



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

## Update # 7

9 November–13 November 2015

(with updates to 15 November, as appropriate)

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## Highlights: 9 November–13 November

### New arrivals

- While in Greece fewer people are arriving due to worsening weather conditions, numbers are increasing along the Balkan route following the end of the Greek ferry strike.
- Around 15 % of those arriving in Croatia are reported to be children.
- New barriers are set up at the Croatian-Slovenian and Slovenian-Austrian border to better channel the movement of arrivals across borders.
- The situation at the border between Slovenia and Austria improves following a more steady flow agreed between the two Member States.

### Initial registration and processing

- Not all new arrivals are immediately registered on the Greek islands, and the registration of asylum applications in Germany progresses slowly.
- In Croatia, the screening for vulnerability focuses on persons with disabilities and families with babies, with the risks that other vulnerable people (e.g. families with young children who are not babies) go unnoticed.

### Reception conditions

- Initial reception in Lesbos continues to be inadequate with people having to sleep outside. In Austria, first reception facilities are overcrowded and there is an increasing risk of homelessness.
- Poor reception conditions in Austria and Greece lead to tensions among migrant communities.
- Food remains insufficient and inadequate in Greece, including in immigration detention facilities.
- Challenges in providing appropriate healthcare emerge in Croatia, Italy and Germany. In Germany, most new arrivals are not registered as asylum seekers yet and can only access emergency healthcare, leading to overcrowding of emergency wards in hospitals.
- In Hungary, civil society organisations identify pregnant women in detention centres where the facilities are inadequate and where they do not get proper attention.

### Child protection

- Interventions have reduced the risk of family separation in various Member States, although concerns remain in Slovenia.
- Volunteer activities for children in accommodation centres in Slovenia are restricted by the police for security reasons.

- In Italy, registration of new arrivals often occurs without the presence of NGOs or guardians, making it difficult to identify children at risk.
- Many unaccompanied children in Austria stay in initial reception centres due to delays by the provinces in accepting children.

## Legal, social and policy response

- Austria extends internal border checks until mid-February 2016.
- Pro or anti-migrant rallies take place in Austria, Bulgaria, Germany and Slovenia, with clashes in Austria. In Bulgaria, the terrorist attacks in Paris resulted in increased anti-migrant attitudes.
- Several racist incidents are reported in Germany. For example, an asylum seeking woman who was eight months pregnant was knocked down by a group of three minors and hospitalised.
- Germany announces to stop the fast-track asylum procedures for Syrians and resort to individual assessments, while concerns emerge on the role of interpreters who have been made responsible to check the identity of applicants.

# Austria

## Stakeholders contacted

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

- Federal Ministry of the Interior: Department II/2, Operational Affairs (*Bundesministerium für Inneres/Abteilung II/2 Einsatzangelegenheiten*) and Department III/9 (*Bundesministerium für Inneres, Abteilung III/9 Grundversorgung und Bundesbetreuung*);
- Federal Agency for State Protection and Counter Terrorism (*Bundesamt für Verfassungsschutz und Terrorismusbekämpfung, BVT*);
- Provincial Police Department Styria (*Landespolizeidirektion Steiermark*);
- Anti-Discrimination Bureau Styria (*Antidiskriminierungsstelle Steiermark*);
- Caritas Austria (*Caritas Österreich*);
- Caritas Styria (*Caritas Steiermark*);
- Red Cross Austria (*Rotes Kreuz Österreich*);
- Worker's Samaritan Federation (*Arbeiter-Samariterbund*).

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

### Numbers and patterns of new arrivals

Up to 8,000 people arrived daily in Austria during the reporting period.<sup>1</sup> The ferry strike in Greece led to an interim decrease of arrivals in Spielfeld.<sup>2</sup> Since the end of this strike, Austria faces a new increase of arrivals.<sup>3</sup> Many families with children continue arriving in and are *en route* to Austria.<sup>4</sup>

Most people come from Syria, Afghanistan and Iraq,<sup>5</sup> but also from Iran.<sup>6</sup>

People cross the border to Austria at the border crossing points in Spielfeld (Styria), Bad Radkersburg (Styria) and Rosenbach (Carinthia).<sup>7</sup> The situation in Bad Radkersburg is calm, as the further transport from this border crossing point functions quickly.<sup>8</sup>

### Asylum applications and registration

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<sup>1</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>2</sup> Caritas Styria.

<sup>3</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>4</sup> Caritas Styria; Worker's Samaritan Federation and Red Cross Austria.

<sup>5</sup> Caritas Styria, Red Cross Austria.

<sup>6</sup> Provincial Police Department Styria.

<sup>7</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs; Provincial Police Department Styria; Red Cross Austria; Worker's Samaritan Federation.

<sup>8</sup> Caritas Styria.

Asylum applications decreased during the reporting period to approximately 2,900.<sup>9</sup>

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

No criminal administrative proceedings have been filed yet.<sup>10</sup> People do not cross the green border, but use the border crossing points.<sup>11</sup>

### **Other**

The decrease in the number of new arrivals caused by the ferry strikes in Greece was used by the organisations on site for cleaning and construction work in Spielfeld, where barriers to better organise and guide the movements of people across the border have been upgraded.<sup>12</sup>

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

Nothing new to report.

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

### **Reception conditions and capacity**

Providing shelter to asylum seekers and people in transit continues to be the main challenge in Austria.<sup>13</sup> Except for vulnerable people, all other asylum seekers who cannot be provided with shelter are sent away from the initial reception centres run by the Federal State.<sup>14</sup> As a consequence, mainly single men end up in transit quarters or face the risk of becoming homeless.<sup>15</sup> Numerous people that are already in the asylum procedure thus continue residing in the transit quarters, which limits the capacities available for new arrivals.<sup>16</sup>

In the transit quarter in Graz/Webling (Styria), for instance, asylum seekers block the capacities of transit quarters and emergency accommodation.<sup>17</sup> The number of asylum seekers staying there for two to three weeks fluctuates between 300 and 500 persons.<sup>18</sup> Tensions between different groups of asylum seekers in transit

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<sup>9</sup> Website of the Federal Ministry of the Interior, available at: [www.bmi.gv.at/cms/bmi\\_asyl\\_betreuung/news/bmi.aspx](http://www.bmi.gv.at/cms/bmi_asyl_betreuung/news/bmi.aspx) (All hyperlinks were accessed on 17 November 2015)

<sup>10</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs; Provincial Police Department Styria.

<sup>11</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>12</sup> Caritas Styria.

<sup>13</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs; Worker's Samaritan Federation.

<sup>14</sup> Red Cross Austria.

<sup>15</sup> Red Cross Austria.

<sup>16</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>17</sup> Caritas Austria.

<sup>18</sup> Caritas Styria.

quarters continue to be a problem.<sup>19</sup> There were incidents among persons staying in transit quarters in Graz/Webling and among the persons arriving in Spielfeld. Those incidents took the form of verbal, as well as physical confrontations.<sup>20</sup>

Asylum seekers also face the risk of homelessness. In Upper Austria, for instance, around 200 homeless asylum seekers contacted Caritas. Sometimes these people are accommodated by private persons for the night.<sup>21</sup>

Medical checks of asylum applicants, including chest X-rays for tuberculosis, are still not performed in a timely manner. Therefore, these persons cannot be transferred to the provinces for accommodation.<sup>22</sup> A lack of human resources is assumed to be the problem.<sup>23</sup> Furthermore, there are too few places of accommodation in the provinces.<sup>24</sup>

During the weekend, challenging situations arose in Spielfeld, when many people arrived from Slovenia at the same time.<sup>25</sup>

### **Child protection**

Due to delays by the Provinces, many unaccompanied children remain hosted together with adults in initial reception centres run by the Federal State. One of the reasons for this are the higher quality standards that have to be fulfilled by the centres hosting children.<sup>26</sup> Approximately 2800 unaccompanied minor refugees are being taken care of in the establishments of the Federal State.<sup>27</sup> An example for this challenge is the centre in Traiskirchen, where approximately 1500 (out of the 1820 persons this centre is officially permitted for) are unaccompanied children.<sup>28</sup>

### **Healthcare**

Persons arriving continue suffering common colds.<sup>29</sup>

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

### **Rallies and incidents**

On 15 November, two rallies took place in Spielfeld.<sup>30</sup> The larger rally comprised about 1,000 persons and was organised by the *Identitäre Bewegung Österreichs*

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<sup>19</sup> Red Cross Austria.

<sup>20</sup> Caritas Styria.

<sup>21</sup> Caritas Austria.

<sup>22</sup> Caritas Austria; Caritas Styria.

<sup>23</sup> Caritas Austria.

<sup>24</sup> Caritas Styria.

<sup>25</sup> Caritas Styria.

<sup>26</sup> Federal Ministry of the Interior, Department III/9.

<sup>27</sup> Federal Ministry of the Interior, Department III/9.

<sup>28</sup> Federal Ministry of the Interior, Department III/9.

<sup>29</sup> Red Cross Austria.

<sup>30</sup> Federal Agency for State Protection and Counter Terrorism; Caritas Austria; Caritas Styria.

(IPÖ).<sup>31</sup> The participants called for a change of the asylum policy. Persons from Slovenia attended this rally as well.<sup>32</sup> A violent-prone, anti-Fascist counterdemonstration was held at the same time, comprising about 500 people. The participants of the counterdemonstration did not respect the ban on face coverings.<sup>33</sup> They also left the route, which had been authorised by the authorities.<sup>34</sup> There were confrontations between the participants of the demonstrations.<sup>35</sup> Property damage was done to 80 cars. Investigations by the police are ongoing.<sup>36</sup>

During the reporting period, a xenophobic banner saying "It's enough for us – Refugees: no thank you – Resistance" (*"Uns reicht – Flüchtlinge nein danke - Widerstand"*) and including the Austrian flag was attached on a bridge over a highway (S33) in Lower Austria.<sup>37</sup>

During the night of 10 November, graffiti saying "Tyrol is being islamised" (*"Tirol wird islamisiert"*) have been painted on walls in Kufstein (Tyrol).<sup>38</sup>

The population in Spielfeld is divided on the present situation. The discussion about the establishment of a "border fence" led to a polarisation among the population there.<sup>39</sup>

There is still also a positive atmosphere among the Austrian population in general,<sup>40</sup> but postings against refugees increased during the reporting period in Styria.<sup>41</sup>

### **NGO humanitarian activities**

Caritas receives a steady amount of negative and positive feedback from the population.<sup>42</sup> Reactions from the population remain the same – there are hostilities as well as support.<sup>43</sup>

### **Voluntary initiatives**

Many volunteers continue to provide help.<sup>44</sup> Voluntary helpers are coming to their limits.<sup>45</sup>

### **Other activities**

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

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

<sup>33</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>34</sup> Federal Agency for State Protection and Counter Terrorism; Caritas Styria.

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

<sup>36</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>37</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>38</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>39</sup> Red Cross Austria.

<sup>40</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>41</sup> Anti-Discrimination Bureau Styria.

<sup>42</sup> Caritas Austria.

<sup>43</sup> Caritas Styria.

<sup>44</sup> Red Cross Austria.

<sup>45</sup> Worker's Samaritan Federation.

The recent terror attacks in Paris could put a new spotlight on the influx of migrants.<sup>46</sup> Proper communication of information on the media is regarded as important.<sup>47</sup>

Red Cross reported, that there are no longer inquiries in its Tracing and Message Service. Due to the new guidance system in Spielfeld, consisting of adaptations made to the barriers, family members do not lose each other anymore.<sup>48</sup>

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

Austria decided to establish technical protection at the Styrian border in Spielfeld,<sup>49</sup> which, according to media reports, shall take the form of a 3.7 km long fence.

Austria decided to prolong the border checks that have been introduced on 15 September 2015 until mid-February 2016.<sup>50</sup> This was done by way of a notification to the EU and a decree by the Federal Ministry of the Interior on the Border Control Act (*Grenzkontrollgesetz*).<sup>51</sup>

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<sup>46</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>47</sup> Worker's Samaritan Federation.

<sup>48</sup> Red Cross Austria.

<sup>49</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs; Caritas Styria.

<sup>50</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.

