



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

Update # 6

2 November–6 November 2015
(with updates to 8 November, as appropriate)

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Highlights: 2 November–6 November

New arrivals

- A four-day strike by the Panhellenic Seamen's Organization in Greece leaves thousands of new arrivals stranded on the Greek islands, some of them having to sleep outside.
- Better organised transit through Austria, Croatia and Slovenia reduces hardships and protection risks, including family separations. In Croatia, family separations drop significantly.
- People, including women and children, remain stranded at the Slovenian-Austrian border; waiting outside to enter Austria for long hours without food, water, healthcare, blankets or warm clothes.
- Austria reports an increasing number of families.

Reception conditions

- Food supplies are insufficient in reception centres in Bulgaria, Greece and Slovenia.
- There is a shortage of interpreters in many reception facilities in Bulgaria, Croatia, Germany, and Slovenia. In Bulgaria, interpreters claim long overdue payment.
- A new transit camp becomes operational in Croatia, which is better equipped with heated tents and containers for vulnerable people. However, the identification of vulnerable people is delayed and a risk of exploitation and abuse in the crowded tents emerged.
- Sanitary facilities at train stations used for transit in Slovenia are poor and there are difficulties with hot water to prepare baby food.
- Many asylum seekers in Austria are homeless or stay at emergency shelters that are only equipped for stays of less than five days.

Child protection

- Provision of adequate shelter to unaccompanied children remains a challenge in several Member States.
- In Greece, unaccompanied children are kept in police custody before being transferred to open reception facilities on the mainland.
- Many unaccompanied children in Austria stay in initial reception centres due to delays by the provinces in accepting them.

Legal, social and policy response

- Some ten demonstrations against asylum seekers take place in Germany with violent clashes between demonstrators and counter-demonstrators in Berlin.

- In Hungary, the governing party Fidesz announces a proposal for challenging the EU relocation quota scheme.
- Germany plans five special “accommodation centres” for asylum applicants whose claims are manifestly unfounded.

Austria

Stakeholders contacted

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

- Provincial Police Department Styria (*Landespolizeidirektion Steiermark*);
- Mayor of the city of Graz (*Bürgermeister der Stadt Graz*);
- Federal Agency for State Protection and Counter Terrorism (*Bundesamt für Verfassungsschutz und Terrorismusbekämpfung, BVT*);
- Provincial Police Department Styria (*Landespolizeidirektion Steiermark*);
- Caritas Austria (*Caritas Österreich*);
- Red Cross Austria (*Rotes Kreuz Österreich*);
- Caritas Styria (*Caritas Steiermark*);
- Worker's Samaritan Federation (*Arbeiter-Samariterbund*);
- Anti-Discrimination Bureau Styria (*Antidiskriminierungsstelle Steiermark*);
- Federal Ministry of the Interior, Department III/9 (*Bundesministerium für Inneres, Abteilung III/9 Grundversorgung und Bundesbetreuung*).

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

Numbers and patterns of new arrivals

Up to 7,000 persons passed the Austrian border to Styria daily during the reporting period.¹ People are coming mainly from Afghanistan and Syria,² but also from Iraq and Iran.³ On 7 November, the number of people arriving decreased significantly, as a result of a ferry strike in Greece.⁴ Most people arrive at the border crossing points Spielfeld in Styria, Rosenbach in Carinthia and Bad Radkersburg in Styria.⁵

There are no disaggregated data available on the gender or further characteristics of these new arrivals.⁶ Yet, it has been observed that there are many children and families among the new arrivals.⁷ Moreover, the proportion of Afghan men is increasing, which has an impact on the climate among the refugees and helpers.⁸ There are indications that the proportion of persons in need of international protection may be decreasing.⁹ From the perspective of the Styrian police,

1 Caritas Styria; Provincial Police Department Styria.

2 Caritas Styria.

3 Provincial Police Department Styria.

4 Red Cross Austria; Worker's Samaritan Federation.

5 Red Cross Austria; Provincial Police Department Styria.

6 Provincial Police Department Styria.

7 Caritas Styria.

8 Provincial Police Department Styria.

9 Provincial Police Department Styria.

guaranteeing security has the highest priority at the moment, particularly due to the increasing number of children.¹⁰

The UNHCR Update #9 Europe's Refugee Emergency Response, referring to the period from 30 October to 5 November 2015, reported that "[in] Austria, some 56,431 refugees and migrants arrived, with fewer bottlenecks as last week due to improved coordination between Austrian and Slovenian authorities".¹¹

Asylum applications and registration

Although the majority of people arriving want to travel onwards (about 90 %, according to Worker's Samaritan Federation), the number of asylum applications in Austria is increasing, particularly at the transit quarter in Graz, Webling.¹² The UNHCR Update #9 Europe's Refugee Emergency Response, referring to the period from 30 October to 5 November 2015, reported that "[on] average, 440 asylum claims were lodged per day over the week and more than 10,600 in total during October".¹³

During the past weeks, an increasing number of families arrived and applied for asylum.¹⁴

Criminal proceedings against irregular border crossing

So far, no administrative criminal proceeding have been filed.¹⁵

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

In Styria, there have been no fundamental rights issues in the course of initial registration or fingerprinting.¹⁶

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

Reception conditions and capacity

Providing shelter preventing people from freezing continues to be the main challenge in Styria. Heated tents are available for 500 persons in Spielfeld. Yet, there are not enough lavatories available and the danger of diseases is

¹⁰ Provincial Police Department Styria.

¹¹ UNHCR Update #9 Europe's Refugee Emergency Response, referring to the period from 30 October to 5 November 2015.

¹² Caritas Styria.

¹³ UNHCR Update #9 Europe's Refugee Emergency Response, referring to the period from 30 October to 5 November 2015.

¹⁴ Federal Ministry of the Interior, Department III/9.

¹⁵ Provincial Police Department Styria.

¹⁶ Provincial Police Department Styria.

increasing.¹⁷ UNHCR reported that "*Austria's capacity of up to 20,000 emergency shelter places is becoming increasingly overstretched.*"¹⁸

Some 4,000 persons who are already in the asylum procedure continue residing in the transit centres, which limits the capacities available for new arrivals.¹⁹ People who have applied for asylum are brought to the transit centres by the police, so that they are not homeless. They stay for two to three weeks in these transit centres and block places and resources necessary for people in transit.²⁰ These transit centres are not suitable for long-term stays.²¹ The responsibility for this situation is shifted back and forth between the Federal Ministry of the Interior and the provinces.²² The distribution of asylum seekers to the provinces remains under discussion between the federal state and the provinces, as financial issues are still open.

The situation is unbearable for asylum seekers. The issue of homelessness of asylum seekers is not solved,²³ as illustrated by the situation in the city of Graz: The city of Graz, together with the Red Cross and Caritas, maintains two transit centres for 2,300 persons. There is no capacity for another centre due to the limited availability of human resources. Furthermore, the transit centres are only available until the end of March 2016. An increasing number of persons file an asylum application in Austria. Those people, who already applied for asylum are not supposed to stay in the centres as these centres are designed for a stay of a maximum of five days. However, long-term accommodation is very difficult to provide. Only about half of the asylum seekers have been provided with adequate accommodation. The respective capacities are increasing but still do not suffice. Officials of the city of Graz negotiate with the regional authorities to eliminate bureaucratic hurdles in order to make it easier for private owners to provide accommodation. Besides housing, also places in kindergartens, and particularly in schools are lacking. These capacities cannot be increased within a short period of time.²⁴ However, the mayor of the city of Graz has no doubts that the overall number of refugees can be integrated, provided that there will be a good integration management.²⁵ The mayor of the city of Graz strongly calls for increased solidarity between municipalities and regions, as some of the regions accommodate more than 80 % of all refugees. Those mayors who successfully deny the reception of refugees are regarded as heroes in the public opinion. On a more general level, the mayor criticises the lack of cooperation between different governance levels and departments in Austria. He mentioned the assistance by the army as a negative example for the difficult cooperation between the different levels and departments of government in Austria.²⁶

17 Provincial Police Department Styria.

18 UNHCR *Update #9 Europe's Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

19 Red Cross Austria, Caritas Austria.

20 Caritas Styria.

21 Caritas Styria.

22 Caritas Austria.

23 Caritas Styria.

24 Mayor of the city of Graz.

25 Mayor of the city of Graz.

26 Mayor of the city of Graz.

People do not want to miss onward transportation.²⁷ Many are restless and want to continue their journey on their own. Therefore it is challenging to convince them not to leave the shelter facilities.²⁸

Child protection

Due to the delays in accepting unaccompanied children in the establishments of the provinces, there is still a significant number of unaccompanied children hosted in initial reception centres run by the Federal State, including approximately 2,900 unaccompanied minor refugees.²⁹ An example is the centre in Traiskirchen, where approximately 1,500 (out of the 1,820 persons this centre is officially permitted for) are unaccompanied children.³⁰

Healthcare

Common colds still are an issue due to the weather conditions.³¹ The organisation Doctors Without Borders is present in Spielfeld, providing health care during nights.³²

The provision of healthcare in the no man's land between Styria (Austria) and Slovenia near the border crossing point in Spielfeld is problematic, as large numbers of people have to wait there and are not provided with food or healthcare.³³

Many people arrive in a better condition than during previous reporting periods. Some assume that this is because the journey through the Balkans has become less dangerous and also shorter.³⁴

Other

The Red Cross increasingly gets requests for its Tracing and Message Service as families are separated during their transport in Austria. In most cases, searches are successful within a short period of time.³⁵

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

Rallies and incidents

The internet is the main media for agitations against refugees and asylum seekers.³⁶ The *Identitäre Bewegung Österreichs (IPÖ)* continued its anti-asylum agitation, amongst others via its website.³⁷

²⁷ Caritas Styria.

²⁸ Provincial Police Department Styria.

²⁹ Federal Ministry of the Interior, Department III/9.

³⁰ Federal Ministry of the Interior, Department III/9.

³¹ Red Cross Austria.

³² Caritas Styria.

³³ Caritas Austria.

³⁴ Worker's Samaritan Federation.

³⁵ Red Cross Austria.

³⁶ Federal Agency for State Protection and Counter Terrorism.

³⁷ Federal Agency for State Protection and Counter Terrorism.

On 5 November, graffiti saying "Tyrol is being islamised" ("*Tirol wird islamisiert*") have been painted on a private house in Kufstein (Tyrol).³⁸

On 6 November, a drunk person drove into the entry area of a transit quarter by car in Wieselburg (Lower Austria) and loudly expressed his opinion against the "Islamisation of Austria" waving an Austrian banner.³⁹

On 7 November, the *Identitäre Bewegung Österreichs (IPÖ)* organised a minor rally in Wiener Neustadt (Lower Austria). More detailed information on this rally is not available.⁴⁰

On 7 November, unknown perpetrators destroyed a window of a potential quarter for refugees in St. Peter (Carinthia).⁴¹

The citizens in Spielfeld feel insecure due to the discussion about a border-fence and the media attention they receive. They are not in favour of such a fence as they assume that people will just walk around the fence.⁴²

Caritas Styria received negative postings on its Facebook site, as well as negative emails and phone calls.⁴³

In Spielfeld, there are sometimes incidents between people from Afghanistan and Syria or Iraq. Yet, the number of incidents is rather low in relation to the number of people arriving. People from Afghanistan sometimes feel disadvantaged due to the media coverage focusing on people from Syria.⁴⁴

NGO humanitarian activities

NGOs conducting humanitarian activities are stretched beyond their limits.⁴⁵ Professional and voluntary helpers have reached their limits.⁴⁶ Volunteers still want to help, but are unable to provide as much help as during the previous months.⁴⁷

Voluntary initiatives

The helpfulness of volunteers is still high. Volunteers provide interpretation services and distribute clothes and donations in kind.⁴⁸

Many private persons continue to offer private places of accommodation to the Federal Ministry of the Interior.⁴⁹ However, stakeholders in the Federal Ministry of the Interior also regularly receive messages from individual persons expressing their discomfort with the work of the Ministry.⁵⁰

³⁸ Federal Agency for State Protection and Counter Terrorism.

³⁹ Federal Agency for State Protection and Counter Terrorism.

⁴⁰ Federal Agency for State Protection and Counter Terrorism.

⁴¹ Federal Agency for State Protection and Counter Terrorism.

⁴² Red Cross Austria.

⁴³ Caritas Styria.

⁴⁴ Caritas Styria.

⁴⁵ Red Cross Austria.

⁴⁶ Provincial Police Department Styria.

⁴⁷ Worker's Samaritan Federation.

⁴⁸ Caritas Styria.

⁴⁹ Federal Ministry of the Interior, Department III/9.

⁵⁰ Federal Ministry of the Interior, Department III/9.

Legal and policy responses, including any changes to the law

The proposal for the amendment of the Asylum Act 2005 has been published. It includes provisions on granting limited asylum for a certain amount of time only, as well as restrictions regarding family reunification.⁵¹

UNHCR reported that "Austria and Germany agreed on new entry procedures at specific border crossing points, including fast track procedures of direct transports from Schärding (Austria) to Neuhaus am Inn (Germany)."⁵²

⁵¹ Caritas Austria; Red Cross Austria; Worker's Samaritan Federation.

⁵² UNHCR *Update #9 Europe's Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

Bulgaria

Stakeholders contacted

The interviews were conducted by 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 week, the number of new arrivals showed a slight decrease. Some 250 people, among them 70 children, were apprehended, mainly at the border with Turkey. The majority was from Syria, Iraq and Afghanistan.⁵³

Asylum applications and registration

The number of asylum applicants slightly decreased during the reporting week to some 675 people (including about 140 children). Most of them were from Afghanistan and Iraq.⁵⁴

There are still problems in relation to asylum seekers leaving the reception centres of the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) before registration. During the reporting week, 200 persons left the reception centre in Ovcha Kupel before being registered.⁵⁵

⁵³ Ministry of the Interior, Directorate General Border Police.

