing big problems, as they are trying to enter the premises of reception and accommodation centres in intrusive ways.<sup>272</sup> For example, a volunteer attempted to hand out 300 sandwiches to a group of 2,000 people, causing chaos among asylum seekers.<sup>273</sup> On the other hand, *PIC* - the UNCHR implementation partner in Slovenia, reports critically that there is no system in place which would effectively include these self-organised groups in helping in an organised scheme.<sup>274</sup>

Slovenian Philanthropy has reached an agreement with the government about the employment of 22 coordinators of volunteers in the field in the centres, who will be financed by the government. The system of new coordinators is a much needed improvement and is supposed to be set up by 3 November.<sup>275</sup>

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<sup>266</sup> Amnesty International Slovenia.

<sup>267</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 26 October 2015.

<sup>268</sup> Slovenian Philanthropy.

<sup>269</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily reports on protection, rescue and help activities*, 26, 29, and 30 October, 2015.

<sup>270</sup> Red Cross Slovenia; Slovenian Philanthropy.

<sup>271</sup> Ministry of the Interior, *The new system of registering migrants is excellent and effective*, Press conference, 28 October 2015, available in English at: [www.mnz.gov.si/en/media\\_room/news/article/12208/9459/f31a9c24d255ca5fa82c1d843839a1c5/](http://www.mnz.gov.si/en/media_room/news/article/12208/9459/f31a9c24d255ca5fa82c1d843839a1c5/).

<sup>272</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 30 October 2015.

<sup>273</sup> Žurnal24.si, Why not everyone can be a volunteer (*Zakaj vsak ni dober za prostovoljca?*), available at: [www.zurnal24.si/zakaj-vsak-ni-dober-za-prostovoljca-clanek-259078](http://www.zurnal24.si/zakaj-vsak-ni-dober-za-prostovoljca-clanek-259078).

<sup>274</sup> Legal Information Centre of NGOs.

<sup>275</sup> Slovenian Philanthropy.

## Response to hate speech online

Online social response remains very high. The National Radio Television web portal MMC RTVSLO ([www.rtv slo.si](http://www.rtv slo.si)) kept restrictions for online commenting to only one news article related to this issue per day and added a pre-moderation of comments before – and not only after – posting on the webpage.<sup>276</sup>

The Slovenian hotline for reporting hate speech incidents on the internet “Web eye” (*Spletno oko*) has analysed reports from the reporting period (until 30 October) and detected a sharp increase: the hotline received 76 reports of hate speech, 8 reports were so serious that they were referred to the police. The latter were exclusively targeting refugees as Muslims; the majority were posted on social media.<sup>277</sup>

The response of online media remains polarised: some media accused others that they are acting merely as a PR service for the government by reporting on how the situation is under control.<sup>278</sup>

Anonymous individual/s created a special online shaming platform called *ZLOvenija* (a wordplay of the words “evil” (*zlo*) and Slovenia).<sup>279</sup> The web portal collected defamatory posts on social network sites, such as “Let us bring tanks to the border and kill the migrants!” on Facebook, which were subsequently removed.<sup>280</sup> While some claimed that such a database fuels additional hatred in society, others, including Information Commissioner of the Republic of Slovenia (*Informacijski pooblaščenec RS*, IP RS), believed that the platform *ZLOvenija* complies with personal data protection rules and does not disproportionately interfere with individuals’ rights.<sup>281</sup>

## Legal and policy responses, including any changes to the law

Nothing new to report.

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<sup>276</sup> News portal MMC RTVSLO (National radio television web portal).

<sup>277</sup> Coordinator of “Web eye”.

<sup>278</sup> Nova24tv.si, They do not care about refugees, this is just a propagand war (*Ne gre jim za begunce, gre za propagandno vojno*), available at: <http://nova24tv.si/slovenija/ljudje/ne-gre-jim-za-begunce-gre-za-propagandno-vojno-mediji-pa-kot-vladni-papagaji/>.

<sup>279</sup> Platform *ZLOvenija*, available at: <http://zlovenija.tumblr.com/>.

<sup>280</sup> Delo, Left review: Pillories on the sunny side of the Alps (*Levo mnenje: Sramotilni stebri sončne strani Alp*), available at: <http://www.delo.si/mnenja/kolumne/levo-mnenje-sramotilni-stebri-soncne-strani-alp.html>.

<sup>281</sup> Dnevnik, *Zlovenija* reflecting disfunctional state (*Zlovenija nastavila ogledalo nedeljujoči državi*), 1 November 2015, available at: [www.dnevnik.si/1042723478/slovenija/zlovenija-nastavila-ogledalo-nedelujoci-drzavi](http://www.dnevnik.si/1042723478/slovenija/zlovenija-nastavila-ogledalo-nedelujoci-drzavi).