<sup>51</sup> Federal Ministry of the Interior/Department II/2, Operational Affairs.



# 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 marked a significant decrease. About 100 people were apprehended at the border with Turkey and one person at the border with Greece, including 11 women and 26 children. In terms of nationality, the new arrivals were from Afghanistan, Iraq, Pakistan and Syria.<sup>52</sup>

### Asylum applications and registration

Also the number of applicants for asylum marked a slight decrease during the reporting week. Approximately 550 persons applied for international protection – including some 130 children – mostly originating from Iraq and Afghanistan.<sup>53</sup>

### Criminal proceedings against irregular border crossing

The Prosecutors' Offices throughout the country continue reporting on criminal proceedings related to irregular border crossing and supporting activities. One person was charged with aiding people to illegally pass through the country. The

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<sup>52</sup> Ministry of the Interior, Directorate General Border Police.

<sup>53</sup> State Agency for Refugees.

person was caught driving in a van 33 persons from Syria and Iran, including children, who had entered the country without documents.<sup>54</sup> After agreement between the defendant and the prosecutor, a final sentence was reached in Burgas for a person having driven six persons from Afghanistan by car. The person was sentenced to 10 months of imprisonment (suspended sentence with three year probation period), and a fine of BGN 2,500 (approximately € 1,250).<sup>55</sup>

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

Nothing new to report.

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

### Reception conditions and capacity

Due to the decreased number of new arrivals, overcrowding is no longer a problem in the special homes for temporary accommodation of foreigners. During the reporting week, in the Special Home for Temporary Placement of Foreigners in Lyubimets, 65 new people were accommodated, whilst 215 people were released. The occupancy rate in the facility is 81 % of its capacity.<sup>56</sup>

The Ovcha kupel reception centre managed by the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) continues functioning without central heating and hot water due to an installation breakdown. The centre's administration is working on solving the problem, but it remains unclear when heating will be restored.<sup>57</sup>

As of 13 November, 78 people were accommodated in the Voenna Rampa reception centre in Sofia.<sup>58</sup>

Oxfam International published a report based on the testimonies of people crossing the Bulgarian-Serbian border.<sup>59</sup> The report cites allegations of abuse and ill-treatment by the Bulgarian authorities, exploitation by smugglers and poor

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<sup>54</sup> Prosecutor's Office of the Republic of Bulgaria, 'The Regional Prosecutor's Office in Stara Zagora investigates aiding 33 persons from Syria and Iran to pass through the country undocumented' (*Районна прокуратура-Стара Загора извършва разследване за подпомагане на 33 граждани от Сирия и Иран да преминат през страната без документи*), Press release, 16 November 2015, available at: [www.prb.bg/bg/news/aktualno/rajonna-prokuratura-stara-zagora-izvrshva-razsledvane/](http://www.prb.bg/bg/news/aktualno/rajonna-prokuratura-stara-zagora-izvrshva-razsledvane).

<sup>55</sup> Prosecutor's Office of the Republic of Bulgaria, 'The Regional Prosecutor's Office in Burgas reached for a month a sentence for a man, having driven six men from Afghanistan' (*Районна прокуратура-Бургас постигна за месец осъдителна присъда за мъж, превозвал в автомобил 6 мъже от Афганистан*), Press release, 13 November 2015, available at: [www.prb.bg/bg/news/aktualno/rajonna-prokuratura-burgas-postigna-za-mesec-osdit/](http://www.prb.bg/bg/news/aktualno/rajonna-prokuratura-burgas-postigna-za-mesec-osdit/).

<sup>56</sup> Special Home for Temporary Placement of Foreigners – Lyubimets.

<sup>57</sup> Bulgarian Red Cross.

<sup>58</sup> Bulgarian Red Cross.

<sup>59</sup> Belgrade Centre for Human Rights, Safe Passage: Testimony of People arriving in Dimitrovgrad, Serbia, from Bulgaria. 20-22 October 2015, Belgrade Centre for Human Rights, Belgrade, 13 November 2015, available at: [www.dropbox.com/s/8m7oruipue5ck1u/Dimitrovgrad%20Report\\_final%2011Nov.pdf?dl=0](http://www.dropbox.com/s/8m7oruipue5ck1u/Dimitrovgrad%20Report_final%2011Nov.pdf?dl=0).

conditions in the detention facilities. Volunteers working with asylum seekers assume that a significant number of cases of ill-treatment, not only by the authorities but also by ordinary Bulgarians or organised criminal groups, remain unreported as arriving persons are used to rely on themselves and may fear that reporting would delay their onward travel.<sup>60</sup>

## Child protection

The number of children in the centres of the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) continues to fall. During the reporting week, the personnel of the Ovcha kupel centre in Sofia completed the separation of the centre's third floor so that it can accommodate only unaccompanied children. As of 16 November, about 100 children live there (their number was 137 on 13 November). Unaccompanied children usually stay in the centres longer than adults. NGOs assume that this is because it is more difficult for them to find a way to leave the country.<sup>61</sup>

Socialist members of the Bulgarian and European Parliament held a conference on unaccompanied children seeking international protection on 13 November 2015. At the conference, it was announced that 1,404 children entered the country since the beginning of 2015, a drastic increase as compared to 2014. Almost half of those children are already out of the authorities' sight, some of them taken out of reception centres within hours after placement and before registration. According to the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*), no children have been placed in foster care, and those placed in other type of social care are few. The agency deemed the placement of unaccompanied children in the reception centre in Banya a mistake as the location was very isolated.<sup>62</sup>

Caritas Bulgaria (*Каритас България*), the volunteers from Cooperation for Volunteer Service (CVS) Bulgaria, as well as the Harmanli Refugee Camp Play School continue to hold art and language sessions in Sofia and Harmanli.<sup>63</sup> The classes in the Voenna rampa centre are attended by some 3-4 children. Caritas Bulgaria provides assistance to one family residing in the Voenna Rampa centre who expressed their intention to settle in Bulgaria and enrol their child in a regular school.<sup>64</sup>

## Healthcare

The most widespread health problems among asylum seekers continue to be scabies and parasites such as lice and fleas. The lack of hot water in Ovcha kupel complicates these problems.<sup>65</sup>

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<sup>60</sup> Refugee Support Group.

<sup>61</sup> Bulgarian Red Cross.

<sup>62</sup> Bulgaria, Bulgarian Socialist Party, 'Mihail Mikov: Europe should take care of child refugees' (*Михаил Миков: Европа трябва да се погрижи за децата бежанци*), Press release, 13 November 2015, available at: [http://bsp.bg/news/view/9138-mihail\\_mikov\\_evropa\\_tryabva\\_da\\_se\\_pogriji\\_za\\_detsata\\_bejantsi.html](http://bsp.bg/news/view/9138-mihail_mikov_evropa_tryabva_da_se_pogriji_za_detsata_bejantsi.html); Sega Daily, 'Hundreds of children disappear under the nose of the refugee agency' (*Сотици деца изчезват под носа на агенцията за бежанците*), 14 November 2015, available at: [www.segabg.com/article.php?id=778177](http://www.segabg.com/article.php?id=778177).

<sup>63</sup> Caritas Bulgaria.

<sup>64</sup> Caritas Bulgaria.

<sup>65</sup> Caritas Bulgaria.

During the reporting week, there were no cases of respiratory problems or health problems of children.<sup>66</sup>

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

### Rallies and incidents

The terrorist attacks in Paris on 13 November resulted in increased manifestation of anti-migrant attitudes. On 22 November 2015, a rally was organised through the social networks under the slogan “Illegal migrants out of Bulgaria! Resignation of the puppet government!” (*Вън нелегалните имигранти от България! Оставка на марионетното правителство!*).<sup>67</sup> The event was supported by a Facebook group with a similar name “Illegal Islamist migrants out of Bulgaria” (*Вън нелегалните имигранти - ислямисти от България*). The group is supported by almost 3,000 Facebook users.<sup>68</sup>

### NGO humanitarian activities

NGOs refrain from announcing new humanitarian campaigns and activities due to the decreasing number of people in need. The donations collected under the previously reported Sofia Holistic Coworking Company's<sup>69</sup> humanitarian campaign will be transported to the refugee camp in Dimitrovgrad, Serbia, because people residing in Bulgaria do not want to use the donated items in their urge to leave while at the same time there is an increased need of such items in the camp in Dimitrovgrad.<sup>70</sup>

### Other activities

The Bulgarian Red Cross (BRC) (*Български червен кръст, БЧК*) organised an information campaign in the Harmanli reception centre to promote its programme for covering the rent of people who have already obtained an international protection status and want to leave the centres and live at external addresses. The programme is running under an agreement between the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) and the Bulgarian Red Cross (BRC) (*Български червен кръст, БЧК*) signed in July 2015, when the agency's reception centres were overcrowded. The programme is funded by the European Commission as part of the urgent measures for handling the refugee crisis.<sup>71</sup> By 16 November 2015, only six persons benefitted from the programme

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<sup>66</sup> Bulgarian Red Cross.

<sup>67</sup> Refugee Support Group. For more information, see: [www.facebook.com/events/1668206523398670/](http://www.facebook.com/events/1668206523398670/).

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

<sup>69</sup> Refugee Support Group. For more information, see the website of the Sofia Holistic Coworking Company, [www.soho.bg/](http://www.soho.bg/).

<sup>70</sup> Refugee Support Group. For more information, see the Facebook page of the Sofia Holistic Coworking Company, [www.facebook.com/sohosofia/posts/926369387448594](http://www.facebook.com/sohosofia/posts/926369387448594).

<sup>71</sup> Bulgarian Red Cross, BRC will provide housing to refugees with the financial support of the European Commission (*БЧК ще осигурява места за настаняване на бежанци със средства от Европейската комисия*), Press release, 22 July 2015, available at: [www.redcross.bg/news/view.html?nid=21993](http://www.redcross.bg/news/view.html?nid=21993).

because international protection holders prefer to remain at the reception centres for financial reasons. The information campaign in Harmanli was evaluated as unsuccessful because protection holders refused to leave the centre.<sup>72</sup>

On 14 November 2015, the Anglo-American School of Sofia (*Англо-американско училище в София*) and the Bulgarian Red Cross (BRC) (*Български червен кръст, БЧК*) organised a sports event for refugee children. The event took place in the school and brought together about 20 children between 6 and 14 years.<sup>73</sup>

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

### *Policy developments*

Following the Paris terrorist attacks, the Ministry of the Interior (MoI) (*Министерство на вътрешните работи, МВР*) and the State Agency for National Security (SANS) (*Държавна агенция „Национална сигурност“, ДАНС*) started an operation against irregular migration. As of the morning of 15 November, 315 migrants in an irregular situation were identified, 620 locations, 7,114 persons and 3,231 vehicles were checked. Ten persons from the list of persons wanted by the police were detained and eleven persons' participation in people smuggling was established. A total of 287 people were put under 24 hour police detention. The operation took place in Burgas, Yambol, Haskovo, Pazardzhik, Sofia, Vratsa, Montana and Vidin.<sup>74</sup>

The Border Police Directorate General (BPDG) (*Главна дирекция „Гранична полиция“, ГДГП*) warned about traffic strains due to the introduction of temporary 100 % control at the EU external borders in Bulgaria. Document processing is expected to be slower at border crossing points with Turkey, Macedonia, Serbia, as well as at Sofia Airport. Bulgarian citizens were invited to 'reconsider' their travel plans, if possible.<sup>75</sup>

### *Legal developments*

The Ministry of the Interior (MoI) (*Министерство на вътрешните работи, МВР*) presented draft amendments to the Foreigners in the Republic of Bulgaria Act (*Закон за чужденците в Република България*). The amendments concern the regulation of the status of stateless persons in accordance with the UN Convention on statelessness, which Bulgaria ratified in 2012. Status will be granted via proceedings before the Migration Directorate (*дирекция „Миграция“*). They include an application by the person, his/her parents/guardians or even vulnerable group support organisation for unaccompanied children, and two sets of

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

<sup>73</sup> For more information, see the report about the event on the Facebook page of the Bulgarian Red Cross, [www.facebook.com/media/set/?set=a.737678813031305.1073741847.503873559745166&type=3](http://www.facebook.com/media/set/?set=a.737678813031305.1073741847.503873559745166&type=3).