⁵⁴ State Agency for Refugees.

⁵⁵ State Agency for Refugees.

Criminal proceedings against irregular border crossing

In the reporting week, the prosecutor's offices throughout the country continued taking action against people smugglers. There were two cases of taxi drivers found transporting persons of Afghan origin in their cars around Stara Zagora. Both were put into custody and charged with facilitating of irregular entry.⁵⁶ The Specialised Prosecutor's Office (*Специализирана прокуратура*) pressed charges against nine individuals participating in a criminal organisation. The group smuggled migrants into the country.⁵⁷ Five of them were detained on 3 November 2015, while the remaining four had already been sentenced for other crimes.

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, 151 new people were accommodated, whilst 126 people were released. Overcrowding was 20 % above the occupancy rate.⁵⁸

The overall occupancy rate in the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) centres is still low – about 30 % of their capacity. The Voenna Rampa facility hosts some 90 asylum seekers, and Vrazhdebna continues to be empty expecting the relocation of some 200 people from Greece and Italy. The Harmanli centre hosts some 500 people.⁵⁹

⁵⁶ Prosecutor's Office of the Republic of Bulgaria, 'Upon request of the Regional Prosecutor's Office in Stara Zagora the court detained in custody a taxi driver aiding illegally passing foreigners' (*По искане на РП-Стара Загора съдът взе марка за неотклонение „задържане под стража“ спрямо водач на таксиметров автомобил за подпомагане на незаконно преминаващи чужденци*), Press release, 3 November 2015, www.prb.bg/bg/news/aktualno/po-iskane-na-rp-stara-zagora-sdt-vze-marka-za-neot/;

Prosecutor's Office of the Republic of Bulgaria, 'Upon request of the Regional Prosecutor's Office in Stara Zagora the court detained in custody a man aiding illegally passing foreigners' (*По искане на Районна прокуратура-Стара Загора съдът взе мярка "задържане под стража" срещу мъж за подпомагане на незаконно преминаващи чужденци*), Press release, 9 November 2015, available at: www.prb.bg/bg/news/aktualno/po-iskane-na-raionna-prokuratura-stara-zagora-sd-1/.

⁵⁷ Prosecutor's Office of the Republic of Bulgaria, 'Specialised Prosecutor's Office detained immigrant smugglers, having taken out of the country also prison fugitives' (*Специализираната прокуратура задържа каналджии на имигранти, извели от страната и бегълци от затвора*), Press release, 4 November 2015, available at: www.prb.bg/bg/news/aktualno/specializiranata-prokuratura-zadrzha-kanaldzhii-na/.

⁵⁸ Special Home for Temporary Placement of Foreigners – Lyubimets.

⁵⁹ Bulgarian Red Cross.

There is no new information about the previously reported intention of the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) to outsource the reception centres' food supply to an external catering company. The decision is put on hold at least until the end of 2015.⁶⁰

Despite a shortage of interpreters and the call by the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) for recruiting new ones, those currently working claimed long overdue payment. They claim that the agency owed them around BGN 200,000 (approximately € 100,000) for interpretation in 2014.⁶¹

Child protection

The number of children at the reception centres operated by the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) is decreasing. Many new child arrivals leave the country almost on the same day as they arrive. During the reporting week, a total of 11 children resided in the Ovcha Kupel centre in Sofia and 21 in Voenna Rampa. Only one child residing in the Ovcha Kupel centre attends school.

Children seeking protection who stay in external homes – rented by their families while awaiting for the outcome of their asylum procedure – are attending school on a regular basis as their families are seen as better integrated. There is no information about the number of these children.⁶²

Caritas Bulgaria (*Каритас България*), volunteers from Cooperation for Volunteer Service (CVS) Bulgaria and the Harmanli Refugee Camp Play School continue to hold art and language classes in Sofia and Harmanli. However, the number of children who attend is very low.⁶³

Healthcare

The lack of medical supply was solved during the reporting week, following a corporate donation. However, the Bulgarian Red Cross kept providing support in this respect. At the same time, emergency funds from the Asylum, Migration and Integration Fund (AMIF) have been also used to increase the supply.⁶⁴ As a result, no shortage was reported during the reporting week.⁶⁵

Asylum seekers suffer most commonly from skin infections such as scabies, as well as parasites such as lice and fleas. Parasites are spread in all centres except in Banya.⁶⁶

⁶⁰ State Agency for Refugees.

⁶¹ Mediapool Online, 'Rebellion of translators at the SAR over unpaid wages' (*Бунт на преводачи в ДАБ заради неизплатени заплати*), 5 November 2015, available at: www.mediapool.bg/bunt-na-prevodachi-v-dab-zaradi-neizplateni-zaplati-news241414.html.

⁶² Bulgarian Red Cross.

⁶³ Bulgarian Red Cross and Caritas Bulgaria.

⁶⁴ State Agency for Refugees.

⁶⁵ Bulgarian Red Cross.

⁶⁶ Bulgarian Red Cross.

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

NGO humanitarian activities

The Mission Salvation Foundation (*Фондация 'Мисия спасение'*) has launched a donation campaign to equip the temporary accommodation currently housing refugees in Busmantsi (Sofia City Province) with 16 TV sets to improve the recreational facilities there.⁶⁷

Maleeva Tennis Club (*Тенис клуб Малееви*) collected clothes and accessories for children. The donation is given to the Bulgarian Red Cross, which distributes it among asylum seekers at the external homes.⁶⁸

Legal and policy responses, including any changes to the law

On 10 November, the President of the Republic of Bulgaria convened a meeting of the Consultative Council for National Security (CCNS) (*Консултативния съвет за национална сигурност*, КЧНС) to discuss the changes in the geopolitical environment due to the migration situation and their consequences for Bulgaria. One of the issues on the agenda was the refugee inflow and capacity of the country to handle it.⁶⁹ The Council is chaired by the President and includes as members the Chair of the Parliament, the Prime Minister, the Ministers of the Interior, of Defence, of Foreign Affairs and of Finance, the Chair of the State Agency for National Security (SANS) (*Държавна агенция „Национална сигурност“*, ДАНС), the Chair of State Intelligence Agency (SIA) (*Държавна агенция „Разузнаване“*, ДАР) and representatives of all parliamentary groups.⁷⁰ In a public statement following the meeting, the President pointed out that the most immediate risk for Bulgaria resulting from the new geopolitical environment was the increase of the migration flow. The President also called on the government to strengthen the capacity of the security forces and come up with an action plan on how to proceed in case of increased inflow of refugees.⁷¹

⁶⁷ Refugee Support Group.

⁶⁸ Bulgarian Red Cross.

⁶⁹ Mediapool Online, 'CCNS discusses the changes in the geopolitical environment' (*КЧНС заседава заради промените в геостратегическата среда*), 10 November 2015, available at: www.mediapool.bg/ksns-zasedava-zaradi-promenite-v-geostrategicheskata-sreda-news241608.html.

⁷⁰ Consultative Council for National Security Act (*Закон за Консултативния съвет за национална сигурност*), 11 February 1994, Art. 2, available at: www.lex.bg/bg/laws/ldoc/2133334529.

⁷¹ Bulgaria, Mediapool Online (2015), 'The government will prepare a plan to meet the refugee wave' (*Правителството ще готви план за посрещане на бежанска вълна*), 10 November 2015, available at: www.mediapool.bg/pravitelstvoto-shte-gotvi-plan-za-posreshtane-na-bezhanska-valna-news241608.html.

Croatia

Stakeholders contacted

The interviews were conducted by 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*);
- Croatian Law Centre (*Hrvatski pravni centar*);
- Welcome Initiative (*Inicijativa Dobrodošli*).

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

Numbers and patterns of new arrivals

The overall number of new arrivals decreased in the reporting week as a consequence of the strike by the ferries in Greece and possibly due to Juncker's plan to establish migrant processing centres in South Eastern Europe and Slovenia announcing its intention to build fences along Slovenian borders.⁷²

Some 33,500 people entered Croatia from 16 September until 8 November, over 33,000 during the reporting period.⁷³ People entered the country from the Serbian side on a daily basis. The average number of new arrivals amounted to almost 4,800 per day. The number of new arrivals significantly dropped on 6 and 7 November.⁷⁴ The majority of new arrivals are Syrian nationals, followed by Afghans, Iraqis and Pakistani nationals.⁷⁵ Children constituted around 24 % of the new arrivals.⁷⁶ The border sector most affected was Tovarnik.⁷⁷

Asylum applications and registration

As in the past weeks, all new arrivals were registered, but very few apply for asylum.⁷⁸

⁷² Welcome Initiative.

⁷³ Ministry of the Interior, Department for Illegal Migration.

⁷⁴ Calculated by authors of the report, based on the Ministry of Interior, daily reports on migration crisis, available at: www.mup.hr

⁷⁵ Ministry of the Interior, Department for Illegal Migration.

⁷⁶ Ministry of the Interior, Department for Illegal Migration.

⁷⁷ Welcome Initiative.

⁷⁸ Ministry of the Interior, Department for Illegal Migration.

Criminal proceedings against irregular border crossing

No criminal proceedings for irregular border crossing were reported.

Returns

There were no returns based on the third safe country rule.⁷⁹ At the Slavonski Brod camp, on 3 November 2015, volunteers reported that the police decided to return a Syrian national (who was part of a group of ten refugees from Syria) in line with Article 112 of the Foreigners Act (Official Gazette 130/11, 74/13). The Syrian national allegedly got no explanation why he was singled out. This was the first time volunteers detected a decision on the return not from the territory of EEA (as stipulated in Article 112), but only from the territory of Croatia. When volunteers asked a Croatian Army official present in the camp for an explanation, they were warned that they should not deal with "police matters".⁸⁰

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

The fingerprinting practice changed after the Opatovac camp had been transferred to Slavonski Brod on 2 November. Police took fingerprints from all new arrivals, except from those who explicitly opposed it. However, even those who first opposed being fingerprinted eventually provided fingerprints; only a very small percentage of people did not provide fingerprints at all.⁸¹

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

Reception conditions and capacity

The new camp in Slavonski Brod opened for new arrivals on 2 November, the first day being considered a camp testing day. The first groups of people entered the camp in the early morning, being transported from the Bapska border crossing. The Opatovac camp was dismantled on 3 November and the camp in Slavonski Brod became fully operational.⁸² Allegedly, the Opatovac camp can become functional again within 24 hours, should the capacities in the Slavonski Brod camp become insufficient to accommodate all the people. In that case, people accommodated in the Opatovac camp would not be registered until being transferred to the camp in Slavonski Brod.⁸³

As of 3 November, refugees have been directly transported from the Serbian side of the border (Šid) to the Slavonski Brod camp by train and then directly to the Slovenian border (Dobova), also by train. The temporary border crossing Bapska was closed at the beginning of the reporting week. People who were still arriving

⁷⁹ Ministry of the Interior, Department for Illegal Migration.

⁸⁰ Welcome Initiative.

⁸¹ Welcome Initiative.

⁸² Welcome Initiative.

⁸³ Welcome Initiative.

to Berkasovo (Serbian side of the Bapska border) were transported to Šid.⁸⁴ The cooperation between Croatian and Serbian police in relation to the transport of people and the functioning of the new train route was successful; however the Croatian police officers present on site did not know the timing of the trains' arrivals.⁸⁵ The transportation of people from the Slavonski Brod camp to Slovenia (Dobova border crossing) was organised every few hours. From 3 November, some five trains left the camp each day, boarding 1,000-1,200 people per train.⁸⁶

The Slavonski Brod camp has a greater reception capacity than the Opatovac camp. It is equipped to receive 5,000 people, and, in case of larger influxes, its reception capacities can stretch to receive 10,000-15,000 people.⁸⁷ Furthermore, it is better organised: there is a video wall at the entrance with information relevant to new arrivals in Arabic, Farsi and English. The Ministry of Interior, in cooperation with the Welcome Initiative, was distributing leaflets with information about the camp – its accommodation facilities, aid provided in each sector, the fact that it is a transit camp, the registration process, and the information on the right to seek asylum in Croatia.⁸⁸ A railway station is located in the centre of the camp. It divides the camp into the registration site and the accommodation site. The accommodation site is divided into three functional sectors, each with heated tents, heated containers for vulnerable groups, tents with food and drinks, tents with clothes, and medical assistance containers. Each sector has a tracing service run by the Croatian Red Cross. There are 18 containers for vulnerable groups in each sector and 20 new containers are expected to be placed in the fourth sector, which was under construction. Separate parts of the camp where families and unaccompanied children may be accommodated were also under construction.⁸⁹ There is a heated container for families whose members have been hospitalised in Croatia, so they can wait for their family members in the camp. As the number of daily new arrivals dropped in comparison to the previous weeks, coordination, registration and reception conditions somewhat improved.⁹⁰

The main issue concerned vulnerable people as they did not receive prioritised treatment, i.e. vulnerable persons were not detected as such, treated first and sent to the tents designed for vulnerable groups. NGOs did not have access to the registration facilities, preventing early identification, as the Ministry of Interior found NGOs presence during registration too chaotic. The NGOs only had access to people once they were in the sectors, which has complicated procedure of detection of vulnerable groups once they were already in the tents and their redirecting into containers designated for vulnerable groups. As a result, vulnerable groups were not easily detectable inside the crowded sectors. Also, beds were placed one next to another. Although there are tents designed for children and mothers, not all children got to arrive there, so some children were placed in big tents together with unrelated adults. Monitoring risks of exploitation and abuse was difficult in the overcrowded tents. Police officers entered sectors rarely. Also, the sanitary

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conditions were poor. There were only four showers for men and four for women. There was not enough fresh air inside the tents.