<sup>74</sup> Mediapool Online, 'Over 300 illegal foreigners found during an operation by MoI and SANS' (*Над 300 незаконни чужденци открити у нас в спецакция на МВР и ДАНС*), 15 November 2015, available at: [www.mediapool.bg/nad-300-nezakonni-chuzhdentsi-otkriti-u-nas-v-spetsaksiya-na-mvr-i-dans-news241825.html](http://www.mediapool.bg/nad-300-nezakonni-chuzhdentsi-otkriti-u-nas-v-spetsaksiya-na-mvr-i-dans-news241825.html).

<sup>75</sup> Ministry of the Interior, 'Border Police Directorate General: traffic strains are expected due to temporary 100 % control at EU external borders in Bulgaria' (*ГД „Гранична полиция“ – Очаква се натоварване на пътническия поток поради въвеждането на временен 100-процентов контрол на външните за ЕС граници на Р България*), Press release, 14 November 2015, available at: [http://press.mvr.bg/NEWS/news151114\\_03.htm](http://press.mvr.bg/NEWS/news151114_03.htm).

interviews. The refusal to grant status or the termination of proceedings can be appealed against in administrative proceedings. Stateless persons will be issued special ID papers.<sup>76</sup>

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<sup>76</sup> Ministry of the Interior, 'Draft Amendments and Supplements to the Foreigners in the Republic of Bulgaria Act' (*Закон за изменение и допълнение на Закона за чужденците в Република България*), 9 November 2015, available at: [www.mvr.bg/RegulatoryFramework/zakonoproekti.htm](http://www.mvr.bg/RegulatoryFramework/zakonoproekti.htm).

# 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*);
- Welcome Initiative (*Inicijativa Dobrodošli*).

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

Number of new arrivals increased during the reporting period, which was directly caused by the ending of the ferry strike in Greece.<sup>77</sup>

During the reporting period, more than 33,000 people crossed the border to Croatia, almost 7,700 daily, entering primarily from the Serbian side.<sup>78</sup> The majority were Syrian nationals, followed by Afghani and Iraqi nationals. Children constituted around 15 % of the new arrivals.

The border sector most affected was Tovarnik.<sup>79</sup>

### **Asylum applications and registration**

No information could be collected on whether any of the new arrivals applied for asylum. As in the past weeks, all new arrivals were registered.<sup>80</sup>

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

There were no criminal proceedings against irregular border crossing detected.

### **Returns**

There were no returns based on the third safe country rule.<sup>81</sup>

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<sup>77</sup> Welcome Initiative.

<sup>78</sup> Ministry of the Interior, Department for Illegal Migration.

<sup>79</sup> Welcome Initiative.

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

<sup>81</sup> Ministry of the Interior, Department for Illegal Migration.

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

Nothing new to report.

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

### Reception conditions and capacity

The Welcome Initiative noted that the Slavonski Brod camp was only equipped for a shorter stay of new arrivals, not adequate for a longer stay.<sup>82</sup> During the reporting week, coordination and mutual cooperation of all NGOs working in the camp generally improved resulting in an overall enhanced functioning of the Slavonski Brod camp.<sup>83</sup> However, information was not adequately shared during the change of shifts of the police officers, and between volunteers of international organizations.<sup>84</sup> The number of volunteers ranged between 191 and 250 per day. At times of bigger influx of people, three out of four sectors were completely full and there was not enough space in the heated containers for vulnerable groups.<sup>85</sup> Caritas was expected to provide 575 additional beds, but these were not delivered during the reporting week. The duration of stay in the camp ranged between four and six hours (except during nights, when it was longer), during which time people receive food, blankets and can take a shower in the sectors. People were welcomed to stay longer periods if they wished to take a rest.<sup>86</sup>

Volunteers present in the camp noted that trains leaving the camp were overcrowded.<sup>87</sup>

During the reporting week, the distribution of clothes was inefficient (clothes were distributed on an individual basis only if volunteers detected someone in need of clothes): this was discussed at the daily NGO coordination meetings, and International Humanitarian Aid (IHA) proposed to test a new system which would enable every person to get the necessary clothing. The International Organization for Migration (IOM) will provide additional mobile phone chargers in the forthcoming weeks to each sector (80–120 in each sector) in order to enable people accommodated in sectors to contact their families.<sup>88</sup> At the daily coordination meeting of NGOs, it was emphasized that some people in the camp were illiterate and that information provided to them at the camp entrance and in the sectors should also include pictograms.<sup>89</sup>

During the reporting week, many people did not receive blankets; the explanation of the Ministry of the Interior staff in the camp was that they did not have enough blankets for all the new arrivals, as they were saving some for vulnerable groups

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<sup>82</sup> Welcome Initiative.

<sup>83</sup> Welcome Initiative.

<sup>84</sup> Ombudsman's Office, National Preventive Mechanism.

<sup>85</sup> Welcome Initiative.

<sup>86</sup> Ombudsman's Office, National Preventive Mechanism.

<sup>87</sup> Welcome Initiative.

<sup>88</sup> Welcome Initiative.

<sup>89</sup> Welcome Initiative.



and for bigger influxes when some people would have to be accommodated in the fourth sector without heated tents. The Ministry of the Interior staff also emphasized that they expect a new delivery of blankets from UNHCR.<sup>90</sup> On a positive note, blankets and towels were washed and reused, which was organized by a Samaritans group.<sup>91</sup>

Lights in the camp were turned on later than they should have been, i.e. only after darkness.<sup>92</sup>

Since the camp was moved to Slavonski Brod, NGOs started to occasionally play music through a megaphone system, which proved to be a very good practice enabling people to relax and feel more welcomed in the camp. At the coordination meeting, NGOs decided to continue with this practice more often.<sup>93</sup>

## **Child protection**

On 10 November, the Ombudsman's Office and the Disability Ombudsman Office delegation paid a visit to the Slavonski Brod camp. The delegation noted that if families were separated during the train ride from the border to the camp, separated family members could wait for the rest of their family in the waiting facilities of the Slavonski Brod camp. An application enabling family reunification was also available to be downloaded for Facebook and androids.

The screening of vulnerable groups during the registration process should be improved. Only disabled people and families with babies up to three months do not need to wait in line and have priority access at registration, while families with toddlers do not - to which issue the delegation alerted the Ministry of the Interior.<sup>94</sup> The problems concerning the screening of vulnerable persons during the registration process and the difficulties NGOs encounter while attempting to identify them inside the sectors were reiterated.

The Ministry of Social Policy and Youth reported a case of an unaccompanied boy from Afghanistan who travelled from Afghanistan to Croatia without his family who stayed in Afghanistan. The boy was placed in a children's home in Zagreb and assigned a special guardian. The Dublin III procedure<sup>95</sup> was initiated with the view of reuniting the boy with his relatives in Sweden.<sup>96</sup>

## **Healthcare**

During the reporting week, the provision of healthcare was inadequate due to the fact that medical staff provided by the Ministry of Health was not present in the sectors, but stationed in their containers outside accommodation sectors, and could be accessed only in case of health emergencies.<sup>97</sup> On the other hand,

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<sup>90</sup> Welcome Initiative.

<sup>91</sup> Ombudsman's Office, National Preventive Mechanism.

<sup>92</sup> Ombudsman's Office, National Preventive Mechanism.

<sup>93</sup> Welcome Initiative.

<sup>94</sup> Ombudsman's Office, National Preventive Mechanism.

<sup>95</sup> Regulation (EU) No. 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast), OJ 2013 L 180/31.

<sup>96</sup> Ministry of Social Policy and Youth, Minister's cabinet.

<sup>97</sup> Ombudsman's Office, National Preventive Mechanism; Welcome Initiative.

medical staff provided by the NGO MAGMA was continuously present in the sectors and were proactively communicating directly with the people accommodated in the tents in order to check if there was a need for medical assistance.<sup>98</sup> Such a proactive approach proved to be much more efficient and need based and was recommended by NGOs and volunteers to the Ministry of Health. After this intervention towards the Ministry of Health, volunteers have spotted medical staff of the Ministry of Health also inside the sectors, which could indicate that the Ministry of Health has changed its practice from stationary to a more proactive approach in providing medical assistance.<sup>99</sup> During the reporting period, an on-site clinic became functional, as a result of which people were not taken into hospital for less serious treatments such as IV therapy.<sup>100</sup>

According to the Migrants' Health Protection report, published by the Ministry of Health, in the period from 9 November (at 6 am) until 16 November (at 6 am), there were 35 emergency medical interventions, all of which were referred to further treatment at the *in situ* clinic. One emergency medical team was present on a daily basis. There were 1,430 interventions of family medical teams in total handled by four medical teams per day, of which 18 people were referred to further treatment. Forty people were treated in the camp clinic, and two were held and discharged. In total, from 16 September until 16 November (at 6 am), the Ministry of Health provided 18,138 interventions.<sup>101</sup>

### **Immigration detention**

There were no cases of immigration detention.

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

### **Rallies and incidents**

There were no particular incidents detected during the reporting period, but the Centre for Peace Studies, which coordinates the Welcome Initiative, received a number of hate messages after the terrorist attacks in Paris blaming refugees and all NGOs and volunteers who were helping them for the attacks. It is very probable that right wing parties and their supporters will use this situation for a radicalisation of the discourse on refugees. On the other hand, mainstream media and the government sent out messages supportive towards refugees and against generalisation and creation of prejudice that refugees are terrorist trying to incite war in the EU.<sup>102</sup>

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<sup>98</sup> Welcome Initiative

<sup>99</sup> Welcome Initiative.

<sup>100</sup> Ombudsman's Office, National Preventive Mechanism.

<sup>101</sup> Ministry of Health, Number of available medical services (*Broj pruženih zdravstvenih usluga*), available at: [www.zdravlje.hr/novosti/migrantska\\_kriza/broj\\_pruzenih\\_zdravstvenih\\_usluga](http://www.zdravlje.hr/novosti/migrantska_kriza/broj_pruzenih_zdravstvenih_usluga),

<sup>102</sup> Welcome Initiative; For a media coverage, please see, for example, Vijesti, *Milanović: 'Možemo ostati mirni, na najvišoj smo mogućoj razini pripravnosti'*, 14 November 2015, available at: [www.vijesti.rtl.hr/novosti/hrvatska/1828092/milanovic-mozemo-ostati-mirni-na-najvisoj-smo-mogucj-razini-pripravnosti/](http://www.vijesti.rtl.hr/novosti/hrvatska/1828092/milanovic-mozemo-ostati-mirni-na-najvisoj-smo-mogucj-razini-pripravnosti/).

## NGO humanitarian activities

On 14 November, the Welcome Initiative and Young Antifascist women of Zagreb City have organised a Solidarity March with refugees in Zagreb. Due to the fact that only the night before the tragic terrorist attacks happened in Paris, the march was also dedicated to the commemoration of the attacks' victims. It is estimated that around 1,000 citizens joined the march and all main media covered the event. No incidents occurred during the march.<sup>103</sup> In its press release, the Welcome Initiative condemned the practice of some EU Member States of putting barb wires along their borders, one of them being Slovenia.<sup>104</sup> The Croatian Minister of the Interior stated that putting barb wire on some places alongside the Croatian-Slovenian border by Slovenia (which was done on 13 November) was not an adequate solution to protect its borders.<sup>105</sup>

On the same day, the Croatian Red Cross organised an event in the Contemporary Arts Museum in Zagreb under the motto: "After all we are more alike than different" consisting of intercultural workshops for children, concerts and lectures where citizens attending the event could donate clothes and food for refugees.<sup>106</sup>

## Other activities

Many people from the Slavonski Brod area who were previously unemployed for a longer period of time got temporary jobs of cleaning the camp and an area around the train tracks.<sup>107</sup>

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

Nothing new to report.

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<sup>103</sup> Welcome Initiative.

<sup>104</sup> Welcome Initiative.