The Croatian Law Centre provided legal aid in the Slavonski Brod camp on 4 and 5 November. Only one family sought advice on the asylum system in Croatia in that period. The CLC staff spoke with the father who knew some English, and left their phone numbers in case the family opted for asylum in Croatia. Eventually, the family decided to leave Croatia.⁹¹

As it was the case in the Opatovac camp, the Slavonski Brod camp also lacks available interpreters.⁹²

Volunteers of the Welcome Initiative detected several incidents of aggressive verbal behaviour and excessive police force against new arrivals. The Welcome Initiative reported these incidents to the Ministry of Interior. The deputy Minister encouraged all volunteers to report such incidents through the Ministry's official channels.⁹³

Child protection

During the reporting week, the Ministry of Social Policy and Youth dealt with several cases of children temporarily separated from their parents, applying the Protocol on the treatment of children separated from their parents - foreign nationals. The Ministry of Social Policy and Youth reported that cases of family separation drastically dropped. The risk of separation has been reduced since 3 November, as people are now transported by trains capable of receiving more people than buses.⁹⁴ Information on childcare is not provided any more to NGOs and international organisations.⁹⁵

Healthcare

The healthcare service was not sufficiently functional to provide all the necessary medical assistance to people in need. Doctors barely entered the sectors. Sometimes the only accessible medical staff was the NGO MAGNA's paediatricians and nurses (one of each per shift) who attended people in need, including adults (100 to 200 people per day). NGOs were not allowed to escort people to doctors, unless it was an emergency. According to the procedure set by the Ministry of Interior, persons were to be brought to a police officer on duty who then ascertained whether the person was in an imminent need. If so, the person would either be taken to a clinic, or a doctor would attend the person inside the sector.

According to the Migrants' Health Protection report from 6 November (6 am) until 9 November (6 am) published by the Ministry of Health,⁹⁶ there were 31 emergency medical interventions, with one person referred to further treatment. One emergency medical team was present on site on a daily basis. There were 537 family medical teams' interventions in total, nine people being referred to

⁹¹ Croatian Law Centre.

⁹² Croatian Law Centre.

⁹³ Welcome Initiative.

⁹⁴ Ministry of Social Policy and Youth, Minister's cabinet.

⁹⁵ Welcome Initiative.

⁹⁶ 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 to obtain statistics that would present 0-24h timelines. Only information for the period from 6 November to 9 November were available.

further treatment. 14 people were treated in hospitals and nobody was hospitalised. Three people were released after immediate treatment. The Ministry of Health provided a total of 16,633 interventions from 16 September until 9 November, at 6 am.⁹⁷

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

Rallies and incidents

A regional right wing party “*Hrvatski demokratski savez Slavonije i Baranje (HDSSB)*” and their leader Branimir Glavaš have been inciting the local population in Slavonia against the camp in Slavonski Brod and against refugees in general, saying that “*Slavonia will not become a landfill for refugees*”.⁹⁸

NGO humanitarian activities

NGOs coordination meetings continued. Since the establishment of the new camp in Slavonski Brod, these meetings have been coordinated by the Ministry of Interior, rather than the Croatian Red Cross that was coordinating them in the Opatovac camp. The Ministry of Interior decided that NGOs would no longer receive information on the number of registered people, on the number of people transported from the camp, or the information on family reunification and medical interventions, stating that all the necessary information was available on their official web pages.⁹⁹

The Welcome Initiative initiated meetings with local human rights NGOs and volunteers’ organisations in Slavonski Brod in order to implement a local awareness raising campaign on the rights of migrants, causes of migration and the situation in migrants’ countries.¹⁰⁰

Voluntary initiatives

The “Volunteer Centre Slavonski Brod” organised volunteers for assistance in the camp. The NGO “Information Legal Center” based in Slavonski Brod was providing legal information to refugees in the camp. 300 people were employed through a public works programme established by the Croatian Employment Service to assist refugees, the Ministry of the Interior and the NGOs in distribution of aid and maintenance of the camp.¹⁰¹

Legal and policy responses, including any changes to the law

Nothing new to report.

⁹⁷ Ministry of Health, Number of available medical services (*Broj pruženih zdravstvenih usluga*), 5 November 2015, available at: www.zdravlje.hr/novosti/migrantska_kriza/broj_pruzenih_zdravstvenih_usluga

⁹⁸ Welcome Initiative.

⁹⁹ Welcome Initiative.

¹⁰⁰ Welcome Initiative.

¹⁰¹ Welcome Initiative.

Germany

Stakeholders contacted

The interviews were conducted by phone and email with the following stakeholders:¹⁰²

- Refugee Council Bavaria (*Flüchtlingsrat Bayern*);
- Refugee Council Schleswig Holstein (*Flüchtlingsrat Schleswig Holstein*);
- Refugee Council Saxony (*Flüchtlingsrat Schleswig Holstein*);
- Federal Agency for Technical Relief (*Bundesanstalt Technisches Hilfswerk*);
- Saxony Counseling Services for Victims of Hate Crimes (*RAA Sachsen Opferberatung*);
- Jesuit Refugee Service (*Jesuiten Flüchtlingsdienst*);
- Moabit hilft e. V.

In addition, media reports and a press release of the Ministry of the Interior 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

The situation at the Bavarian border has improved slightly since the week preceding the reporting week. However, thousands of persons in need of international protection have crossed the Bavarian border every day. The most affected border sectors were in the regions of Passau and Freilassing. According to the newspaper "Welt" with reference to a speaker of the Federal Border Police, about 13,000 persons in need of international protection arrived at the Bavarian border with Austria on the weekend of 7 and 8 November 2015.¹⁰³

Asylum applications and registration

In October 2015, some 55,000 people lodged an application for asylum in Germany.¹⁰⁴

About 181,000 persons expressing an intention to apply for international protection were registered in October. From January until the end of October, in total some 758,000 persons in need of international protection were registered. These numbers concerning the registration do not, however, represent the total

¹⁰² The following text does not make reference to individual interviews.

¹⁰³ Die Welt, *13,000 Flüchtlinge am Wochenende an bayerischer Grenze*, 9 November, available at: www.welt.de/regionales/bayern/article148606066/13-000-Fluechtlinge-am-Wochenende-an-bayerischer-Grenze.html

¹⁰⁴ Ministry of the Interior, press release 5 November 2015, available at: www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2015/11/asylantraege-oktober-2015.html?nn=3315850

amount of new arrivals due to the still existing waiting period until the registration procedure can take place. Moreover, an unknown quantity of double and incorrect registrations may also be included in the registration numbers.¹⁰⁵

In October, registrations mainly concerned persons indicating Syria, Afghanistan and Iraq as countries of origin. From January until October 2015, countries of origin included primarily Syria, Albania, Afghanistan, Iraq and Kosovo.

In October, asylum applications were lodged mainly by persons indicating Syria, Albania, Iraq and Afghanistan as countries of origin. From January until October 2015, the main countries of origins of asylum applicants were Syria, Kosovo, Serbia, Iraq and Afghanistan.

Figure 1: Number of registrations in October 2015, by countries of origin

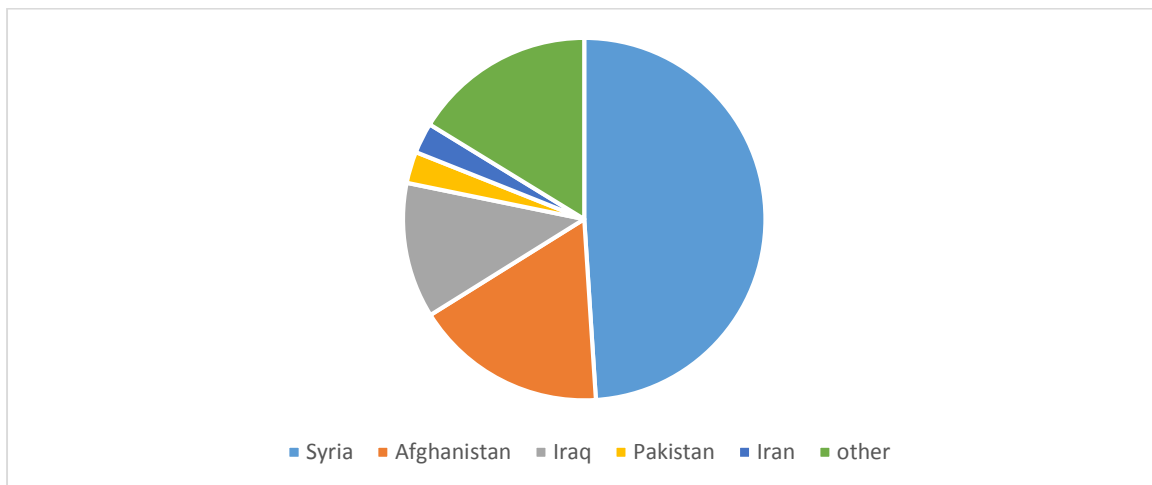
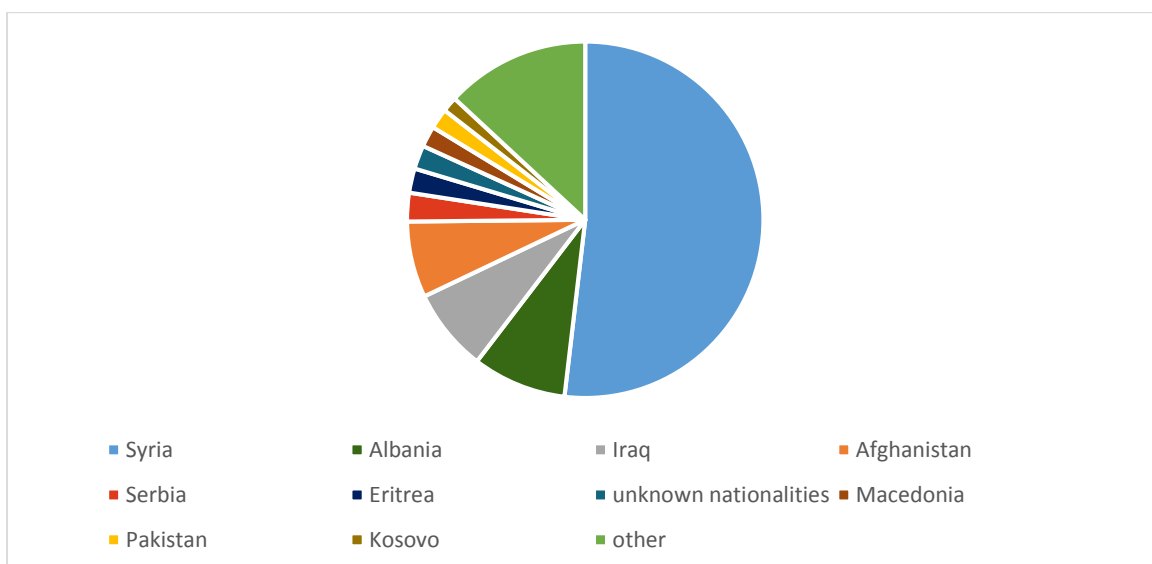


Figure 2: Number of asylum applications in October 2015, by countries of origin



Source: Germany, Ministry of the Interior

¹⁰⁵ Ministry of the Interior, press release 5 November 2015, available at: www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2015/11/asylantraege-oktober-2015.html?nn=3315850

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

In Saxony, like in many other German federal states, the vast majority of new arriving persons in need of international protection is being accommodated in mass reception facilities such as accommodation containers and empty industrial buildings. Considering the over 230,000 empty dwellings, Saxony's capacity cannot be considered as exhausted. Nevertheless, it is expected that, like in 2014, it will not be able to receive the numbers of persons in need of international protection allocated to Saxony on the basis of the German distribution formula (known as the "Königstein" formula or *Königsteiner Schlüsse*).

Child protection

In Saxony and in Berlin, it is still not possible to provide appropriate shelter to unaccompanied children as long as they are not registered. In Berlin, many children accommodated in hostels, children are at risk, if the authorities miss the timely payments to the hostels for accommodating them. Due to the high administrative effort, a timely cash flow to hostels providing accommodation to persons in need of international protection is currently not guaranteed.

Healthcare

In Saxony, the medical care in reception centres is far from adequate. Medical care is mainly provided by volunteers who are at the limit of their capacity. Furthermore, there is a big lack of interpreters.

Immigration detention

Due to strict legal requirements (case law of the German Federal Court and the European Court of Justice in 2012) and the generally high administrative effort to detain persons concerned, the numbers of persons placed in detention pending deportations are, in general, on a low level in Germany. The high influx of persons in need of international protection does not go hand in hand with a higher number of pre-removal detention cases. During the reporting week in Bavaria for instance some 20 persons were placed in detention pending deportation. The recently established far reaching grounds for deprivation of liberty for persons to be transferred under Dublin (this includes for example people who paid money to smugglers for their irregular entry) did not alter this since Germany generally does not transfer Syrians under Dublin. It is assumed that in most deportation cases the persons concerned directly removed from accommodation facilities and brought to the airport.

Other

In Saxony, staff members of accommodation centres are frequently victims of threats and insults from right wing radicals and neo Nazis. In particular, volunteers of the Federal Agency for Technical Relief were threatened and insulted while building up new accommodation centres during the last month. After work, right wing radicals took pictures of volunteers and threatened them "We will catch you".

It seems that the right wing radical scene in Saxony is following a certain pattern: Whenever specific buildings are planned to be used as accommodation centres, right wing radicals will try to set fire on those buildings. While buildings are being prepared for the accommodation of persons in need of international protection, the staff members will be threatened and insulted as "traitors to the nation" ("*Volksverräter*"). When persons in need of international protection arrive at newly established accommodation centres, sit-in blockades will be organised in order to prevent them from entering the building. Moreover, when persons in need of international protection arrive by special busses, bottles and other things are thrown at those busses.