<sup>105</sup> Aljazeera Balkans, *Ostojić želi poslati lovce na slovensku granicu*, 13 November 2015, available at: <http://balkans.aljazeera.net/vijesti/ostojic-zeli-poslati-lovce-na-slovensku-granicu>; Novilist, *Slovenija i Austrija zatvaraju svoje granice; Slovenski pisci: I za 50 godina će nas suditi po ovoj ogradi*, 14 November 2015, available at: [www.novilist.hr/Vijesti/Svijet/Slovenija-i-Austrija-zatvaraju-svoje-granice-Slovenski-pisci-I-za-50-godina-ce-nas-suditi-po-ovoj-ogradi](http://www.novilist.hr/Vijesti/Svijet/Slovenija-i-Austrija-zatvaraju-svoje-granice-Slovenski-pisci-I-za-50-godina-ce-nas-suditi-po-ovoj-ogradi)

<sup>106</sup> Welcome Initiative.

<sup>107</sup> Ombudsman's Office, National Preventive Mechanism.

# 1. Germany

## Stakeholders contacted

The interviews were conducted by phone and email with the following stakeholders:<sup>108</sup>

- Refugee Council Schleswig Holstein (*Flüchtlingsrat Schleswig Holstein*);
- Refugee Council Bavaria (*Flüchtlingsrat Bayern*);
- Independent Commissioner for Child Sex Abuse Issues (*Unabhängiger Beauftragter für Fragen des sexuellen Kindesmissbrauchs*);
- German Red Cross (*Deutsches Rotes Kreuz e. V.*);
- Medibüro – Office for Medical Assistance for Refugees in Berlin (*Medibüro - Büro für medizinische Flüchtlingshilfe, Berlin*) – NGO facilitating anonymous and free of charge medical treatment for undocumented migrants and refugees.

In addition, media reports and public announcements of federal authorities 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

A significant number of people continue to enter Germany from Austria, although under improved conditions: during the week preceding the reporting week, Austria and Germany agreed on new entry procedures at specific border crossing points.<sup>109</sup> These measures were taken to prevent persons in need of international protection from waiting and walking in the cold. An organised border crossing of 50 persons per hour by bus is taking place.<sup>110</sup>

### Asylum applications and registration

The vast majority of new arriving persons in need of international protection want to be registered and apply for asylum. Due to the high amount of new arriving persons in need of international protection, considerable time elapses until the asylum registration and application procedure can take place. Many persons in need of international protection are being distributed from the Bavarian border region to other Federal States before the registration in the asylum procedure takes place. After submitting the application for international protection, asylum seekers may have to wait up to two years until their asylum interview can take place. For most asylum seekers, the long waiting period is frustrating and depressing.

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<sup>108</sup> The following text does not make reference to individual interviews.

<sup>109</sup> UNHCR, *Europe's Refugee Emergency Response #9*, 30 October - 5 November 2015.

<sup>110</sup> Bayerischer Rundfunk, *Weniger Flüchtlinge reisen ein*, 5 November 2015, available at: [www.br.de/nachrichten/niederbayern/inhalt/fluechtlinge-grenze-118.html](http://www.br.de/nachrichten/niederbayern/inhalt/fluechtlinge-grenze-118.html)

## 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**

Nothing new to report.

### **Child protection**

In many accommodation centres, special care is taken to ensure that children have playing opportunities (e.g. a playground) and the best interests of the child are protected.

However, a structural problem relates to the fact that there is no requirement to examine whether the conditions at newly established centres consider the best interests of the child. Therefore, the consideration of the best interests of the child remains a matter of chance and depends on the awareness and willingness of the employees at the reception centres. As a general rule, children face higher risks in overcrowded reception centres. There is often insufficient protection against sexual assaults as toilets are often not located in central places and partition walls are not available in sufficient numbers. During 2015, there have been numerous reported cases of sexual assaults against children in reception centres allegedly committed by security staff or inhabitants of the centres. There have further been cases of forced prostitution. It is assumed that many cases remain unreported.

In September 2015, the Independent Commissioner for Child Sex Abuse Issues published a checklist of minimum standards for the protection of children against sexual violence in accommodation centres. The checklist is directed to everyone with responsibility for children, i.e. full-time and voluntary employees in reception centres. During the reporting week, 2,000 copies of the checklist have been sent to the Federal State of Hesse. The Federal State of Hesse had requested the checklist in order to distribute it to employees in the state's accommodation centres.

### **Healthcare**

Overall, the provision of basic healthcare in 440 German Red Cross accommodation centres is guaranteed. In every accommodation facility, at least a first aid post is available. The staff members in those first aid posts work on a voluntary basis. Due to the ongoing long waiting period before the registration in the asylum procedure takes place, the regular state health coverage for asylum seekers according to the "*Asylbewerberleistungsgesetz*" is not available for the non-registered people seeking international protection, who constitute a large portion. Non-registered persons can therefore not consult a doctor. Only in emergency cases hospitals are obliged to provide medical treatment to those persons. This has led to the fact that a medical treatment in an emergency room of a Berlin hospital is the only possibility for a "professional" medical ad hoc

treatment for non-registered people. As a consequence, emergency rooms are totally overcrowded, and non-registered people come again and again as a follow-on treatment cannot be provided in hospitals or in a doctor's practice.

Doctors who take over the medical treatment in Berlin accommodation centres complained that they do not have enough working space for an adequate treatment of their patients. They have to work in between beds. This violates the patients' rights including their privacy. For safety reasons, partition walls and other textile sight protection providing a minimum of privacy have to be taken off during day time.

### **Immigration detention**

Nothing new to report.

### **Other**

The German Red Cross demands the legal status of volunteers engaged in refugee accommodation centres to be improved so that they are treated in the same manner as volunteer firefighters. As opposed to firefighters, volunteers engaged in the current "refugee crisis" are not entitled to compensation and leave from work. This is what firefighters can claim while a "permanent disaster" occurs.

According to a provisional extensive data collection of the Federal Criminal Police Office, crimes committed by migrants are on a low level. On the other hand, crimes committed by right wing radicals are increasing dramatically.<sup>111</sup>

In Schleswig Holstein, still many persons in need of international protection on their way to Sweden are waiting for a place on a ferryboat to Sweden. During the reporting week, many volunteers were still working hard to provide accommodation to the persons concerned.

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

### **Rallies and incidents**

On Monday 9 November (the anniversary date of the 1938 Nazi pogrom night), two hostile right-wing demonstrations in Dresden and in Leipzig took place. In Dresden, between 7,000 and 8,500 participants gathered for the right-wing PEGIDA movement. In Leipzig, between 400 and 500 supporters of the right-wing LEGIDA movement participated.

Under the motto "Heart instead of agitation against foreigners" ("*Herz statt Hetze*"), a counter demonstration in Dresden with 4,000–6,000 participants including

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<sup>111</sup> Press release of the Federal Ministry of the Interior, *Erstes Lagebild im Kontext von Zuwanderung*, 13 November 2015, available at: [www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2015/11/lagebild1-im-kontext-zuwanderung-2015.html](http://www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2015/11/lagebild1-im-kontext-zuwanderung-2015.html)

representatives of the Jewish society and the Saxony government took place. Also in Leipzig, a counter demonstration with 1,700–2,500 participants took place.<sup>112</sup>

According to an answer of the Federal Government to a parliamentary request, nearly 500 right-wing attacks on party offices occurred in the past five years. Most of them were directed against the Leftist Party (*DIE LINKE*).<sup>113</sup>

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

During the parliamentary session (*Bundestagssitzung*) on 11 November, the Minister of the Interior confirmed that as of 21 October 2015, Germany stopped to apply the Dublin III sovereignty clause (*Selbsteintrittsrecht*) for all Syrians in need of international protection. Instead the Federal Office for Migration and Refugees returned to an individual Dublin III assessment for Syrians. The application of the sovereignty clause for all Syrians has been practiced due to the mass influx of Syrians since August 2015.<sup>114</sup>

During the reporting week, the staff council of the Federal Agency of Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*, BAMF) released a public letter addressed to the Head of the BAMF. In the letter, the staff council criticised the fact that during the so called “written asylum procedure”, which is currently being practised in cases of Syrians and Iraqis to speed up the procedure, an adequate ID check is missing. Instead, the ID check responsibility is given to interpreters. In most cases, those interpreters do not originate from Syria or Iraq. According to the staff council this violates the rule of law.<sup>115</sup>

On 13 November, the Federal Ministry of Education and Research announced to provide 100 million Euros for the integration of refugees to universities. A package of measures including the implementation of counselling services, language courses and an accelerated procedure will be adopted.<sup>116</sup>

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<sup>112</sup> MDR Sachsen, *Widerstand Tausender gegen Pegida in Dresden*, 9 November 2015, available at: <http://m.mdr.de/sachsen/dresden/pegida-dresden-neunter-november100.html>

<sup>113</sup> Parliamentary request and answer, 10 November 2015, available at: [www.martinarenner.de/uploads/media/KA\\_18\\_6482\\_Angriffe\\_Parteibu\\_ros\\_2010\\_2015\\_01.pdf](http://www.martinarenner.de/uploads/media/KA_18_6482_Angriffe_Parteibu_ros_2010_2015_01.pdf)

<sup>114</sup> Protocol of the parliamentary session 11 November 2015, p. 13207, available at: <http://dip21.bundestag.de/dip21/btp/18/18135.pdf>

<sup>115</sup> Federal Agency of Migration and Refugees, Public letter, 11 November 2015, available at: [www.tagesschau.de/inland/brandbrief-bamf-105~\\_origin-f6ce9f91-72e7-44f4-8685-ac9f20fbdf5e.pdf](http://www.tagesschau.de/inland/brandbrief-bamf-105~_origin-f6ce9f91-72e7-44f4-8685-ac9f20fbdf5e.pdf)

<sup>116</sup> Federal Ministry of Education and Research, *Maßnahmenpaket für Flüchtlinge: Leichter Zugang zum Studium*, announcement 13 November 2015, available at: [www.bmbf.de/de/das-zweite-massnahmenpaket-im-ueberblick-1981.html](http://www.bmbf.de/de/das-zweite-massnahmenpaket-im-ueberblick-1981.html)

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

### Racist and related incidents

- In Trassenheide, Mecklenburg-Western Pomerania, on 15 November, a building which is planned to be used as an accommodation centre was set on fire by unknown perpetrators. The building is uninhabitable after the fire.
- In Stolpen, Saxony, on 14 November, unknown perpetrators threw stones against a building which is currently being rebuilt for the accommodation of persons in need of international protection. Six windows were broken.<sup>117</sup>
- In Crimmitschau, Saxony, on 12 November, an incendiary device and a flower pot were thrown against a residential building which is currently being used as a decentralised accommodation centre. The incendiary device immediately stopped burning when it crashed against the building. A window was broken. The police took the perpetrators into custody.<sup>118</sup>
- In Fuldetal, Hesse, on 11 November, unknown perpetrators sawed into the gas pipeline of a building which is planned to be used as an accommodation centre.<sup>119</sup>
- In Bad Belzig, Brandenburg, on 11 November, an eight months pregnant asylum seeker was knocked down by a group of three minors between 14 and 15 years of age. When she fell on the ground, the perpetrators started to kick her. The woman had to be taken to the hospital. According to the police, the woman is still in hospital (13 November 2015).<sup>120</sup>
- In Vadrup, North Rhine-Westphalia, 9 November, an empty building which is planned to be used as an accommodation centre was set on fire. The state prosecutor assumes arson.<sup>121</sup>
- In Berlin, 9 November, an unknown perpetrator shot with an air pressure gun against the window of an accommodation centre. The window did not break.<sup>122</sup>

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

<sup>118</sup> Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

<sup>119</sup> Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

<sup>120</sup> Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

<sup>121</sup> Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>

<sup>122</sup> Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>



# 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);
- International Organization for Migration (IOM)-(Διεθνής Οργανισμός Μετανάστευσης);
- Greek Council for Refugees (Ελληνικό Συμβούλιο για τους Πρόσφυγες);
- NGO METAction (ΜΚΟ ΜΕΤΑδραση);
- NGO PRAKSIS.
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## Overview of the situation in terms of size and patterns of new arrivals

### Numbers and patterns of new arrivals

The number of new arrivals by sea has decreased compared to the previous week, a fact attributed to adverse weather conditions.<sup>123</sup> Furthermore, the decreasing number is also due to the technical problems in registration. Registered daily arrivals in all sea locations ranged between 4,500–5,000 people,<sup>124</sup> including mostly Syrians, Afghans and Iraqis.<sup>125</sup> Most arrived in Lesbos, Chios, Samos, Kos, Leros, Kalymnos and Rhodes.