Mostly, sit-in blockades to prevent people from entering new accommodation centres have been organised and announced on Facebook by well-known xenophobic initiatives. Even though the police must have had the chance to react and to prevent such actions, appropriate measures have not been taken. It is assumed that in Dresden some police officers are secretly supporting the right wing PEGIDA movement. Many police officers in Dresden have allegedly a particular understanding of the "citizens' concerns" with regard to the influx of persons in need of international protection.

In Saxony, persons in need of international protection want to leave the accommodation centres as soon as possible. Since many violent attacks against asylum seekers occurred, they do not feel safe in the accommodation centres. Police patrols are missing and, moreover, some staff members of private security services working in accommodation centres are allegedly former members of right wing movements.

In Schleswig Holstein, rumours circulated, that Sweden is not able anymore to provide accommodation to new arriving persons in need of international protection. The rumours were based on the public statement of the Swedish Minister of Migration Mr. Johansson who called on asylum seekers to "stay in Germany".¹⁰⁶ However, this did not prevent persons in need of international protection in Schleswig Holstein to continue their journey to Sweden. A number of people were still waiting in Kiel at the ferry port to obtain a ferry ticket to Sweden after the mentioned statement has been made.

¹⁰⁶ Spiegel, *Schwedischer Minister zu Flüchtlingen: "Bleibt in Deutschland"*, 5 November 2015, available at: www.spiegel.de/politik/ausland/schweden-kann-fluechtlinge-laut-minister-nicht-mehr-unterbringen-a-1061378.html

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, some 10 demonstrations against refugees took place. In Berlin about 5,000 supporters of the right wing party “Alternative for Germany” (*Alternative für Deutschland, AfD*) demonstrated in the city centre. The motto of the demonstration was “Asylum needs borders – Red card for Merkel” (“*Asyl braucht Grenzen - Rote Karte für Merkel*”). About 1,100 counter demonstrators tried to prevent the demonstration through sit-in blockades. Violent clashes occurred between both groups. The police took some 40 persons into custody.¹⁰⁷ Two further demonstrations against refugees with around 300 participants in each case took place in Saxony. In Laubegast (Dresden, Saxony), every evening (except Monday) local residents demonstrated together with right wing radicals against the establishment of a new accommodation centre in a former hotel.¹⁰⁸

Other activities

On 8 November, in a joint statement, the Protestant and Catholic church warned against an asylum policy of closure. In particular, both churches declared that family reunion for Syrians must be guaranteed. The common statement was a response to a current discussion in the Federal Government about the limitation of the right of family reunion for Syrian refugees.¹⁰⁹

Legal and policy responses, including any changes to the law

On 5 November 2015, the leaders of governing parties CDU, CSU and SPD agreed on the implementation of five special “accommodation centres” for incoming persons whose asylum applications are “manifestly ill-founded”, including persons coming from safe countries of origin. In those accommodation centres, the asylum procedure will last only one week. Further two weeks are foreseen for a possible appeal procedure, so that in total an asylum procedure can be completed in three weeks, as is the case in the so called “airport procedure”. The special accommodation centres will not be detention centres, but a strict residence obligation limited to the respective district will be applied. For the persons concerned the entitlement of benefits according to the Asylum Seekers Benefits Act (*Asylbewerberleistungsgesetz*) will arise only with admission to the special accommodation centre responsible. In addition, violations of the residence

¹⁰⁷ Rundfunk Berlin Brandenburg (RBB), *Auseinandersetzungen bei Protesten gegen AfD-Demo*, 5 November 2015, available at: www.rbb-online.de/politik/beitrag/2015/11/AfD-Demo-Berlin-Gegendemonstration.html

¹⁰⁸ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

¹⁰⁹ Tagesschau, *Kirchen warnen vor Abschottung*, 8 November 2015, available at: www.tagesschau.de/inland/kirchen-fluechtlinge-101.html

obligation will result in suspending the benefits according to the Asylum Seekers Benefits Act.¹¹⁰

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

Racist and related incidents

- In Borna, Saxony, on 7 November, unknown perpetrators wrote the words “Please continue your flight! No accommodation available, Refugees not welcome” on the village entry sign of Borna.¹¹¹
- In Peißen, Saxony-Anhalt, on 7 November, unknown perpetrators opened the window of a building which is planned to be used as an accommodation centre and threw three Molotov cocktails into the building. The house did not burn. The police are investigating.¹¹²
- In Schkeuditz, Saxony, on 6 November, a building which is planned to be used as an accommodation centre was set on fire by unknown perpetrators.¹¹³
- In Kruckow, Mecklenburg-Western Pomerania, on 6 November, unknown perpetrators threw bottles on a house which is being used as an accommodation centre. One window broke.¹¹⁴
- In Freital, Saxony, on 5 November, a former construction market, which is being considered as an accommodation centre, was set on fire by unknown perpetrators. The fire was quickly extinguished.¹¹⁵
- In Prenzlau, Brandenburg, on 3 November, an asylum seeker was pushed off his bike and beaten up by two or three unknown perpetrators. He suffered injuries to his face and has been treated in hospital. The police are investigating for serious bodily injury.¹¹⁶
- In Waldkraiburg, Bavaria, on 3 November, two men and one woman pushed and threatened a young asylum seeker from Nigeria. One man attacked him with an iron bar. The asylum seeker escaped and left his shopping bags.¹¹⁷

¹¹⁰ Decision of the party leaders CDU, CSU and SPD (*Beschluss der Parteivorsitzenden von CDU, CSU und SPD*), 5 November 2015, available at: www.spd.de/linkableblob/131046/data/20151105_koabeschluss.pdf

¹¹¹ Amadeu Antonio Stiftung and Pro Asyl, Chronik flüchtlingsfeindlicher Vorfälle 2015, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

¹¹² Amadeu Antonio Stiftung and Pro Asyl, Chronik flüchtlingsfeindlicher Vorfälle 2015, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

¹¹³ Amadeu Antonio Stiftung and Pro Asyl, Chronik flüchtlingsfeindlicher Vorfälle 2015, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

¹¹⁴ Amadeu Antonio Stiftung and Pro Asyl, Chronik flüchtlingsfeindlicher Vorfälle 2015, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

¹¹⁵ Amadeu Antonio Stiftung and Pro Asyl, Chronik flüchtlingsfeindlicher Vorfälle 2015, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

¹¹⁶ Amadeu Antonio Stiftung and Pro Asyl, Chronik flüchtlingsfeindlicher Vorfälle 2015, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

¹¹⁷ Amadeu Antonio Stiftung and Pro Asyl, Chronik flüchtlingsfeindlicher Vorfälle 2015, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

- In Kiel, Schleswig Holstein, on 2 November, an asylum seeker from Iraq was pursued and attacked by six men. The perpetrators attacked him with bottles. He suffered injuries to his face and was taken to a hospital.

Greece

Stakeholders contacted

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

- Ministry for Migration Policy (Υπουργείο Μεταναστευτικής Πολιτικής);
- 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);
- Doctor without Borders (Medecins Sans Frontieres) Greece-MSF Greece (Γιατροί Χωρίς Σύνορα, γραφείο Ελλάδας);
- 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

In the period from the 1 to 6 November 2015, some 40,000 people arrived in Greece by sea. Lesbos island continues to be the main point of entry, followed by Samos, Chios, Leros, Kos, Rhodes, Kalymnos and Symi (50). New arrivals include mostly Syrians, followed by Afghans and Iraqi nationals.¹¹⁸ In recent weeks, an increase of Farsi speaking people has been observed.¹¹⁹ In Idomeni at the border with FYROM, the number of people crossing the borders dropped, due to a four day ferry strike.¹²⁰

From 2 to 8 November, the First Reception Service registered 274 third-country nationals, including more than 200 women and children,¹²¹ out of those arriving during the same period, reflecting a further increasing registration backlog. The majority were Syrian and Afghan nationals.

¹¹⁸ Hellenic Coastguard.

¹¹⁹ UNHCR Greece.

¹²⁰ UNHCR Greece.

¹²¹ First Reception Service.

Asylum applications and registration

Some 280 people applied for asylum in the week of 2-6 November, including 12 unaccompanied children.¹²² The main region of registration was Attica, followed by Thessaloniki, Lesvos, South and North Evros, Rhodes, Amygdaleza, and Patras.¹²³ The majority of applicants were 18-34 years of age and originated mainly from Syria, Albania, Pakistan, Afghanistan, Iraq, Georgia, Bangladesh, and Egypt. The number of asylum applications has increased compared to the numbers of the previous week, a fact attributed to Moria's hotspot function regarding the processes of identifying and registering arrivals and the provision of information on access to international protection and relocation.

On 4 November, a first group of 30 asylum-seekers departed from Greece to Luxembourg, under the EU relocation scheme. Identification of asylum seekers to be part of the EU relocation scheme continues on Lesvos.¹²⁴

Information sessions on international protection and asylum continue to be conducted on Lesvos, Kos, Samos, Leros, Chios, Rhodes, Evros and in Eidomeni – targeting around 8,000 persons a day.¹²⁵

Criminal proceedings against 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.¹²⁶

Returns

The total number of forced returns for the period of 2 to 8 November was 26 (15 Albanian nationals, 7 Turkish and others from Georgia, Pakistan and Serbia).¹²⁷

Unaccompanied and separated children

From 2 to 8 November, 34 unaccompanied children were registered out of the about 120 children having arrived in this period.¹²⁸ They were mostly boys under 14 years old on average. The greatest number was recorded in the First Reception Centre of Moria, Lesvos, followed by 11 children registered in the First Reception Service in Orestiada and two by the mobile unit on Samos.¹²⁹

The majority of unaccompanied children arriving in the Greek islands stated that they were adults, in order to complete the registration procedure faster and avoid referral to reception facilities.¹³⁰

¹²² Asylum Service.

¹²³ The Asylum Service did not provide information on whether the asylum service were new arrivals.

¹²⁴ UNHCR Greece

¹²⁵ UNHCR *Update #9 Europe's Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

¹²⁶ Hellenic Police Headquarters.

¹²⁷ Attica Aliens Directorate.

¹²⁸ 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.

¹²⁹ First Reception Service.

¹³⁰ NGO PRAKSIS

Children accommodated in reception facilities continued to abscond sometimes within a day from their referral.¹³¹ The four day ferry strike caused problems regarding the referral of unaccompanied children to reception facilities in the mainland. The NGO METAction, which is the responsible organisation for the referrals, was forced to travel by airplane in order to transfer children on time.¹³² Between 2 and 8 November, METAction escorted some 50 unaccompanied children from the country's entry points to accommodation centres in mainland Greece. The majority were Syrian nationals, followed by Afghans – mostly boys aged 14 to 17 years.¹³³

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

The number of refugees and migrants on the islands has been particularly high due to an increasing registration backlog on some islands and due to the ferry strike from 2 to 6 November.¹³⁴

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

Reception conditions and capacity

The Panhellenic Seamen's Organization (PNO) had a strike from Monday 2 to Thursday 5 November, which left the islands without ferry connections for four days. The strike suspended the transportation of new arrivals from the islands to the mainland and resulted to thousands of people staying at the country's entry points. More specifically, on 5 November 2015 more than 14,000 people were in Lesbos, 3,000 on Samos, 2,000 on Chios and 2,000 on Kos.¹³⁵ The increased pressure on reception capacity due to the ferry strike further overstretched reception conditions. Many people are sleeping in substandard settlements or in open air on Leros Kos, Samos, Lesbos and Chios.¹³⁶

On 4 November 2015 on Lesbos, without prior notice or explanation, national authorities stopped the bus services which have been set up for the transportation of new arrivals from the north part of the island to Mytilene (Moiras Camp) where registration takes place. As a result 1,500 people had to sleep overnight in the MSF's transit camp in Mantamados, which is not equipped to accommodate such a great number of people.¹³⁷

¹³¹ NGO PRAKSIS.

¹³² NGO METAction

¹³³ NGO METAction.

¹³⁴ UNHCR, Europe's refugee emergency response, update#9

¹³⁵ Ministry for Migration Policy.

¹³⁶ UNHCR *Update #9 Europe's Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

¹³⁷ MSF-Greece.

UNHCR Greece in cooperation with the municipality of Chios set up a temporary shelter with a capacity to accommodate 800 persons. UNHCR installed rub halls and housing units on the site area.¹³⁸

In view of the upsurge in numbers of arrivals in smaller islands of the Dodecanese (Symi, Tilos), UNHCR Greece is trying to coordinate local groups in order to provide coherent humanitarian assistance.¹³⁹

On Lesbos, Moria centre increased its accommodation capacity for some 1,000 persons with specific needs, by making available three dormitories, in addition to the 62 rub halls.¹⁴⁰

On Leros the authorities ensured freedom of movement of new arrivals who have not yet completed their registration procedures. The creation of the hotspot in the area of Lepida is in progress.¹⁴¹

On 8 October 2015, the Galatsi stadium in Athens hosted 1,000 people, the accommodation facility in Elaionas near central Athens 550 people and the hockey field in Elliniko 350. The hockey arena in the Elliniko district (in the Southern Sector of the Region of Attica) has the capacity to accommodate 500 persons. The Olympic Stadium in the Galatsi municipality (in the Northern suburbs of Athens) can host up to 1000 persons and Elaionas open temporary reception centre has the capacity to accommodate 700 persons. The Ministry for Migration Policy is still in search of alternative sites.¹⁴²

NGO PRAKSIS set up a mobile medical unit on Kos covering the nightshift (5:00 am to 10:00 pm), since the morning shift is covered by Doctor without Borders (MSF).

Healthcare

Cases of hypothermia, other cold-related pathologies and psychological distress were reported on Lesbos. During monitoring at the border with the former Yugoslav Republic of Macedonia, UNHCR observed a number of persons showing signs of psychological trauma, particularly among the survivors of shipwrecks.¹⁴³

Child protection

There is still a lack of appropriate shelters for children in almost all reception facilities on the islands. Children are kept in police custody before being transferred to open reception facilities on the mainland.

On 1 November 2015, improvements were made on Kos, as the NGO PRAKSIS opened a transit facility for children with 25 places to avoid that they stayed in police custody. NGO PRAKSIS is trying to increase the available bed spaces.¹⁴⁴ In Lesbos, the NGO PRAKSIS is facing problems concerning the accommodation of

¹³⁸ UNHCR Greece.

¹³⁹ UNHCR Greece.

¹⁴⁰ UNHCR *Update #9 Europe's Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

¹⁴¹ UNHCR Greece.

¹⁴² Ministry for Migration Policy.

¹⁴³ UNHCR *Update #9 Europe's Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

¹⁴⁴ NGO PRAKSIS.

unaccompanied children in the 'transit facility' for children. The facility accommodates unaccompanied children (especially survivors from shipwrecks). The local Prosecutor does not give permission for their referral.¹⁴⁵ Furthermore, NGO PRAKSIS provides activities for children in the First Reception Centre in Moria with the assistance of volunteers.

Immigration detention

The current capacity of pre-removal centres in Greece is 5,157. On 8 November 2015, the total number of detainees was 709 people, 170 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 1,707 people in immigration detention, which means 29 % occupancy rate. In Samos, the screening centre is still overcrowded with 946 people accommodated there, when its official capacity is limited to 285. On 6 November, one child was placed in detention in a special facility for children in the pre-removal centre of Amygdaleza.¹⁴⁶

Provision of food in all pre-removal centres across the country is a serious challenge. The authorities provide two meals per day, lunch and dinner. Detainees state that neither the quality nor the quantity of food is decent. Meals consist mainly of rice or pasta. Meat or fruit are rarely provided.¹⁴⁷

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

Nothing new to report.

Legal and policy responses, including any changes to the law

The Greek government is facing increasing pressure to take down the 12-kilometer fence at the border with Turkey, along the Evros River as it is an incentive for asylum seekers and migrants to make the deadly journey via the Mediterranean.¹⁴⁸

¹⁴⁵ NGO PRAKSIS.

¹⁴⁶ Hellenic Police Headquarters-Irregular Migration Division.

¹⁴⁷ Greek Council for Refugees

¹⁴⁸ EuroActiv, Tsipras under pressure to tear down Turkish border fence, 3 November 2015, available at: www.euractiv.com/sections/global-europe/tsipras-under-pressure-tear-down-turkish-border-fence-319103

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

- Fourteen shipwrecks took place, at least 95 people died and 37 went missing. The Hellenic Coast Guard rescued at least 718 people from shipwrecks during the reporting period.¹⁴⁹

¹⁴⁹ UNHCR *Update #9 Europe's Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

Hungary

Stakeholders contacted

The interviews were conducted by 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;
- 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

During the reporting period, some 88 people crossed the border into Hungary, mostly through the borders with Serbia and Romania. This is the same number as the previous week.¹⁵⁰ Nobody entered the country from the border with Croatia. The authorities believe that the Romanian borders may become the future main entry point for new arrivals.¹⁵¹

Asylum seekers originated mainly from Kosovo, Turkey and Syria. Around 90 % were men, 10 % were women. With respect to their age, approximately 17 % of the new arrivals were children, around 80 % were between 18-34 years old, and around 3 % were over 35 years old.¹⁵²

Asylum applications and registration

Between 2-6 November 2015, 48 people applied for asylum in Hungary. A few people accused of committing the crime of unauthorised border fence crossing also filed claims for asylum. Nobody submitted a claim for asylum in one of the

¹⁵⁰ National Police Headquarters, Press Department.

¹⁵¹ Ministry of Internal Affairs.

¹⁵² Office of Immigration and Nationality.

transit zones during the reporting period. Authorities registered new arrivals in all cases.¹⁵³

Currently, some 436 asylum seekers are waiting for the Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal; Office*) to decide on their claims.¹⁵⁴ Between 2-8 November, eight asylum applications were accepted and 52 rejected. In 7,150 cases the Office terminated the process, as the applicants had left the country.¹⁵⁵

Criminal proceedings against irregular border crossing

Unauthorised border fence crossing

About a third of the 88 new arrivals were apprehended by the police under the charges of unauthorised border fence crossing as they had climbed over, or ducked under, the fences installed at the Serbian-Hungarian borders. Criminal proceedings were initiated by the police against 33 of them, mainly at the Hungarian-Serbian border.¹⁵⁶ This constitutes a slight increase in numbers compared to the previous reporting period (19 criminal procedures were initiated between 26 October and 1 November 2015). The authorities believe that new arrivals crossing the border with Serbia have been tricked by smugglers into crossing the fences.¹⁵⁷

Between 15 September 2015 (the date when Hungary amended the Criminal Code in order to criminalise unauthorised border fence crossing) and 8 November 2015, about 911 criminal proceedings have been initiated.

During the reporting week, the prosecutor pressed charges against 38 people from Kosovo, Turkey, Albania, Iraq, Syria and Serbia. All defendants admitted that they had committed the crime of unauthorised border fence crossing.¹⁵⁸ Thirty-one were waiting for the court's decision in detention.

The District Court of Szeged (*Szegedi Járásbíróság*) held 34 criminal trials in the reporting period. In 30 cases, the Court found the defendants guilty of unauthorised border crossing. Twenty-six people received a one-year entry ban; four persons a two-year entry ban. In four cases, the Court sent the cases back to the prosecutor for further investigation. The Court expelled the defendants to Kosovo, Turkey and Serbia. None of the defendants appealed against the court's decisions, therefore all judgments are final. All the defendants made a statement right after the verdict that they would waive their right to appeal. None of the defendants requested the translation of the Court's verdict in writing, they were

¹⁵³ Office of Immigration and Nationality.

¹⁵⁴ Ministry of Internal Affairs.

¹⁵⁵ Office of Immigration and Nationality.

¹⁵⁶ 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.

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. Act CXL of 2015 entered into force on 15 September 2015.

¹⁵⁷ National Police Headquarters, Press Department.

¹⁵⁸ General Attorney's Office.

satisfied with the oral translation of the judgments. The defendants were nationals of Kosovo, Turkey, Syria, Iraq and Serbia. Asylum claims lodged by Syrian and Iraqi defendants are typically rejected based on the 'safe third-country' principle. Defendants are returned to Serbia after spending considerable waiting time in detention.¹⁵⁹

During the reporting period, the police initiated criminal procedures against ten people (out of the 88 new arrivals) who were suspected of having committed the crime of forging public documents when they tried to enter Hungary.¹⁶⁰

Facilitation of irregular entry or stay

During the reporting period, the police reported one case when a Hungarian national tried to help irregular migrants to enter Hungary through the fences at the Serbian borders in Csongrád County. The police did not initiate a criminal procedure in this case, they just warned the individual.¹⁶¹

The Prosecutor's Office in Szeged pressed charges on 5 November 2015, against a Serbian man who, according to the indictment, crammed 16 migrants (nationals of Syria, Eritrea and Pakistan) into his car with the purpose of smuggling them to Vienna for € 200 per person. The car was supposed to accommodate a maximum of seven people, so the 16 foreign nationals could only travel in the car in an uncomfortable position. The defendant is charged with the crime of human smuggling and trafficking.¹⁶²

Upon the Austrian Federal Ministry of Justice's request, the Hungarian General Attorney's Office accepted to take over the criminal proceedings against five persons in the case leading to the death of 71 migrants found dead in an abandoned truck on an Austrian highway close to the city of Parndorf, close to the Hungarian-Austrian border. The Austrian authorities found the dead migrants in the cargo area on 27 August 2015. The investigation in Austria ascertained that the migrants died in the territory of Hungary. Therefore, the Austrian authorities asked the Hungarian authorities to conduct the criminal proceeding. The Hungarian General Attorney's Office instructed the Chief Prosecution Office of Bács-Kiskun County on 4 November 2015 to conduct the on-going investigation.¹⁶³

Returns

¹⁵⁹ County Court of Szeged, Press Department.

¹⁶⁰ National Police Headquarters.

¹⁶¹ National Police Headquarters.

¹⁶² Hungarian prosecutor, Prosecution against the Serbian human trafficker who crammed the victims in his car (*Vádemelés a sértetteket személygépkocsiba zsúfoló szerb embercsempészrel szemben*), 5 November 2015, available at: <http://mklu.hu/hnlp14/?p=23707>.

¹⁶³ Hungarian Prosecutor, Press release of the General Attorney's Office (*A Legfőbb Ügyészség sajtóközleménye*), 4 November 2015, available at: <http://mklu.hu/hnlp14/?p=23603>.

The readmission procedure remains long; it can take weeks or months. This is particularly the case with respect to the readmissions to Serbia, as Serbia only readmits a maximum of ten people a day.¹⁶⁴ People wait for their deportation in detention; men are typically accommodated in penal institutions, women and children are accommodated in detention centres that are closed areas in the refugee camps. Most of the detained people are men (some 85 %) and the majority are 19-35 years old.¹⁶⁵

Sixty-six people were readmitted to Kosovo, Turkey, Pakistan and Serbia during the reporting period.¹⁶⁶ Because of the slow readmission procedures, around 750 people have been waiting for deportation in penal institutions and detention centres.¹⁶⁷ Many of them have been in detention for more than a month awaiting readmission into Serbia and they get little and insufficient information about the expected date of the readmission.¹⁶⁸

Unaccompanied and separated children

The Hungarian authorities registered eight unaccompanied or separated children among the new arrivals in the reporting period. Most of them were 15-17 years old.¹⁶⁹ They were accommodated in special institutions in Fót and Hódmezővásárhely where they get support from social services.¹⁷⁰

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.¹⁷¹

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

Reception conditions and capacity

The four transit zones (Röszke and Tompa at the Serbian borders, Letenye and Beremend at the Croatian borders) were open in the reporting period. The new arrivals arrived in Hungary mainly from the Serbian borders, so the Röszke and Tompa transit zones had some work, while there were no people in Letenye and Beremend.¹⁷²

The total capacity of the four refugee camps (Bicske, Debrecen, Vámosszabadi, Nagyfa) assigned to accommodate asylum seekers in the country is currently 1,913. Some 185 asylum seekers were accommodated in Bicske, 173 in Vámosszabadi and 78 in Nagyfa on 6 November 2015. The number of asylum

¹⁶⁴ Ministry of Internal Affairs.

¹⁶⁵ National Police Headquarters, Press Department.

¹⁶⁶ National Police Headquarters.

¹⁶⁷ National Police Headquarters, Press Department.

¹⁶⁸ Helsinki Committee; UNHCR Hungary.

¹⁶⁹ Office of Immigration and Nationality.

¹⁷⁰ UNHCR Hungary.

¹⁷¹ Office of Immigration and Nationality; Helsinki Committee; UNHCR Hungary.

¹⁷² Office of Immigration and Nationality.

seekers in the country (436) is well below the maximum capacity of these institutions.¹⁷³ The Debrecen refugee camp will be closed completely by the end of 2015, so all asylum seekers in the open section of the camp have already been moved to other camps. Currently, only the detention part (closed section for asylum detention) of the Debrecen camp is operating with 170 people kept in custody.¹⁷⁴ As a result of the closure of the Debrecen refugee camp, the total capacity of all refugee camps in Hungary will most probably drop to some 1,200 places.

Civil society organisations experienced that authorities did not always provide people in the refugee camps with sufficient information about the current status of their asylum procedure and their rights, therefore civil society organisations have to help people to gain access to proper information.¹⁷⁵

Child protection

The two institutions that accommodate unaccompanied or separated refugee children housed 13 children (six in Fót, seven in Hódmezővásárhely) in the reporting period. The total capacity of the two institutions is 88 beds.¹⁷⁶ The experience of civil society organisations was that children got proper support from social services in the two institutions.¹⁷⁷

Civil society organisations identified a few unaccompanied children in detention centres where they do not get support from social services.¹⁷⁸ Authorities claim that these children arrived in Hungary without documents and IDs. They stated that they were adults and had submitted their asylum applications as adults, most likely as they wished to continue their journey. As their claims were rejected, they were placed into immigration detention to wait for deportation. The authorities stated that since the children looked older than 18 years, it was practically impossible to tell their real age and they believe that they only changed their stories about their age later to get out from detention. It seems that the authorities did not make an age assessment.¹⁷⁹

The Hungarian Association for Migrants (*Menedék Migránsokat Segítő Egyesület*) organises activities for refugee children on a weekly basis in order to help their integration. These are mostly donations supported by private individuals.¹⁸⁰

Healthcare

¹⁷³ Ministry of the Interior.

¹⁷⁴ Office of Immigration and Nationality.

¹⁷⁵ Helsinki Committee.

¹⁷⁶ Ministry of Human Capacities.

¹⁷⁷ Helsinki Committee.

¹⁷⁸ UNHCR Hungary.

¹⁷⁹ National Police Headquarters, Press Department.

¹⁸⁰ Hungarian Association for Migrants, 'Clubs to refugee children living in Budapest – Report of one of our volunteers (*Gyerekklubok Budapesten élő menekült gyerekek számára – élménybeszámoló egy önkéntesünk tollából*), 2 November 2015, is available at: <http://menedek.hu/hirek/gyerekklubok-budapesten-elo-menekult-gyerekek-szamaraelmenybeszamolo-egy-onkentesunk-tollabol>.