For the reporting period, 102 incidents were reported when the Hellenic Coastguard had to take action. These incidents included 24 boats and 1 ship.<sup>126</sup> The incidents were related either to ungovernable or waterlogged boats. The Hellenic Coastguard continues to conduct search and rescue operations on a daily

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<sup>123</sup> UNHCR Greece.

<sup>124</sup> Ministry for Migration Policy.

<sup>125</sup> Hellenic Coastguard.

<sup>126</sup> Hellenic Coastguard.

basis. The Hellenic Coastguard recovered the bodies of deceased persons in the areas of Samos and Chios.<sup>127</sup>

From 9 to 15 November, the First Reception Service registered 270 third country nationals of those arriving for the same period, among them 73 women and 106 children.<sup>128</sup> The majority were Syrian nationals, followed by Iraqi, Afghan, and Eritrean nationals.

In Idomeni, approximately 12,000 persons cross the borders with FYROM on a daily basis after the end of the ferry strike.<sup>129</sup>

### **Asylum applications and registration**

240 persons applied for asylum between 9 and 13 November, including 10 unaccompanied children.<sup>130</sup> The main region of registration was Attica, followed by Thessaloniki, Lesbos, South and North Evros, Rhodes and Amygdaleza. Most applicants are from Syria, followed by Albanians, Pakistani and Iraqi.

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

No criminal proceedings were initiated against third-country nationals for irregular border crossing. For the period from 7 to 13 November, the Greek authorities prosecuted ten cases of suspects allegedly involved in smuggling.<sup>131</sup>

### **Returns**

The total number of forced returns for the period from 9 to 15 November, was 22. The majority concerned Albanian nationals (14).<sup>132</sup>

### **Unaccompanied and separated children**

An increase has been observed in the number of unaccompanied children both at entry points and in Idomeni.<sup>133</sup>

From 2 to 8 November, the First Reception Service registered 34 unaccompanied children.<sup>134</sup> The majority of children were boys (29) under 14 years of age. 21 were registered in the First Reception Centre of Moria, Lesbos, eleven in the First Reception Service in Orestiada and two by the mobile unit in Samos.<sup>135</sup>

The majority of unaccompanied children arriving on the Greek islands stated that they were adults in order to complete the registration procedure faster and avoid referral to reception facilities.<sup>136</sup>

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<sup>127</sup> Hellenic Coastguard.

<sup>128</sup> First Reception Service.

<sup>129</sup> UNHCR Greece; NGO PRAKSIS.

<sup>130</sup> Asylum Service.

<sup>131</sup> Hellenic Police Headquarters.

<sup>132</sup> Attica Aliens Directorate.

<sup>133</sup> UNHCR Greece.

<sup>134</sup> The First Reception Service states that the provided data for unaccompanied minors may have a slight deviation from the final numbers issued at the end of each month.

<sup>135</sup> First Reception Service.

<sup>136</sup> Ministry for Migration Policy.

Children accommodated in reception facilities continued to abscond, even within a day from their referral.<sup>137</sup>

In the course of the weekend, in the First Reception Service in Moria, the overcrowding of the reception facility and delays in referral have led to tensions among Arabic and Farsi speaking unaccompanied children.<sup>138</sup> Unaccompanied children are placed in the First Reception Service until their transfer to reception facilities.

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

The registration procedure in Kara Tepe camp in Lesvos is faster and more organized compared to the one in the camp of Moria. Fingerprints are taken digitally in both camps (Kara Tepe and Moria). Syrian nationals are registered in Kara Tepe camp and all other nationalities in Moria. As a result, new arrivals state that they are Syrian nationals in order to complete the registration procedure faster.<sup>139</sup> UNHCR is supporting the competent authorities to improve the registration process, clarifying the role and the competence of each actor.<sup>140</sup> UNHCR increased the number of staff in the north part of Lesvos that provides information sessions to new arrivals.<sup>141</sup>

IOM Greece began the implementation of the Displacement Tracking Matrix (DTM) survey, which consists of a set of tools that are developed to track population movements and better understand the profile of the affected population in order to facilitate the provision of effective and targeted assistance. It is commonly used for internally displaced persons (IDP), but can also be adapted to monitor mixed migration flows throughout different geographical areas.<sup>142</sup>

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

### Reception conditions and capacity

#### *Reception conditions and capacity in the region of Attica*

The Ministry for Migration Policy considers the reopening of Tae Kwon Do stadium in Athens in order to evacuate the stadium in Galatsi. The ministry had agreed with the mayor of Galatsi for the provision of the stadium until the end of October, but both parties agreed to extend the evacuation process. The Tae Kwon Do stadium in the Faliro area, which had been used to accommodate up to 1,500 migrants, had to be evacuated on Monday 28 September 2015 because of logistical obstacles. In addition, the Ministry for Migration Policy is planning the

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<sup>137</sup> NGO PRAKSIS.

<sup>138</sup> NGO PRAKSIS.

<sup>139</sup> UNHCR Greece.

<sup>140</sup> UNHCR Greece.

<sup>141</sup> UNHCR Greece.

<sup>142</sup> IOM Greece.

establishment of two temporary accommodation shelters in the region of Attica. The ministry in cooperation with the municipality of Athens is currently working on increasing the capacity of the temporary shelter of Elaionas. No further information was provided on the planned extension.<sup>143</sup>

### *Reception conditions and capacity on the islands*

Urgent action is required to improve the management of the reception sites of Moria and Kara Tepe. The reception site of Moria cannot accommodate the total number of new arrivals waiting for registration. A great number of people sleep outside the site.<sup>144</sup> Refugees have to find a place to sleep in the few shelters available by themselves. The situation should improve as UNHCR is recruiting camp management staff.

The Ministry for Migration Policy undertakes efforts to improve the reception conditions in the Moria camp to equip it for the winter. In Kara Tepe, sanitation has significantly improved, but needs to be further enhanced through the creation of additional separate facilities for men and women. In Moria, the sanitary situation is critical and results in significant health risks.<sup>145</sup> UNHCR installed lights in Kara Tepe camp.<sup>146</sup>

In Samos, the screening centre is still overcrowded with 1,227 people accommodated while its official capacity is limited to 285. The situation on the port remains critical with the daily concentration of people leading to tension between new arrivals.<sup>147</sup>

Improvements have been made concerning the reception conditions in Chios and in the abandoned hospital used for the accommodation of new arrivals in Leros.<sup>148</sup> On the island of Kastelorizo, a municipality centre is used for the accommodation of new arrivals with a capacity to host 300 people.<sup>149</sup>

The influx of arrivals in Farmakonisi<sup>150</sup> remains steady. New arrivals stated that they have been mistreated by the army forces during their stay on the island and experienced inadequate reception conditions.<sup>151</sup>

### **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. NGO PRAKSIS is still facing problems concerning the accommodation of unaccompanied children in the 'transit facility' for children in Lesbos. The facility can accommodate

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<sup>143</sup> Ministry for Migration Policy.

<sup>144</sup> UNHCR Greece.

<sup>145</sup> UNHCR Factsheet, Lesbos island-Greece-12-11-2015.

<sup>146</sup> UNHCR Greece.

<sup>147</sup> UNHCR Greece.

<sup>148</sup> UNHCR Greece.

<sup>149</sup> UNHCR Greece.

<sup>150</sup> Farmakonisi is an uninhabited island, which administrative belongs to the municipality of Leros. A military base is operating on the island. Newcomers spent one or two days on the island after their referral to Leros.

<sup>151</sup> UNHCR Greece.

unaccompanied children (especially survivors from shipwrecks). The local prosecutor does not give permission for their referral.<sup>152</sup>

UNHCR's partner, Save the Children, established some safe spaces for children and for breastfeeding mothers on Lesbos.<sup>153</sup>

### **Immigration detention**

The current capacity of pre-removal centres in Greece is 5,157. On 15 November, the total number of detainees was 389 people, 87 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 1,738 people in immigration detention, which means 17 % occupancy rate.

In Samos, the screening centre is still overcrowded with 1,227 people accommodated there, while its official capacity is limited to 285.

On 13 November, one child was placed in detention in a special facility for children in the pre-removal centre of Amygdaleza.<sup>154</sup> The total number of detainees decreased compared to previous weeks (709), a fact which may possibly be linked to problems concerning the provision of food.<sup>155</sup> There are serious gaps regarding the provision of food in all pre-removal centres across the country. The quantity of meals is limited and the quality is not good. The authorities provide two meals per day, lunch and dinner. Detainees state that neither the quality nor the quantity of food is decent. The meals provided consist mainly of rice or spaghetti and the provision of meat or fruit is extremely rare.<sup>156</sup>

### **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**

Nothing new to report.

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<sup>152</sup> NGO PRAKSIS.

<sup>153</sup> UNHCR Factsheet, Lesbos island-Greece-12-11-2015.

<sup>154</sup> Hellenic Police Headquarters-Irregular Migration Division.

<sup>155</sup> NGO PRAKSIS.

<sup>156</sup> Greek Council for Refugees.

# Hungary

## Stakeholders contacted

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

- 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*);
- Administrative and Labour Court of Debrecen (*Debreceni Közigazgatási és Munkaügyi Bíróság*);
- 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.

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

### Numbers and patterns of new arrivals

During the reporting period, 110 people crossed the border into Hungary, mostly through the borders with Romania and Serbia. This shows a slight increase compared to the number of new arrivals in the previous week.<sup>157</sup> Only two people entered the country through the border with Croatia. The government is planning to establish fences along the Hungarian-Romanian border, in case Austria closes its borders with Slovenia.<sup>158</sup>

Asylum seekers originated mainly from Afghanistan and Pakistan. 80 % were men, 20 % were women. With respect to their age, approximately 15 % of the new arrivals were under 14 years old, around 6 % were between 14–17 years old, more than 59 % were between 18–34 years old, around 17 % were between 35–64 years old, and approximately 2 % were over 65 years old.<sup>159</sup>

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<sup>157</sup> National Police Headquarters, Press Department.

<sup>158</sup> Index, Refugees may arrive in Hungary again (*Újra menekültek jöhetnek Magyarországra*), 11 November 2015, available at: [http://index.hu/kulfold/2015/11/11/ujra\\_menekultek\\_johetnek\\_magyarorszagra/](http://index.hu/kulfold/2015/11/11/ujra_menekultek_johetnek_magyarorszagra/).

<sup>159</sup> Office of Immigration and Nationality.

## Asylum applications and registration

Registration of new arrivals took place systematically.<sup>160</sup>

Approximately 140 people applied for asylum during the reporting period, originating mainly from Afghanistan, Pakistan and Bangladesh. Not all applications were from new arrivals: some people sentenced with an entry-ban order for committing the crime of unauthorised border fence crossing also lodged asylum applications. As long as an asylum procedure is in progress, the applicant cannot be expelled from the country.

## Criminal proceedings against irregular border crossing

### *Unauthorised border fence crossing*

About a fifth of the 110 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 border. Criminal proceedings were initiated by the police against 25 of them, mainly at the Hungarian-Serbian border.<sup>161</sup> This constitutes a slight decrease in numbers compared to the previous reporting period. Based on what some of the new arrivals told the authorities, it seems that those crossing the border with Serbia have been tricked by smugglers and traffickers into crossing the fences.<sup>162</sup> The prosecutor pressed charges against 22 people in the reporting period. All defendants admitted that they had committed the crime of unauthorised border fence crossing.<sup>163</sup> The total number of criminal proceedings initiated between 15 September 2015 (the date when Hungary amended the Criminal Code in order to criminalise unauthorised border fence crossing) and 15 November is 936.

The District Court of Szeged (*Szegedi Járásbíróság*) held 24 criminal trials in the reporting period. 23 people have been sentenced to expulsion to Albania, Kosovo and Serbia. Seventeen people received a one-year entry ban; six persons a two-year entry ban. In one case, the court sent the case back to the prosecutor for further investigation. 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.<sup>164</sup>

In the reporting period, the police initiated criminal procedures against eleven people (out of the 110 new arrivals) who were suspected of having committed the crime of forging public documents when they tried to enter Hungary.<sup>165</sup>

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<sup>160</sup> National Police Headquarters, Press Department.

<sup>161</sup> The provision of unauthorised border crossing as offence is set out in Article 352/A of Act C of 2012 on the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről*; Criminal Code), available at: [njt.hu/cgi\\_bin/njt\\_doc.cgi?docid=152383.297990#foot\\_121\\_place](http://njt.hu/cgi_bin/njt_doc.cgi?docid=152383.297990#foot_121_place). The provision was introduced in the Criminal Code by Act CXL of 2015 on the amendment of certain laws as a result of the migrant situation (*2015. évi CXL. törvény egyes törvényeknek a tömeges bevándorlás kezelésével összefüggő módosításáról*; Act CXL of 2015), available at: [njt.hu/cgi\\_bin/njt\\_doc.cgi?docid=177552.298006](http://njt.hu/cgi_bin/njt_doc.cgi?docid=177552.298006). Act CXL of 2015 entered into force on 15 September 2015.

<sup>162</sup> National Police Headquarters, Press Department.

<sup>163</sup> General Attorney's Office.

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

<sup>165</sup> National Police Headquarters.

### *Facilitation of irregular entry or stay*

In the reporting period, the police reported four cases of facilitation of irregular crossing for humanitarian purposes at the Serbian borders in Csongrád County. The police did not initiate a criminal procedure in any of these cases, they just warned the individuals.<sup>166</sup>

The Prosecutor's Office in Kecskemét pressed charges on 11 November against one Belgian and three Hungarian nationals who, according to the indictment, tried to transport nine Syrian people to Budapest against payment.<sup>167</sup>

The Prosecutor's Office in Szeged pressed charges against five Hungarian citizen who robbed a Syrian asylum seeker on 28 July 2015. Two defendants made a deal with the victim that they would transport him to Budapest in exchange for EUR 350. Later the two defendants agreed with three others to rob the victim. One of them pretended that he was a police officer and asked for the victim's IDs. When the victim refused to hand over his documents, the defendants overpowered him and took away his bag that contained items with a value of EUR 1,300.<sup>168</sup>

### **Returns**

The readmission procedure remains long; it can take months. Serbia accepts to readmit ten people a day and only those who have valid ID and travel documents.<sup>169</sup> 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 (around 84 % of them) and the majority are between 19 and 35 years of age.<sup>170</sup>

Seventy-one people were readmitted to Kosovo, Turkey, Albania and Serbia in the reporting period.<sup>171</sup> Because of the slow readmission procedures, around 700 people have been waiting for deportation in penal institutions and detention centres.<sup>172</sup> Some of them have been in detention for more than 60 days awaiting readmission to Serbia. Civil society organisations still find that the detained people get insufficient information about the expected date of their readmission and their rights.<sup>173</sup>

### **Unaccompanied and separated children**

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<sup>166</sup> National Police Headquarters.

<sup>167</sup> Hungarian Prosecutor, Pressing charges against a Belgian national and three of his Hungarian associates in Kecskemét (*Vádemelés egy belga embercsempész és három magyar társa ellen Kecskeméten*), 11 November 2015, available at: <http://mklu.hu/hnlp14/?p=23909>.

<sup>168</sup> Hungarian Prosecutor, Pressing charges against five men from Szeged who committed robbery against a migrant (*Vádemelés a migráns sérelmére rablást elkövető öt szegedi férfivel szemben*), 11 November 2015, available at: <http://mklu.hu/hnlp14/?p=23915>.

<sup>169</sup> Ministry of the Interior.

<sup>170</sup> National Police Headquarters, Press Department.

<sup>171</sup> National Police Headquarters.

<sup>172</sup> National Police Headquarters, Press Department.

<sup>173</sup> Helsinki Committee. UNHCR Hungary.



The Hungarian authorities registered only one unaccompanied child among the new arrivals in the reporting period,<sup>174</sup> who was accommodated in a special institution in Hódmezővásárhely and provided support from social services.<sup>175</sup>

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

Nothing new to report.<sup>176</sup>

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

### Reception conditions and capacity

Four transit zones (Röszke and Tompa at the Serbian borders, Letenye and Beremend at the borders with Croatia) remained open in the reporting period. The most used were the one at the Serbian borders as new arrivals came mainly through those border crossing points. Currently nobody is accommodated in the transit zones.<sup>177</sup>

The refugee camp in Debrecen will be closed completely by the end of 2015, as currently there are no refugees accommodated there. The authorities started to convert the facility into a police office. The Debrecen camp was the largest in the country with the total capacity of 933 beds. The total capacity of the three remaining refugee camps (Bicske, Vámosszabadi, Nagyfa) is currently 980. On 12 November, 239 asylum seekers were accommodated in Bicske, 122 in Vámosszabadi and 76 in Nagyfa. As the total number of asylum seekers in the country (437) is still below the maximum capacity of these institutions, the authorities are planning to relocate those who are currently in immigration or asylum detention in these camps after their release. In case the office accepts the claim for asylum, the claimant is released from the asylum detention and will be accommodated in an open refugee camp. Recognised refugees are also entitled, and receive support, to live outside of the refugee camps' premises. In case of immigration detention, the court may declare the decision of the police or the office unlawful in a review procedure. As a consequence, the person is released from the immigration detention and will be accommodated in a refugee camp.<sup>178</sup>

As the two previously established temporary registration points in Szentgotthárd and Körmend (close to the Austrian border) are no longer in use, the authorities decided to close these facilities and transported the tents, beds and blankets to Slovenia on 9 – 10 November 2015.<sup>179</sup>

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<sup>174</sup> National Police Headquarters, Press Department.

<sup>175</sup> UNHCR Hungary.

<sup>176</sup> Office of Immigration and Nationality; Helsinki Committee; UNHCR Hungary.

<sup>177</sup> National Police Headquarters, Press Department.

<sup>178</sup> Ministry of Internal Affairs.

<sup>179</sup> Mandiner, 'Migration: we are helping Slovenia with tents and beds' (*Migráció: sátrakkal és ággyakkal segítjük Szlovéniát*), 9 November 2015, available at: [http://mandiner.hu/cikk/20151109\\_migracio\\_satrakkal\\_es\\_agyakkal\\_segitjuk\\_szloveniat](http://mandiner.hu/cikk/20151109_migracio_satrakkal_es_agyakkal_segitjuk_szloveniat).

Civil society organisations found that the authorities did not always provide people in the refugee camps with sufficient information about their rights and the rules of the asylum procedure, therefore civil society organisations had to support people to gain access to proper information.<sup>180</sup>

### **Child protection**

The two institutions that accommodate unaccompanied or separated refugee children housed 16 children (seven in Fót, nine in Hódmezővásárhely) in the reporting period. The total capacity of the two institutions is 88 beds.<sup>181</sup> The experience of civil society organisations was that children got proper support from social services in the two institutions.<sup>182</sup>

In the previous reporting period, civil society organisations reported some unaccompanied or separated children in detention centres.<sup>183</sup> The authorities conducted age assessment for these children. As a result, three children were relocated from detention centres to the special institutions of Fót and Hódmezővásárhely, where social services provide proper support.<sup>184</sup>

### **Healthcare**

Civil society organisations do not find healthcare services provided to people detained in prisons and detention centres satisfactory. Severe medical conditions still do not get immediate and proper attention, and it may take up to a couple days for medical care to be provided, even in the less urgent cases. Detained people living with a disability do not get the attention they need as some of them are accommodated in cells and blocks that are not completely accessible.<sup>185</sup> Civil society organisations also identified pregnant women in detention centres where the facilities are inadequate for them, therefore they do not get proper attention.<sup>186</sup>

### **Immigration detention**

Around 700 people are in immigration detention and 442 people are in asylum detention. They are mainly from Syria, Afghanistan and Iraq.<sup>187</sup>

During the reporting period, 101 migrants (all adults) have been placed into asylum detention.<sup>188</sup> Immigration detention is ordered in cases where a person is about to be deported. This happens when the Office of Immigration and Nationality, or the court, expels somebody.<sup>189</sup> Immigration detention is different from asylum detention, i.e. the detention of those applying for international protection in Hungary. The Office of Immigration and Nationality may order the

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<sup>180</sup> Helsinki Committee.

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

<sup>182</sup> Helsinki Committee.

<sup>183</sup> UNHCR Hungary.

<sup>184</sup> Ministry of Human Capacities.

<sup>185</sup> UNHCR Hungary; Helsinki Committee.

<sup>186</sup> Migration Aid.

<sup>187</sup> Office of Immigration and Nationality; National Police Headquarters.

<sup>188</sup> Office of Immigration and Nationality.

<sup>189</sup> Article 54 of Act II of 2007 on the admission and stay of third country nationals (*2007. évi II. törvény a harmadik országbeli állampolgárok beutazásáról és tartózkodásáról*).

detention of asylum seekers in certain cases to ensure the applicant does not leave Hungary during the procedure. For example, authorities ordered the detention of asylum seekers when their identity was not clear, while in another case, a person who had been sentenced for irregular fence crossing was detained while waiting for his/her asylum application to be processed.<sup>190</sup>

Tensions are growing in the detention centres and the penal institutions, as most of the detained people – especially those who should be readmitted to Serbia – have to wait for deportation for weeks or months and receive very little information about the readmission procedures.<sup>191</sup> The police registered irregular behaviour in four cases (disobeying orders from the officials, damaging furniture in the cell), and civil society organisations also experienced minor forms of protests and dissatisfaction (e.g. hunger strike) on multiple occasions in the reporting period.<sup>192</sup>

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

### Rallies and incidents

A photo exhibition called 'Transit Zone' opened on 12 November in Budapest showing a collection of photos taken by nine photographers of the Pictorial Collective<sup>193</sup> (an association of modern and contemporary art photographers in Budapest) about how the refugees travel across countries. The exhibition aims to enhance people's understanding of how desperate the refugees are when they have to leave their homes. So far around 200 people visited the exhibition.<sup>194</sup>

The Hungarian Helsinki Committee organised the Verzio International Film Festival held in Budapest between 11 and 14 November. They played movies about migration and the life of refugees. The Hungarian Helsinki Committee also held round table conversations each night to discuss the following topics: the safe third country rule; collision between morality and practice in the refugee crisis; refugees and us; and why asylum seekers originate mainly from Syria.<sup>195</sup>

### NGO humanitarian activities

The Cordelia Foundation for the Rehabilitation of Torture Victims (*Cordelia Alapítvány a Szervezett Erőszak Áldozataiért*),<sup>196</sup> a civil society organisation that was established in 1996 to assist torture survivors and severely traumatised asylum seekers, launched a donation campaign with the aim of collecting musical

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<sup>190</sup> Article 31/A of Act LXXX of 1997 on the right to asylum (1997. évi LXXX. törvény a menedékjogról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0700080.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0700080.TV).

<sup>191</sup> Helsinki Committee.

<sup>192</sup> National Police Headquarters; Helsinki Committee.

<sup>193</sup> Website of the Pictorial Collective is available at: [www.pictorialcollective.hu/en/](http://www.pictorialcollective.hu/en/).

<sup>194</sup> Facebook page of the exhibition titled 'Transit Zone' is available at: [www.facebook.com/events/916936921686783/](https://www.facebook.com/events/916936921686783/).

<sup>195</sup> Facebook page of the event titled 'Verzio International Human Rights Documentary Film Festival' is available at: [www.facebook.com/events/1672258233045523/](https://www.facebook.com/events/1672258233045523/).