Healthcare services provided to people detained in prisons and detention centres are still not satisfactory. The experience of civil society organisations was that severe medical conditions do not get immediate and proper attention.¹⁸¹

Immigration detention

Twenty-seven migrants (all adults) were assigned into immigration detention during the reporting period.¹⁸²

Civil society organisations continue to note tensions in the detention centres and the penal institutions, as most of the detained people have been waiting for deportation for weeks and they get very little information about the readmission procedures.¹⁸³ While the police did not register riots or irregular behaviour of the detained people in the reporting period, civil society organisations experienced minor forms of protests and dissatisfaction (e.g. causing damage to the furniture, disobeying orders from the officials) on multiple occasions.¹⁸⁴

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

Rallies and incidents

In Kürt High School (*Kürt Alapítányi Gimnázium*) in Budapest, the disciplinary process ended against a group of students who spat, poured liquid and put coins in the scones baked for migrants under a charity project on 22 September 2015. The investigation disclosed racist motives of the perpetrators, therefore some students cannot continue their studies in the school.¹⁸⁵

NGO humanitarian activities

The Hungarian Psychological Association (*Magyar Pszichológiai Társaság*), an independent association of professors and researchers of psychology, organised a conference on 3 November 2015 in Budapest, about the Government's strategy and the people's reaction in response to the migrant crisis. The conference stressed that the government did everything it possibly could to create fear against migrants and asylum seekers and thereby gaining a political advantage from the situation. The conference also emphasised that there is still empathy in Hungarian society for the migration situation. Participants said that the help and support provided demonstrated for first time how well Hungarians can be organised to help people. Around 500 people attended the conference.¹⁸⁶

¹⁸¹ UNHCR Hungary; Helsinki Committee.

¹⁸² Office of Immigration and Nationality.

¹⁸³ Helsinki Committee.

¹⁸⁴ Helsinki Committee.

¹⁸⁵ Index, They did not spit into the migrant scones without consequences (*Nem köptek büntetlenül a menekültek pogácsájába*), 4 November 2015, available at: http://index.hu/belfold/2015/11/04/megvaltak_a_pogacsaba_kopoktol/.

¹⁸⁶ Facebook page of the Hungarian Psychological Association, available at: www.facebook.com/mptpszichologia/.

Generally, Hungarian NGOs continue to focus their efforts on the situation at the Croatian-Slovenian borders. Their activities mainly consist in helping detained people by providing them with information or counselling on their procedure.¹⁸⁷

Voluntary initiatives

Migration Aid, the volunteer project organised on Facebook in June 2015, continues to collect donations for new arrivals at the Croatian-Slovenian borders. Migration Aid keeps posting calls for donations requesting specific supplies and items (mainly food, beverages, blankets, clothes) on their Facebook page on a daily basis. The entire operation (collecting and supplying these items) is managed by volunteers.¹⁸⁸

Legal and policy responses, including any changes to the law

Spokesmen of Fidesz, the governing party in Hungary, announced on 6 November 2015 that the political party will submit a proposal for legislation early next month targeting the EU asylum seeker relocation quota scheme. The proposed legislation would oblige the government to challenge the scheme before the European Court of Justice in order to annul it.¹⁸⁹

Government Decision no. 1723/2015. (X. 7.) on authorising foreign armed forces to support border protection tasks¹⁹⁰ provides the legal basis for the deployment of foreign armed forces to assist the Hungarian authorities in patrolling the borders of Hungary. Under the scope of this decision, 43 Polish police officers arrived in Szeged on 6 November 2015 to assist Hungarian border patrol and to guard the fences at the Serbian borderline.¹⁹¹

¹⁸⁷ Helsinki Committee; Migration Aid; Hungarian Association for Migrants.

¹⁸⁸ Migration Aid.

¹⁸⁹ EU Business, *Hungary to vote on EU migrant quota plan challenge*, 6 November 2015, available at: www.eubusiness.com/news-eu/europe-migrants.151c/.

¹⁹⁰ 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: magyarokozlony.hu/dokumentumok/217825da702a1a0ad8b44004f2ae5e2bafa95511/megtekintes.

¹⁹¹ National Police Headquarters, Press Department.

Italy

Stakeholders contacted

The interviews were conducted by 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 'Doctors Without Borders Italy' ('Medici Senza Frontiere Italia') (MSF Italia);
- Association for Legal Studies on Immigration (Associazione per gli Studi Giuridici sull'Immigrazione, ASGI);
- 'Mediterranean Hope', a project implemented in Lampedusa by the Federation of Evangelical Churches (Federazione delle Chiese Evangeliche in Italia, FCEI);
- Region of Piedmont, Department for Youth Policies, University Education, Decentralised International Cooperation, Equal Opportunities, Civil Rights, and Immigration (Regione Piemonte, Assessorato alle Politiche giovanili, Diritto allo studio universitario, Cooperazione decentrata internazionale, Pari opportunità, Diritti civili, Immigrazione).

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

Numbers and patterns of new arrivals

From 2 to 8 November 2015, almost 1,500 people arrived in Italy.¹⁹²

On 4 November, 10 people reached the shores of the island of Sant'Antioco (Sardinia). The ship was noticed by the Carabinieri's patrol unit. They were brought to the Elmas reception centre (Cagliari) in order to be identified. They came from Algeria, Tunisia, Ghana, Nigeria, and Benin.¹⁹³

On 5 November, some 500 people were disembarked in Lampedusa. Among them, there were many Syrian families, and some boys from Morocco, Palestine, Nepal, and Sub-Saharan Africa. Two people were transferred by helicopter to the Palermo hospital.¹⁹⁴

On the same day, several rescue operations concerning some 650 people took place in the framework of the European Union operation in the Southern Central

¹⁹² Ministry of the Interior, Civil Liberties and Immigration Department.

¹⁹³ L'Unione Sarda, *Dieci migranti sbarcano nell'isola*, 5 November 2015, available at: <http://cartadiroma.waypress.eu//RassegnaStampa/LeggiArticolo.aspx?codice=SIK4294.TIF&subcod=20151105&numPag=1&>.

¹⁹⁴ Mediterranean Hope.

Mediterranean (EUNAVFOR MED).¹⁹⁵

Moreover, the MSF ship 'Dignity I' rescued 110 people (25 women and 19 children), and a ship of the Italian Navy saved 203 individuals.¹⁹⁶ On 6 November 2015, 713 people (540 men, 130 women, and 43 accompanied children) were disembarked in Pozzallo.¹⁹⁷

On the same day, 20 people arrived in Trieste, hidden inside a truck that was coming from Istanbul and heading to Milan. Among them, there were four men, seven women, and nine children, all coming from Syria and Iraq. The truck was found in the port area of Trieste by police authorities. People were brought to the local police station for identification and fingerprinting: there, they received basic health assistance. After their international protection application is registered, they are going to be hosted by the local reception centre run by the Italian Solidarity Centre (*Centro Italiano di Solidarietà*). It is apparently the first time that asylum seekers have arrived in Italy along this route.¹⁹⁸

The National Asylum Round Table (*Tavolo Nazionale Asilo*) (a coalition formed by several Italian NGOs) has formally requested the Ministry of the Interior to organise a meeting in order to clarify what happens in disembarkation areas. Concerns have been voiced in relation to: detention of migrants upon arrival; legal safeguards during the fingerprinting procedure; lack of information on the possibility to apply for asylum; limitation of access to the asylum procedure, based on nationality assessment without individual situations being properly assessed; and the delayed rejection at the border (*respingimento differito*).¹⁹⁹

Asylum applications and registration

¹⁹⁵ Information available on the Twitter accounts of the EUNAVFOR MED operational headquarters (OHQ) (@EUNAVFORMED_OHQ), the Italian Coast Guard (@guardiacostiera), the Norwegian police (@Kripos_NCIS), and of the Irish Defence Forces (@defenceforces), as well as on the web page www.eeas.europa.eu/csdp/missions-and-operations/eunavfor-med/news/20151105_02_en.htm

¹⁹⁶ Information available on the Twitter accounts of the Italian Navy (@ItaliaNavy) and MSF (@MSF_sea).

¹⁹⁷ Information available on the Twitter accounts of the Italian Coast Guard (@guardiacostiera); Sicilians, #Migranti. *Un migliaio I migrant sbarcati tra Pozzallo e Augusta*, 6 November 2015, available at: <http://sicilians.it/111392-migranti-un-migliaio-i-migranti-sbarcati-tra-pozzallo-e-augusta>;

Video Mediterraneo, *Pozzallo – Sbarcano 713 migranti*, 6 November 2015, available at: www.videomediterraneo.it/notizie/cronaca/19424-pozzallo-sbarcano-700-migranti.html.

¹⁹⁸ Il piccolo, *Venti profughi dentro un tir in Porto*, 7 November 2015, available at: <http://cartadiroma.waypress.eu/RassegnaStampa/LeggiArticolo.aspx?codice=SIM6128.TIF&subcod=20151107&numPag=1&>; Avvenire, *I profughi sbarcano dal container*, 7 November 2015, available at: <http://cartadiroma.waypress.eu/RassegnaStampa/LeggiArticolo.aspx?codice=SIF6112.TIF&subcod=20151107&numPag=1&>

¹⁹⁹ In Italy, there are two possible procedures. An individual can either be detained following an expulsion order according to Article 13 (2) (a) of the Italian Immigration Law 213 or he or she can be rejected at the border according to Article 10 of the Immigration Law. Article 10 of the Immigration Law provides for the removal of migrants who are not entitled to stay in Italian territory at the border. This procedure is not limited to border crossing points; it can also be applied to persons entering the territory by avoiding border controls or for those rescued at sea (Article 10 (2) of the Immigration Law). In such cases, it is referred to as "delayed rejection at the border" (*respingimento differito*), given that in practice they have already entered the territory.

According to the Ministry of the Interior, some 2,000 people applied for asylum.²⁰⁰ On 5 November, 20 asylum seekers were relocated in France. On 8 November, 50 were going to be relocated to Spain.²⁰¹

UNHCR reports that screening procedures of asylum applicants vary at different points of arrival and fall short of a systematic individual assessment. There is also a lack of systematic referral mechanisms for people with specific needs.²⁰²

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

According to UNHCR, on 5 November, 20 Eritreans were relocated in France. With respect to the EU relocation scheme, in addition to Villa Sikania in Sicily, the regional hub in Bari started supporting the scheme as a second line reception facility.²⁰³

During a conference, an operator working for MSF Italia in Pozzallo, outlined a range of issues: the lack of information provided to people hosted in the centre, as to their rights and future; the expulsions of children and pregnant women; the use of deceiving methods to obtain fingerprints; and finally the arbitrary distinction between economic migrants and asylum seekers.²⁰⁴ According to lawyers in Sicily), NGO operators reported that during pre-identification interviews some nationalities are channelled automatically into the asylum procedure (Eritreans, Syrians and Afghans) whereas others only upon explicit statement that they are escaping from war.²⁰⁵

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

Reception conditions and capacity

A memorandum of understanding on the reception of asylum seekers hosted in the temporary shelter in the Municipality of Belluno was signed on 5 November.²⁰⁶ The prefecture and the municipality commit themselves to: improving reception

²⁰⁰ Ministry of the Interior, Civil Liberties and Immigration Department.

²⁰¹ Ministry of the Interior, *Alfano: in partenza 70 richiedenti asilo verso Francia e Spagna*, 4 November 2015, available at: www.interno.gov.it/it/notizie/alfano-partenza-70-richiedenti-asilo-verso-francia-e-spagna

²⁰² UNHCR *Update #9 Europe's Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

²⁰³ UNHCR *Update #9 Europe's Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

²⁰⁴ Redattore Sociale, *Dallo sbarco all'hotspot, all'espulsione. Come si decide il destino dei migranti*, 6 November 2015, available at: www.redattoresociale.it/Notiziario/Articolo/494075/Dallo-sbarco-all-hotspot-all-espulsione-Come-si-decide-il-destino-dei-migranti

²⁰⁵ Redattore Sociale, *Dallo sbarco all'hotspot, all'espulsione. Come si decide il destino dei migranti*, 6 November 2015, available at: www.redattoresociale.it/Notiziario/Articolo/494075/Dallo-sbarco-all-hotspot-all-espulsione-Come-si-decide-il-destino-dei-migranti and Association for Legal Studies on Immigration.

²⁰⁶ Ministry of the Interior, *Un Memorandum a Belluno per l'accoglienza migranti*, 5 November 2015, available at: www.interno.gov.it/it/notizie/memorandum-belluno-laccoglienza-migranti

conditions for asylum seekers; setting up reception centres throughout the municipal territory; guaranteeing information exchange; developing, in cooperation with local associations, integration measures and policies; engaging asylum seekers in voluntary activities related to the territory; and finally involving the local community in the reception system management. Moreover, the prefecture and the municipality have agreed that, when establishing a new reception centre, the association in charge of managing it has to guarantee: Italian language classes; classes on Italian culture; Italian constitutional values, and women's rights; information on the Italian economic and social context; information about the best behaviour towards the local community; and information targeted at the residents living close to the reception centre, about how it works and what the reception policy consists of.

On 3 November, thirty asylum seekers living in a reception centre in the Province of Vibo Valentia (Calabria) and 70 in the Province of Vercelli (Piedmont) demonstrated against poor reception conditions. In Vibo Valentia, they blocked the main motorway of the area. In both cases, the protest ended after the arrival of police authorities.²⁰⁷

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

On 7 November, in a Rome neighbourhood named 'Tiburtino III' almost 300 people demonstrated against the local reception centre and asked the municipality not to host any more asylum seekers in that structure. Among them, there were some members of the far right movement 'CasaPound Italy' (CasaPound Italia, CPI).²⁰⁸

Legal and policy responses, including any changes to the law

Nothing new to report.