<sup>196</sup> Website of the Cordelia Foundation for the Rehabilitation of Torture Victims is available at: [www.cordelia.hu/index.php/en/](http://www.cordelia.hu/index.php/en/).

instruments and other music-making objects for refugees accommodated in Hungarian refugee camps. The foundation plans to distribute the donated instruments to refugees in order to improve their emotional balance and integrity through music therapy.<sup>197</sup>

Hungarian NGOs continue to focus their efforts on the situation at the Croatian-Slovenian borders. Their activities mainly consist of helping people in the transit zones and at the borders by providing them with information or counselling on their procedure.<sup>198</sup> Dozens of Hungarian volunteers are assisting civil society organisations in Serbia, Croatia and Slovenia.<sup>199</sup>

### **Voluntary initiatives**

Migration Aid, the volunteer project organised on Facebook in June, 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. Migration Aid started a new campaign asking for the donation of information technology devices (cell phones, prepaid cell phone cards, navigation devices, etc.) as the organisation feels that information is crucial for refugees in order to find their safe way to Europe and to stay in contact with family members and friends.<sup>200</sup>

Migration Aid International's new project, SIRIUS.HELP aiming to establish a life rescue unit on the sea at those locations where most of the accidents happen to refugees while attempting to reach the Greek islands from the shores of Turkey, started to operate. As a first step, four people travelled to the Greek island of Lesbos on 12 November to prepare the ground for volunteers arriving later.<sup>201</sup>

### **Other activities**

Századvég Foundation (*Századvég Alapítvány*),<sup>202</sup> an organisation that was established some 20 years ago to help the young generation play an active role in the change of the regime in Hungary and that is considered a sympathiser of the government, conducted research about the migrant relocation quota scheme of the European Union. The foundation interviewed 1,000 Hungarian people between 2 and 5 November and found that 65 % of the participants did not agree with the quota scheme, 30 % of the participants supported the idea, while 5 % of the people could not take sides.<sup>203</sup>

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<sup>197</sup> Website of the campaign is available at [www.facebook.com/events/1041237142563159/](http://www.facebook.com/events/1041237142563159/).

<sup>198</sup> UNHCR Hungary. Helsinki Committee. Migration Aid, Hungarian Association for Migrants.

<sup>199</sup> A video interview with two volunteers titled 'Walking into the unknown should be a relief in itself for some people' is available at [www.youtube.com/watch?v=4hiCqOFyLUI&app=desktop](http://www.youtube.com/watch?v=4hiCqOFyLUI&app=desktop).

<sup>200</sup> Migration Aid.

<sup>201</sup> Migration Aid.

<sup>202</sup> Website of the Századvég Foundation is available at: <http://szazadveg.hu/foundation?l=en>.

<sup>203</sup> Magyar Hírlap, Most Hungarians reject the mandatory quota (*A magyarok többsége ellenzi a kötelező kvótát*), 13 November 2015, available at: [http://magyarhirlap.hu/cikk/40283/Szazadveg\\_A\\_magyarok\\_tobbsege\\_ellenzi\\_a\\_kotelezo\\_kvotat](http://magyarhirlap.hu/cikk/40283/Szazadveg_A_magyarok_tobbsege_ellenzi_a_kotelezo_kvotat).

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

Fidesz, the governing party, started a petition to collect signatures to protest against the EU relocation quota scheme. Signature points have been set up all over the country. One of the opposition parties, Democratic Coalition (*Demokratikus Koalíció*) also started a campaign to get signatures from people who support the relocation quota scheme.<sup>204</sup>

More than 5,000 soldiers and 454 reservists are guarding the borders of Hungary. The reservists voluntarily undertook to assist the military.<sup>205</sup>

A contingent of 50 Hungarian police officers were ordered to Slovenia to assist the Slovenian authorities at the Croatian-Slovenian and Austrian-Slovenian borders on 9 November. The policemen will stay in Slovenia until 31 January 2016.<sup>206</sup>

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<sup>204</sup> Magyar Hírlap, Most Hungarians reject the mandatory quota (*A magyarok többsége ellenzi a kötelező kvótát*), 13 November 2015, available at: [http://magyarhirlap.hu/cikk/40283/Szazadveg\\_A\\_magyarok\\_tobbsege\\_ellenzi\\_a\\_kotelezo\\_kvotat](http://magyarhirlap.hu/cikk/40283/Szazadveg_A_magyarok_tobbsege_ellenzi_a_kotelezo_kvotat).

<sup>205</sup> Ministry of the Interior.

<sup>206</sup> 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 in Italy (*Federazione delle Chiese Evangeliche in Italia, FCEI*);
- Italian Red Cross (IRC);
- Italian Refugees Council (*Consiglio Italiano per i Rifugiati*) (CIR).

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

### Numbers and patterns of new arrivals

From 9 to 15 November, over 1,000 people arrived in Italy and some 1,850 applied for asylum.<sup>207</sup> The Italian Coast Guards, Irish, Spanish, Norwegian and MSF ships were involved in search and rescue operations during the reporting period.<sup>208</sup> On 10 November, six men arrived in Sardinia from Northern Africa, probably Algeria. They disembarked with their own boat in the military area of Capo Teulada, and were received by police authorities who, after completing the initial identification procedures, transferred them to the reception centre in Elmas.<sup>209</sup>

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<sup>207</sup> Ministry of the Interior, Civil Liberties and Immigration Department.

<sup>208</sup> Information available on the Twitter accounts of MSF (@MSF\_sea), the Irish Defence Forces (@defenceforces), the Italian Coast Guard (@guardiacostiera), the Spanish Navy (@Armada\_esp), and the Norwegian National Criminal Investigation Service (@Kripos\_NCIS); Ireland's National Television and Radio Broadcaster (RTÉ), *316 people rescued by crew of LÉ Samuel Beckett*, 14 November 2015, available at: <http://m.rte.ie/news/2015/1113/741658-migrants-beckett/>; Trapani Oggi, *Sbarcati al porto da nave di "Medici senza Frontiere" 308 migranti*, 14 November 2015, available at: [www.trapanioggi.it/sbarcati-al-porto-da-nave-di-medici-senza-frontiere-308-migranti/](http://www.trapanioggi.it/sbarcati-al-porto-da-nave-di-medici-senza-frontiere-308-migranti/); Corriere Quotidiano, *Migranti, in 407 sono arrivati nel porto di Catania*, 14 November 2015, available at: [www.corrierequotidiano.it/29998-cronaca/sicilia-catania-news/migranti-407-sono-arrivati-nel-porto-di-catania](http://www.corrierequotidiano.it/29998-cronaca/sicilia-catania-news/migranti-407-sono-arrivati-nel-porto-di-catania).

<sup>209</sup> L'Unione Sarda, *Migranti sbarcati dentro il poligono*, 11 November, available at: <http://cartadiroma.waypress.eu//RassegnaStampa/LeggiArticolo.aspx?codice=TO23043.TIF&subcod=20151111&numPag=1&>

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

Registration often takes place directly in the port. New arrivals usually fill in a special form (not the C3 form used to register asylum applications). The form contains a set of questions, including the reason for migrating to Italy. If the answer is 'work,' new arrivals seem to be automatically considered as 'economic migrants.' In some cases, they immediately receive a 'delayed rejection at the border' ('*respingimento differito*') or an expulsion order, together with a period of voluntary departure of maximum seven days.<sup>210</sup>

According to a stakeholder, there are not enough linguistic and cultural mediators, increasing the likelihood that new arrivals do not receive sufficient information on the asylum procedure. Those who have been subject to an expulsion order within seven days are usually not willing to leave Italy and abscond. They stay irregularly in the country without any kind of assistance and are at risk of exploitation and trafficking.

After initial identification at a hotspot – which has to be completed within 72 hours – migrants are transferred to other areas of Italy.<sup>211</sup> Those who are considered as 'economic migrants' will be detained and subsequently returned.<sup>212</sup> Regarding the registration of children, UNHCR and Save the Children reported that the registration procedures do not allow for an accurate identification of children at risk and unaccompanied children. NGOs assisting them are involved only after the initial interview with the police has taken place. For instance, during the disembarkation in Augusta (Sicily) on 19 September, eight children living in a local reception centre were issued an expulsion order because they did not have any documents with them and, for this reason, they had all been assigned a generic date of birth (1 January 1997). They were thus considered to be over 18 years old.<sup>213</sup>

A group of Syrians in Castelnuovo di Porto (Rome) started a hunger strike because the authorities decided to relocate them to Spain, although they had asked to be relocated to Germany.<sup>214</sup>

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

### Reception conditions and capacity

On 11 November, in Cargeghe (Sardinia), a group of 60 asylum seekers demonstrated against unsatisfactory living conditions experienced in the local reception centre. Moreover, they asked to be guaranteed the *per diem* they are

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<sup>210</sup> Italian Refugees Council.

<sup>211</sup> Italian Refugees Council.

<sup>212</sup> Italian Red Cross.

<sup>213</sup> Redattore Sociale, *Sbarchi: caos identificazioni, anche i minori a rischio espulsione. "Gravi violazioni"*, 13 November, available at: [www.redattoresociale.it/Notiziario/Articolo/494630/Sbarchi-caos-identificazioni-anche-i-minori-a-rischio-espulsione-Gravi-violazioni](http://www.redattoresociale.it/Notiziario/Articolo/494630/Sbarchi-caos-identificazioni-anche-i-minori-a-rischio-espulsione-Gravi-violazioni).

<sup>214</sup> Association for Legal Studies on Immigration.

entitled to for everyday living expenses. However, the organisation that runs the centre has not met their claims.<sup>215</sup>

The Ministry of the Interior has declared that in Padua (Veneto), a reception scheme has been approved based on cooperation between the local prefecture and catholic associations. Following this agreement, asylum seekers will be hosted in private structures, and will be involved in projects aimed at enhancing their integration and participation in social life. Moreover, the agreement includes specific measures aiming at ensuring supervision of reception facilities in order to avoid cohabitation and management problems.<sup>216</sup>

## Child protection

Children upon arrival are assisted by Save the Children. With regard to health assistance, there are no special health protocols for children upon arrival. Children receive the same health assistance as adults.

In relation to family unity, IRC provides support to families who are accidentally separated during rescue, identification and reception. Risks of family separation remain. There have been cases of mothers separated from their children and partners, transferred to different reception centres. The reception system is organised nationally and centres are sometimes very far from one another. IRC ensures family unity thanks to close cooperation with the police authorities. Since March 2015, the Ministry of the Interior has replaced the Ministry of Labour and Social Policies in the reception of unaccompanied minors arriving in Italy. The reception facilities under the Ministry of the Interior are not enough to host all unaccompanied children arriving in Italy. As a result, many of them are living in facilities falling under the competence of local authorities and municipalities. Additionally, there is not a harmonised approach to provide support to unaccompanied children as each region applies its own set of rules on health and social services. IRC, thanks to an agreement with the Ministry of the Interior, carries out monitoring activity in reception centres for unaccompanied children.<sup>217</sup>

## Healthcare

Thanks to an agreement between the Ministry of Health and the associations operating at the port, it is often possible – through the Maritime, Air, and Border Health Offices (*Uffici di Sanità Marittima, Aerea e di Frontiera*, USMAF)<sup>218</sup> – to know about the health conditions and treatments needed before disembarkation. A physician, along with a cultural mediator, is informed by the ship captain or by another doctor (if one is already on board) about the sanitary situation on the ship and which treatments are needed upon disembarkation. In relation to the situation of pregnant women, the physician present on board of the ship has to

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<sup>215</sup> La Nuova Sardegna, *Migranti in piazza per il pocket money*, 12 November 2015, available at: <http://cartadiroma.waypress.eu/RassegnaStampa/LeggiArticolo.aspx?codice=SIK4260.TIF&ubcod=20151112&numPag=2&>

<sup>216</sup> Ministry of the Interior, *Microaccoglienza dei richiedenti asilo a Padova*, 13 November 2015, available at: [www.interno.gov.it/it/notizie/microaccoglienza-dei-richiedenti-asilo-padova](http://www.interno.gov.it/it/notizie/microaccoglienza-dei-richiedenti-asilo-padova).

<sup>217</sup> Italian Red Cross.