²⁰⁷ Avvenire, *Vibo e Vercelli, proteste nei centri d'accoglienza*, 3 November 2015, available at: <http://cartadiroma.waypress.eu//RassegnaStampa/LeggiArticolo.aspx?codice=SIG2131.TIF&subcod=20151103&numPag=1&>

²⁰⁸ Roma today, *Casa Pound al Tiburtino III, sit-in e fiaccolata per dire "basta centri d'accoglienza"*, 6 November 2015, available at: <http://tiburtino.romatoday.it/colli-aniene/protesta-centro-accoglienza-tiburtino-III-6-novembre.html>; Il Tempo - Roma, *No ai migrant 300 in piazza*, 7 November 2015, available at: <http://cartadiroma.waypress.eu//RassegnaStampa/LeggiArticolo.aspx?codice=SI46035.TIF&subcod=20151107&numPag=1&>

Slovenia

Stakeholders contacted

The interviews were conducted by 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*);
- The Police (*Policija*), a constituent body of the Ministry of the Interior (*Ministrstvo za notranje zadeve*);
- 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 UNHCR implementation partner in Slovenia;
- Advocacy division at SLOGA, a platform for non-profit NGOs;
- The Peace Institute (*Mirovni Inštitut*);
- Society for non-violent communication (*Društvo za nenasilno komunikacijo*), an NGO;
- Hotline for reporting hate speech and child sexual abuse images on the internet "Web eye" (*Spletno oko*).

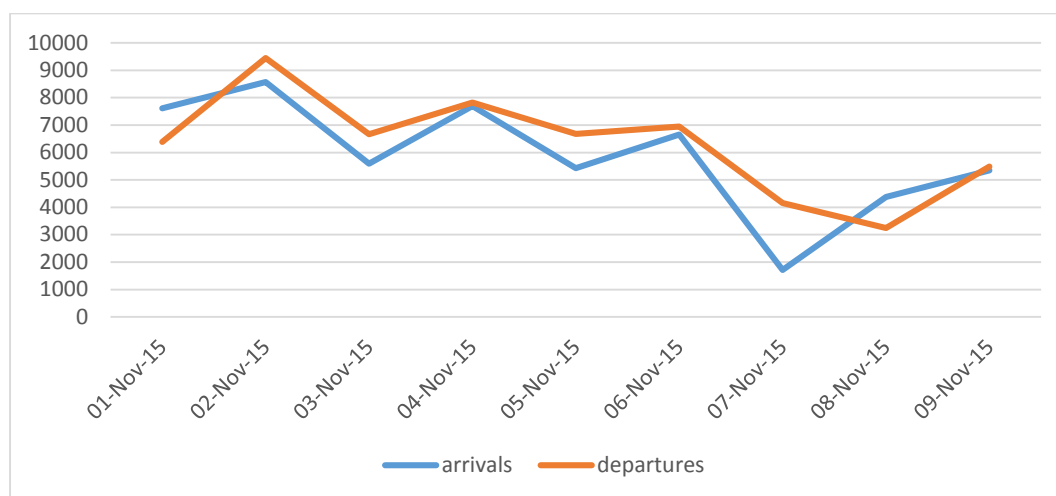
Overview of the situation in terms of size and patterns of new arrivals

Numbers and patterns of new arrivals

The police reports that over 43,000 people crossed the border into Slovenia from 1-7 November.²⁰⁹

²⁰⁹ This number was reached by adding up the numbers published by the police.

Figure 1: Number of people who entered and left Slovenia, 1 November - 9 November²¹⁰



Source: Daily press releases by the police.²¹¹

Asylum applications and registration

In the period from 1 to 8 November 2015, 25 people sought asylum of which three were unaccompanied children, two of whom from Kosovo and one from Bangladesh.²¹²

Criminal proceedings or punitive sanctions against irregular border crossing

In Slovenia, irregular border crossing is not a crime. It is a petty offence/misdemeanour.²¹³

Other procedures

During the reporting period, six people (from Albania, Afghanistan, Iran) were detained following irregular border crossing in the Centre for foreigners in Postojna

²¹⁰ The police warns that numbers published are intended solely for informational purposes and are not yet part of official records. The police also warns that "the data on the number of migrants who exit the country has only been recorded since 20 October; therefore the total number of exiting migrants in this table cannot be compared to the total number of migrants who enter the country (for this data has been recorded since 16 October)": published in *Statistical data on the number of migrants having arrived in Slovenia by 6:00 a.m.*, Press release, 9 November 2015, available at: www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/November/09_november/20151109_0600_Statistical_data_on_the_number_of_migrants_having_arrived_in_Slovenia_.doc

²¹¹ 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).

²¹² The police.

²¹³ As stipulated in Articles 142 to 147 of the Aliens Act (*Zakon o tujcih*), 27 June 2011, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761

(*Center za tujce Postojna*) for the purpose of establishing their identity, preparing their return or restricting their movement as asylum seekers.²¹⁴

Communication and cooperation with Croatia

Communication with Croatia has improved. The Prime Minister expressed satisfaction with existing and forthcoming improvements in the cooperation between Croatia and Slovenia.²¹⁵

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

UNCHR reports that conditions at all reception facilities require improvement, particularly with regards to winterization, water, sanitation and health (WASH). There is also a lack of shelter for people with specific needs in the centres in Šentilj.²¹⁶ The Ministry of Interior on 2 November announced efforts to bring living conditions at the centres as close as possible up to UNHCR standards.²¹⁷ Difficulties according to the police relate to security, sanitary, healthcare, ethical and other reasons; logistical problems are also a factor, but this is understandable given the number of arrivals; conflicts and scuffles between migrants occur, they also dump waste, make fires, avoid controlled movement and cause other problems. Registration is generally running smoothly.²¹⁸

As the flow of migrants has decreased between 1 and 7 November, so has the strain on reception and accommodation centres. During this reporting period, the accommodation centre Šentilj was overcrowded only on 2 November when

²¹⁴ Centre for foreigners in Postojna.

²¹⁵ Ministry of the Interior, *Šefic: The government is pursuing a policy of proportionate measures to manage migration*, Press conference, 4 November 2015, available at: www.vlada.si/en/media_room/government_press_releases/press_release/article/sefic_the_government_is_pursuing_a_policy_of_proportionate_measures_to_manage_migration_56852/. See also Government of the Republic of Slovenia, *Prime Minister Cerar: The efforts invested by Slovenia into assisting the refugees deserve respect*, Press release, 3 November 2015, available at: www.vlada.si/en/media_room/government_press_releases/press_release/article/prime_minister_cerar_the_efforts_invested_by_slovenia_into_assisting_the_refugees_deserves_respect/

²¹⁶ UNHCR *Update #9 Europe's Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

²¹⁷ Ministry of the Interior, *Aid for refugees to be provided through public work*, Press conference, 2 November 2015, available in English at: www.vlada.si/en/media_room/government_press_releases/press_release/article/aid_for_refugees_to_be_provided_through_public_work_56830/

²¹⁸ The police, the Ministry of the Interior.

3,500 people were accommodated in the centre that can accommodate 2,000 people.²¹⁹

There are two main locations where the majority of people concentrate and where, consequently, issues arise: the train station at Dobova as the main entry point to Slovenia and the accommodation centre Šentilj as the main exit point.

The majority of people who arrive are registered and identified at the Dobova train station (or at the reception centre Dobova Livarna). From there they continue the journey to Šentilj by train. Basic necessities are distributed at the train station at the time of registration.²²⁰ Challenges arise as trains have not enough wagons, resulting in people having to stand in cramped spaces, many unable to sit down.²²¹ People are not informed about the subsequent procedures and there were no posters informing people about registration and other procedures²²² until the police put up posters with basic information on 6 November.²²³ The number of volunteers at the train station is supposedly insufficient, and they work up to 12 hours per day.²²⁴

Furthermore, sanitary capacities at the train station are insufficient. There are only ten plastic mobile toilets (not all functioning) and no running water or light. This becomes a problem when 1,000 people arrive at once. Additionally, while utility companies clean the train station every day, this is not enough in light of the fact that thousands of people arrive at the station daily. A permanent cleaning unit is needed at the train station. Hot water necessary for preparing meals for infants cannot be provided regularly.

On 4 November, the State Secretary of the Ministry of the Interior promised that additional measures will be taken at the Dobova reception centre, such as: increasing capacities, improving living conditions and adapting the centre to make it suitable for winter conditions in case the wave of arrivals continues during the winter (i.e. a larger accommodation centre with a capacity for 10,000 people that would be appropriate for winter conditions is planned in Dobova²²⁵).²²⁶ However, no reference to improving the specific situation at the train station in Dobova was made.

Since 1 November, Slovenian Railways' trains carrying people from other centres to the accommodation centre Šentilj no longer stop at the Šentilj train station (located 1km from the accommodation centre), but transfer people directly to a temporary railway platform in the immediate vicinity (150 metres) of the accommodation centre. The police now no longer has to escort people through the entire

²¹⁹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 1 November 2015.

²²⁰ Human rights division of the Legal Information Centre of NGOs.

²²¹ Society for non-violent communication.

²²² Society for non-violent communication.

²²³ Human rights division of the Legal Information Centre of NGOs.

²²⁴ Society for non-violent communication (*Društvo za nenasilno komunikacijo*), an NGO.

²²⁵ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 2 November 2015.

²²⁶ Ministry of the Interior, Šefic: *The government is pursuing a policy of proportionate measures to manage migration*, Press conference, 4 November 2015, available in English at:

www.vlada.si/en/media_room/government_press_releases/press_release/article/sefic_the_government_is_pursuing_a_policy_of_proportionate_measures_to_manage_migration_56852/.

town. As stated by the Police: "This saves time and improves security, and most importantly, the wishes of the local population have been heard. Roads will no longer have to be closed and regular flow of traffic will be restored in the town of Šentilj".²²⁷

Another challenging area is the "no man's land" area between Slovenia and Austria in Šentilj, where people get stuck when the pace of accepting people in Austria slows down. The situation appeared to be most critical on 2 and 3 November.²²⁸ While stuck in the area between the borders, where neither of the countries wants to take responsibility, people did not have access to food, water, blankets or clothes for hours, also during the night when temperatures fell as low as 2 degrees Celsius. They were not allowed to return to the Slovenian accommodation centre, except if they needed a doctor. People lack information – most of them are unaware once they leave the accommodation centre that they might have to wait for hours before they will be able to cross the Austrian border. If they knew, they might stay in the accommodation a bit longer.²²⁹

After a meeting with NGOs on 3 November, the Ministry of the Interior announced as a first priority addressing the situation in the "no man's land" area in Šentilj. A tent is to be set up there to protect those waiting for passage to Austria in bad weather. Several separate areas are also planned to accommodate vulnerable groups, primarily small children, pregnant women and nursing mothers. A letter addressing the situation and suggesting improvements was also sent to the State Secretary at the Ministry of Interior by a group of NGOs on 4 November.²³⁰

On 4, 5, 6 and 7 November reports from Šentilj were not as distressing.²³¹ People were waiting in the "no man's land" again on 5 November, but volunteers from Slovenian Philanthropy (*Slovenska filantropija*) and the Legal Information Centre of NGOs (*PIC*) – the UNHCR implementation partner in Slovenia – successfully reached an agreement with the police to bring water and bread to the area.²³² On 7 November, volunteers from the organization Are You Syrious also reached an agreement with the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*URSZR*) to maintain a permanent presence in the "no man's land".²³³

Sustaining an adequate level of hygiene in all the busier accommodation and reception centres remains a pressing issue.²³⁴ The presence of rats are an issue

²²⁷ The police, First migrant train pulls in at temporary railway station in Šentilj (*Na začasno železniško postajo v Šentilju prispel prvi vlak z migranti*), Press release, 1 November 2014, available at: www.policija.si/index.php/component/content/article/35-sporocila-za-javnost/80843-na-zaasno-elezniko-postajo-v-entilju-prispel-prvi-vlak-z-migranti

²²⁸ Human rights division of the Legal Information Centre of NGOs.

²²⁹ Peace Institute, Report from Šentilj, (*Poročilo iz Šentilja*), 5 November 2015, available at: www.mirovni-institut.si/porocilo-iz-sentilja/

²³⁰ Ministry of the Interior, Šefic: *The government is pursuing a policy of proportionate measures to manage migration*, Press conference, 4 November 2015, available in English at: www.vlada.si/en/media_room/government_press_releases/press_release/article/sefic_the_government_is_pursuing_a_policy_of_proportionate_measures_to_manage_migration_56_852/.

²³¹ Human rights division of the Legal Information Centre of NGOs.

²³² Human rights division of the Legal Information Centre of NGOs.

²³³ Amnesty International Slovenia.

²³⁴ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, daily reports, 1, 2, 3 and 4 November 2015.

that is being addressed.²³⁵ Food distribution has overall improved, however, on at least three separate occasions, people did not receive food in the accommodation centres Dobova and Gruškovje.²³⁶ There are mixed reports in regards to the behaviour of the police towards migrants and refugees. While most are said to be helpful and respectful, there are also reports of police officers screaming at people and shoving them.²³⁷ More interpreters are still needed.²³⁸ As reported in previous reports, burnout is still frequent amongst those working for migrants and refugees.²³⁹

Child protection

Red Cross Slovenia (*Rdeči križ Slovenije*) set up a new system for family reunification procedures, in accordance with advice provided by the International Committee of the Red Cross (ICRC),²⁴⁰ that was overseeing the situation last week.²⁴¹ The Legal Information Centre of NGOs (*Pravnoinformacijski center nevladnih organizacij, PIC*) - the UNHCR implementation partner in Slovenia - reports that family reunification procedures are not efficient, as Red Cross Slovenia volunteers are not qualified enough for this task, are often not even present at centres, or can often not be reached (are not answering phone calls), thus most of the work requiring organisational skills is done by PIC volunteers and representatives of the UNHCR.²⁴²

During the reporting week, a team of 12 members of the German humanitarian organization *Freunde der Erziehungskunst* as well as two representatives of Save the Children visited Šentilj accommodation.²⁴³ The Save the Children team proposed special heated areas to be set up for children and breastfeeding mothers²⁴⁴ and to prepare suggestions for the cooperation of Save the Children in Slovenian centres.²⁴⁵

²³⁵ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 2 November 2015.

²³⁶ Human rights division of the Legal Information Centre of NGOs.

²³⁷ Human rights division of the Legal Information Centre of NGOs.

²³⁸ Amnesty International Slovenia.

²³⁹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, daily reports, 1, 2, 3, 4 and November 2015.

²⁴⁰ PIC report from the field of 2 November 2015, not published, sent upon request.

²⁴¹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily reports on protection, rescue and help activities*, 29 October 2015.

²⁴² PIC reports from the field from 2 to 7 November 2015.

²⁴³ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 2 November 2015.

²⁴⁴ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 4 November 2015.

²⁴⁵ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 5 November 2015.

Healthcare

The UNCHR reports that the number of people with various pathologies caused by a weakened immune system (flu, fever, respiratory issues, diarrhoea, stomach problems etc.) is growing.²⁴⁶

Emergency healthcare is provided at reception and accommodation centres by teams which are coordinated by local healthcare centres (*zdravstveni dom*), in cooperation with the emergency medical service unit (*enota nujne medicinske pomoči*), health care personal from other centres across Slovenia, volunteers from Red Cross Slovenia and Red Cross Hungary, Doctors without Borders and other health care volunteers.²⁴⁷ People are also taken to hospitals with ambulances. If a contagious disease is suspected, the epidemiological department of the National Institute for Public Health (*Nacionalni inštitut za javno zdravje*) is activated. The costs for treatment, medicine and supplies provided by local health care centres are covered by the Ministry of Health (*Ministrstvo za zdravje*), which also published instructions to health care workers handling this situation and a detailed form for keeping records of medicine and medical devices issued.²⁴⁸

However, the Legal Information Centre of NGOs (*Pravnoinformacijski center nevladnih organizacij, PIC*), reports difficulties related to providing healthcare. Doctors are not always present at all reception centres. In the overcrowded accommodation centre Šentilj people must be accompanied from the upper part of the centre, where they are housed, to the lower part where the clinic is located. As police officers and soldiers have been ordered to remain at their appointed positions in the centre, they no longer help with accompanying people to the clinic thus leaving this task solely to volunteers. Doctors are also not allowed to be present in the “no man’s land” area between Austria and Slovenia.²⁴⁹

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

NGO humanitarian activities

A weekly meeting of NGOs and humanitarian organisations working with migrants and refugees took place on 5 November. Slovenia’s digital champion, Mr. Aleš Špetič, was present at the meeting. He offered his assistance in setting up Wi-Fi in the reception and accommodation centres and a working group was consequently established. NGOs agreed to prepare suggestions for the government concerning the planned centre in Dobova accommodating up to

²⁴⁶ UNHCR *Update #9 Europe’s Refugee Emergency Response*, referring to the period from 30 October to 5 November 2015.

²⁴⁷ The Government of the Republic of Slovenia, *Assisting refugees in reception and accommodation centres is taking place in an organized manner’ (Delo z begunci v sprejemnih in namestitvenih centrih poteka organizirano)*, Press release, 2 November 2015, available at: www.vlada.si/pomoc_beguncem/sporocila_za_javnost/delo_z_begunci_v_sprejemnih_in_n_amestitvenih_centrih_poteka_organizirano/

²⁴⁸ Ministry of Health, *Migrants and healthcare (Migranti in zdravstvo)*, available at: www.mz.gov.si/si/za_izvajalce_zdravstvenih_storitev/migranti_in_zdravstvo/

²⁴⁹ PIC reports from the field from 2 to 7 November 2015.

10,000 persons. The attendees also discussed the need to create a group that will cater to the needs of unaccompanied minors. A representative from UNICEF Slovenia brought up the issue of the public perception of refugees and migrants and suggested a positive media campaign (a dedicated working group was established).²⁵⁰

Voluntary initiatives

Slovenian Philanthropy (*Slovenska filantropija*), an NGO that coordinates all individual volunteers that do not belong to Red Cross Slovenia (*Rdeči križ Slovenije*), Caritas Slovenia (*Slovenska Karitas*) or Adra, has named 22 coordinators that are paid by the Ministry of Labour, Family, Social Affairs and Equal Opportunities (*Ministrstvo za delo, družino in socialne zadeve in enake možnosti, MDDSZ*). The organisation tries to attract experienced volunteers to the majority of the centres as they are then able to advise the more inexperienced ones.²⁵¹ The new coordinators are improving the logistics, but there is still no central coordinator of all volunteers from participating NGOs and humanitarian organisations. Organisations such as Red Cross Slovenia, Caritas Slovenia and Adra have their own organisational structure and their own chain of command.²⁵²

Slovenian Philanthropy (*Slovenska filantropija*) reports that not all of its capacities are being utilised (a large number of volunteers have signed up to help, but not all of them are being called to work in the field).²⁵³ At the same time, other organisations (such as the Society for non-violent communication (*Društvo za nenasilno komunikacijo*) and the Legal Information Centre of NGOs (*PIC*)) report that more help is needed in Dobova and Šentilj.²⁵⁴

In the context of a public work programme, a number of unemployed persons have been interviewed in collaboration with the Employment Service of the Republic of Slovenia, and employment contracts should be signed with 80 of them by 13 November. A total of 260 public workers are expected to be hired giving preference to long-term unemployed and persons older than 50. They will soon start working in the reception and accommodation centres. Civil servants are also successfully participating in activities on a voluntary basis. Fifty-two of 119 applicants have already been referred to the centres, joined by 36 volunteers from the Union of Veterans of the War for Slovenia.²⁵⁵

Response to hate speech online

Hate speech related to migrants remains an increasingly worrying issue, claimed a group of Slovenian intellectuals who called upon the Prime Minister and the

²⁵⁰ Weekly meeting of NGO's dealing with migrants and refugees at SLOGA headquarters.

²⁵¹ Slovenian Philanthropy.

²⁵² Society for non-violent communication.

²⁵³ Slovenian Philanthropy.

²⁵⁴ Society for non-violent communication; Human rights division of the Legal Information Centre of NGOs.

²⁵⁵ Ministry of the Interior, Šefic: *The government is pursuing a policy of proportionate measures to manage migration*, Press conference led by Mr Boštjan Šefic, State Secretary at the Ministry of the Interior (*Ministrstvo za notranje zadeve*), 4 November 2015, available in English at: www.vlada.si/en/media_room/government_press_releases/press_release/article/sefic_the_government_is_pursuing_a_policy_of_proportionate_measures_to_manage_migration_56852/.

President to condemn hate speech directed at refugees.²⁵⁶ Similarly, the Committee for a fair society and solidarity (*Odbor za pravično in solidarno družbo*) published a manifesto claiming hate speech is destructive for the Slovenian identity.²⁵⁷

The Slovenian hotline for reporting hate speech incidents on the internet “Web eye” (*Spletno oko*) has analysed reports from the period of 26 October until 1 November and detected a slightly lower number of reports of hate speech: the hotline received 23 reports of hate speech, 2 reports were so serious that they were referred to the police. The latter were exclusively targeting refugees as Muslims.²⁵⁸

The Slovenian Bishops’ Conference held a press conference in defence of Bishop of Murska Sobota, a member of the Slovenian Bishops’ Conference, who had previously made, *inter alia*, distinctions between refugees deserving care and help on the one hand and economic migrants on the other hand, and warned against the islamisation of Europe – statements that were reported by some media as incitement to hatred towards all foreigners fleeing to Slovenia.²⁵⁹

Response of the local communities

Mayors of the municipalities at the state borders with Croatia and Austria called upon state authorities to provide indemnification for losses related to migrant crisis. The mayor of the Brežice Municipality (encompassing the town of Dobova) proposed the sharing of burden between municipalities.²⁶⁰ The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*URSZR*) has already issued instructions on claiming costs for humanitarian organizations and is preparing similar instructions for the local communities, which will be able to claim costs for the community as well as for loss of business income for local entrepreneurs.²⁶¹

²⁵⁶ Večer, Alternative Academy calls Pahor and Cerar to condemn hate speech against refugees (*‘Alternativna akademija Pahorja in Cerarja poziva, naj obsodita sovražni govor proti beguncem’*), 2 November 2015, available at: www.vecer.com/clanek/201511036154898.

²⁵⁷ Committee for a fair society and solidarity, Hate speech in bulk corrosive for Slovenian identity (*‘Sovražni govor v velikem obsegu najeda slovensko identiteto’*), 4 November 2015, available at: <http://odbor.si/2015/11/sovrazni-govor-v-velikem-obsegu-najeda-slovensko-identiteto/>.

²⁵⁸ “Web eye”.

²⁵⁹ The Slovenian Bishops’ Conference, Explanations of dr. Peter Štumpf on the impartial reporting of some media about his statement in connection with the refugee crisis (*‘Pojasnila soboškega škofa dr. Petra Štumpfa na pristransko poročanje nekaterih medijev o njegovi izjavi v zvezi z begunsko krizo’*), 1 November 2015, available at: <http://katoliska-cerkev.si/pojasnila-soboskega-skofa-dr-petra-stumpfa-na-pristransko-porocanje-nekaterih-medijev-o-njegovi-izjavi-v-zvezi-z-begunsko-krizo>.

²⁶⁰ National Television RTVSLO, 2 November 2015, available at: <http://4d.rtv slo.si/arhiv/prispevki-in-izjave-odmevi/174368830>

²⁶¹ National Television RTVSLO, 2 November 2015, available at: <http://4d.rtv slo.si/arhiv/prispevki-in-izjave-odmevi/174368830>

Legal and policy responses, including any changes to the law

Call for referendum rejected

On 4 November, the National Assembly adopted a decision (*sklep*) to reject the staging of a referendum seeking to reject the amendment of the Defence Act (*Zakon o obrambi*), adopted on 21 October, which allows for the deployment of the Slovenian Army for 3 months if so required by a security situation, enabling it to independently: give warnings, direct and temporarily restrict the movement of people, participate in controlling and managing groups and masses.²⁶² The deputies decided that this referendum would not be permissible, because, as stipulated in Article 90 of the Constitution of the Republic of Slovenia (*Ustava Republike Slovenije*): "a referendum may not be called on laws on urgent measures to ensure the defence of the state, security, or the elimination of the consequences of natural disasters". This decision stopped the collection of voters' signatures initiated in the previous reporting week by Radio Student, who announced to file a constitutional complaint.²⁶³

Government proposes changes regarding police officers reserve

The National Assembly (with 79 votes for and 0 votes opposing) adopted the Act Amending the Police Organisation and Work Act (*Zakon o spremembi in dopolnitvi Zakona o organiziranosti in delu v policiji*), which raises the age limit for police officers in reserve from 50 for men and 40 for women to the age of 60. The Minister of the Interior explained that "the need to mobilize and include more police officers in reserve has been present in the past, but has intensified during the migrant crisis. Additional human resources are needed. By increasing the age limit of police officers in reserve experienced and certified personnel" can be swiftly recruited.²⁶⁴

Further possible measures

On 3 November, Prime Minister Cerar stated in a press conference: "If control of the external borders of the European Union is not effective soon and the great wave of migration continues, Slovenia may soon face uncontrollable numbers of migrants, particularly if Germany and Austria begin to limit their intake." He added that in this case, Slovenia would strengthen control of the Schengen border, which would include the use of a physical barrier, even a fence if necessary.²⁶⁵ He emphasised

²⁶² The Government of the Republic of Slovenia, Proposal of the Act amending the Defence Act (*Predlog Zakona o dopolnitvi Zakona o obrambi*), 20 October 2015, available at: <http://imss.dz-rs.si/imis/d8d733528eeacb22ba03.pdf>.

²⁶³ RTVSLO MMC web portal, There will be no referendum, Radio Student will go to the Constitutional Court (*Referenduma o obrambi ne bo, Radio Študent gre na ustavno sodišče*), 4 November 2015, available at: www.rtvsllo.si/slovenija/referenduma-o-obrambi-ne-bo-radio-student-gre-na-ustavno-sodisce/377855.

²⁶⁴ IUS INFO web portal, The National Assembly votes for raising the age limit of police officers in reserve (*DZ za povišanje starostne meje za pomožne policiste*), 4 November 2015, available at: www.iusinfo.si/DnevneVsebine/Novice.aspx?id=155084

²⁶⁵ Government of the Republic of Slovenia, *Prime Minister Cerar: The efforts invested by Slovenia into assisting the refugees deserve respect*, Press release, 3 November 2015, available at: www.vlada.si/en/media_room/government_press_releases/press_release/article/prime_minister_cerar_the_efforts_invested_by_slovenia_into_assisting_the_refugees_deserves_respect/

in a newspaper interview on 7 November that repression is not the answer, but on the other hand: "What would you do if people started walking into your house? No European country will tolerate this kind of situation. There are some limits over which even Europe can't go. In extreme situations, these limits (and borders) will have to be defended by a wire, the police or even the military. This is not a hypothetical thought anymore. The state cannot allow for people or their property to be at risk. [...] But this does not in any way mean that we will – unless in urgent self-defence – start shooting at refugees. The moment firearms would be used against refugees would be the end of Europe".²⁶⁶ This statement was reprinted by all media outlets.²⁶⁷

²⁶⁶ Večer: V soboto, I am the last person to want walls (*Sem zadnji, ki želi zidove*), 7 November 2015.

²⁶⁷ RTVSLO MMC web portal, Today only 1700 refugees came to Slovenia (*V Slovenijo tokrat najmanj - 1.700 prebežnikov*), 7 November 2015, available at: www.rtv slo.si/slovenija/v-slovenijo-tokrat-najmanj-1-700-prebeznikov/378081.