<sup>218</sup> There are 12 in total on the national territory (Decree of the Ministry of Health of 12 September 2003 – *Decreto Ministero Salute 12 settembre 2003*, available at: [www.salute.gov.it/resources/static/uffici/decreto\\_ministero\\_salute\\_12\\_settembre\\_2003.pdf](http://www.salute.gov.it/resources/static/uffici/decreto_ministero_salute_12_settembre_2003.pdf)).



decide whether it is necessary to bring them to the nearest hospital, or if they can wait some days in local reception centres.<sup>219</sup>

Upon disembarkation, new arrivals receive a first-aid kit and subsequently access triage units and personal care facilities. They are received by healthcare providers of the Local Health District Authority (*Azienda Sanitaria Locale*, ASL) and/or by MSF. IRC provides organisational support, while police authorities are in charge of the identification procedures. Save the Children and UNHCR provide information to children and asylum seekers, respectively. Upon arrival, people are also given food, water and basic assistance.<sup>220</sup>

Developing a harmonised system for providing healthcare during reception remains a challenge in Italy. Provision of healthcare during identification and reception falls under the responsibility of local prefectures, and each prefecture is in charge of organising the reception system on its own territory. In addition, each ASL is developing health protocols valid for its area of competence. IRC is trying to identify best practices, i.e. standard procedures that have been successful in some Italian prefectures.

Problems emerged in relation to the implementation of the new regulation exempting asylum seekers from health expenses. IRC outlined that the Ministry of Health is encountering a lot of problems regarding its application because each region is developing a completely different procedure.

### **Immigration detention**

Three rejected asylum seekers have been transferred to the recently re-opened detention centre in Restinco (Apulia). 101 Nigerian women – many of whom are young – have been transferred from Sicily to the detention centre in Ponte Galeria in Rome. They are encountering difficulties in applying for asylum. On 17 November, lawyers will meet with them in the detention centre to provide advice.<sup>221</sup>

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

### **Rallies and incidents**

On 14 November, the political party Northern League (*Lega Nord*) organised a demonstration in Gorizia (Friuli-Venezia Giulia) to protest against the arrival of migrants in Italy.<sup>222</sup>

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<sup>219</sup> Information provided by IRC during the interview.

<sup>220</sup> Italian Red Cross.

<sup>221</sup> Association for Legal Studies on Immigration.

<sup>222</sup> *Il piccolo*, *Presidio della Leca contro l'accoglienza*, 14 November 2015, available at: [http://cartadiroma.waypress.eu//RassegnaStampa/LeggiArticolo.aspx?codice=SI86184.TIF&s\\_ubcod=20151114&numPag=1&](http://cartadiroma.waypress.eu//RassegnaStampa/LeggiArticolo.aspx?codice=SI86184.TIF&s_ubcod=20151114&numPag=1&)

## Voluntary initiatives

In Bolzano (Trentino-Alto Adige/Südtirol), a volunteer project titled 'Binario 1' ('Track 1') has been developed with the aim of receiving migrants arriving from Rome by train. Project activities consist in guaranteeing first assistance and in delivering food, clothes, water, etc. Volunteers are now organising Italian and German language classes too, in order to enhance migrants' integration in local society.<sup>223</sup>

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

With respect to the EU relocation scheme, the Minister of the Interior has declared that the system and the procedures already introduced in Italy would be successful if all EU Member States actively participated in the implementation of the scheme, as it represents a strategic element of the European immigration strategy.<sup>224</sup>

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<sup>223</sup> Redattore Sociale, *Bolzano, la Binario1 l'accoglienza dei migrant si fa dal basso*, 12 November 2015, available at: [www.redattoresociale.it/Notiziario/Articolo/494437/Bolzano-al-Binario1-l-accoglienza-dei-migranti-si-fa-dal-basso](http://www.redattoresociale.it/Notiziario/Articolo/494437/Bolzano-al-Binario1-l-accoglienza-dei-migranti-si-fa-dal-basso).

<sup>224</sup> Ministry of the Interior, *Alfano: "I ricollocamenti successo senza precedenti"*, 9 November 2015, available at: [www.interno.gov.it/it/notizie/alfano-i-ricollocamenti-successo-senza-precedenti](http://www.interno.gov.it/it/notizie/alfano-i-ricollocamenti-successo-senza-precedenti)

# Slovenia

## Stakeholders contacted

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

- 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*), responsible for reception conditions;
- The Office of the State Prosecutor General of the Republic of Slovenia (*Vrhovno državno tožilstvo Republike Slovenije*);
- Red Cross Slovenia (*Rdeči Križ Slovenije*);
- Slovenian Philanthropy (*Slovenska Filantropija*), an NGO;
- Amnesty International Slovenia (*Amnesty International Slovenije*), an NGO;
- Human rights division of the Legal Information Centre of NGOs (*Pravnoinformacijski center nevladnih organizacij, PIC*) - the UNCHR implementation partner in Slovenia;
- Advocacy division at SLOGA, a platform for non-profit NGOs;
- The Peace Institute (*Mirovni Inštitut*);
- 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

All new arrivals were registered by the police.<sup>225</sup> According to the main police statistical database, 41,320 people crossed the border from Croatia into Slovenia from 8 to 14 November, mostly originating from Syria, Afghanistan and Iraq. More than half of them were children and women. Except for two persons, all of them arrived from Croatia, mostly by train or bus. The majority indicated Germany as desired final destination, followed by Austria and Sweden.<sup>226</sup>

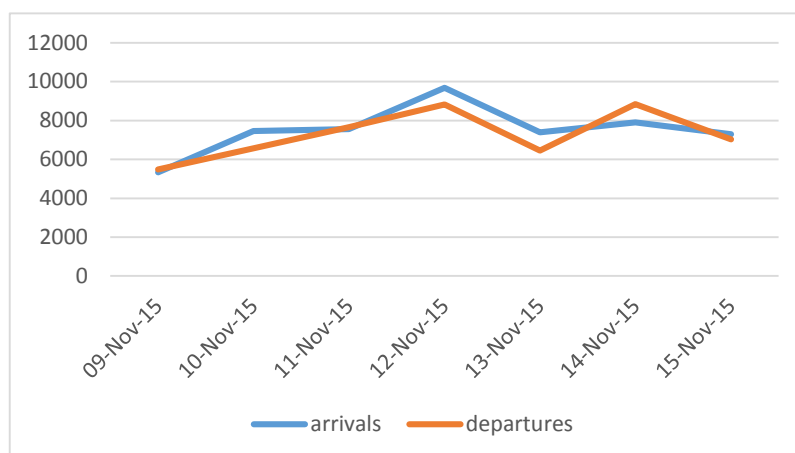
The daily arrival and departure patterns during the reporting week can be concluded as follows:

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<sup>225</sup> The police, Ministry of the Interior.

<sup>226</sup> The police, Ministry of the Interior.

**Figure 1: Number of people who entered and left Slovenia, 9–15 November 2015**



Source: Daily press releases by the police.

On 11 November, work on setting up barriers at the Slovenian-Croatian border, near BCP Gibina, started, which by 14 November had extended to 16 km of razor wire fence.<sup>227</sup>

### Asylum applications

During the reporting period, three persons sought asylum, two of whom were unaccompanied children from Syria and Afghanistan, and one adult from Bosnia and Hercegovina.<sup>228</sup>

### Criminal proceedings or punitive sanctions against irregular border crossing

In Slovenia, irregular border crossing is not a crime. It is a petty offence/misdemeanour.<sup>229</sup> During the reporting period, the police issued fines for such misdemeanours to three persons: one fine for avoiding border control and two fines for entering the territory of Slovenia despite having been refused entry.<sup>230</sup>

### Other procedures

During the reporting period, four people were detained following irregular border crossing in the Centre for foreigners in Postojna (*Center za tujce Postojna*).<sup>231</sup>

<sup>227</sup> RTVSLO MMC web portal, 'The army is continuing to erect the fence, Šefic won't say where' (*Vojska postavlja ograjo naprej, Šefic ne pove, kje*), 14 November 2015, available at: [www.rtvslo.si/begunska-kriza/vojska-postavlja-ograj-ograj-naprej-sefic-ne-pove-kje/378645](http://www.rtvslo.si/begunska-kriza/vojska-postavlja-ograj-ograj-naprej-sefic-ne-pove-kje/378645)

<sup>228</sup> The police, Ministry of the Interior.

<sup>229</sup> 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](http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761)

<sup>230</sup> The police, Ministry of the Interior.

<sup>231</sup> These are the categories on which database entry is disaggregated. More detailed information is not available.

## 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

Between 8 and 14 November, the flow of people has, compared to the previous reporting period (from 1 to 7 November), slightly increased. The numbers have, however, not been overwhelming and the strain on the reception and accommodation centres has therefore been manageable. During this reporting period, none of the accommodation centres were overcrowded.<sup>232</sup> Due to a manageable influx of arrivals, the organization in the centres has overall been adequate.<sup>233</sup>

The procedure described in the previous reporting period (from 1 to 7 November) remains the same: half of the people who arrive are registered and identified at Dobova train station and half at the reception centre Dobova Livarna. For a few days during the reporting period, Dobova Livarna was closed for renovation and people were registered at the police station Brežice instead. From Dobova train station people continue their journey to Šentilj accommodation centre by Slovenian trains and from there they cross the border to Austria.<sup>234</sup>

There were two main issues of concern in the previous reporting period (from 1 to 7 November): the sanitary situation at the train station at Dobova, the main entry point to Slovenia, and the situation in the “no man’s land” area between Slovenia and Austria, next to Šentilj accommodation centre.

The Dobova Livarna reception centre with a maximum capacity of 2,000 people has been renovated within the reporting period and facilities measuring a total of 7,000m<sup>2</sup> have been provided with sewer connections, electricity and lighting. A 500m<sup>2</sup> tent with sanitary facilities has also been set up, as well as a special area dedicated to reuniting families, and tent partitions intended to provide privacy for breastfeeding mothers.<sup>235</sup> Three bigger heated tents have been expanded, upgraded and 2,500m<sup>2</sup> of wooden flooring installed. The government also expressed their commitment to ensure refugees receive more information (bilingual posters will be set up providing information on the place of arrival, the procedures people will undergo and the care they will receive). Thirteen additional

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<sup>232</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 8, 9, 10, 11, 12, 13 and 14 November 2015.

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

<sup>234</sup> Slovenian Philanthropy.

<sup>235</sup> Ministry of the Interior, *Slovenia has received 200,000 refugees to date*, Press conference, 13 November 2015, available at: [www.vlada.si/en/media\\_room/government\\_press\\_releases/press\\_release/article/slovenia\\_has\\_received\\_200000\\_refugees\\_to\\_date\\_56970/](http://www.vlada.si/en/media_room/government_press_releases/press_release/article/slovenia_has_received_200000_refugees_to_date_56970/)

interpreters have been recruited.<sup>236</sup> The government communication office (*Urad Vlade RS za komuniciranje*) published a video showing the arrival at Dobova train station, the registration procedure, and the new reception centre.<sup>237</sup>

While there were positive developments, the situation at the train station in Dobova has, however, not improved drastically.<sup>238</sup> There are still too few wagons available for the trains, forcing people to stand in cramped spaces, many unable to sit down. Secondly, sanitary capacities at the train station remain insufficient. There is no running water available to people accommodated there.<sup>239</sup> There are reports that a few more plastic portable toilets have been set up (in addition to the existing 10 mobile toilets). However, as they are located at the far end of the platform, this hardly improves the situation. The utility companies provide cleaning, but a permanent cleaning unit at the train station is still lacking. Among others, Slovenian Philanthropy (*Slovenska Filantropija*) volunteers have been sweeping the platforms at the train station, which is not an ideal long-term solution.<sup>240</sup> There were, however, no complaints about the number of volunteers at the train station being insufficient. In Dobova accommodation centre as well as on the Dobova train station, signs with basic information for migrants and refugees are set up in five languages (Farsi, Pashto, Arabic, English and Urdu).<sup>241</sup> The NGOs contacted (Slovenian Philanthropy, Human rights division of the Legal Information Centre of NGOs, Society for non-violent communication) were less critical of the issues at Dobova train station in comparison to last week.<sup>242</sup>

A positive development is the fact that the floor of Dobova Livarna reception centre has been asphalted during this reporting period, solving the dirt and mud issue. The procedures there seem to be going well. New arrivals first get food and other basic necessities, then form a line to go through the identification and registration process and after that wait in a tent for transport to Šentilj accommodation centre. Hot water has been set up, the toilets are acceptable and there is no long queue in front of them.<sup>243</sup>

The situation in the “no man’s land” area between Slovenia and Austria in Šentilj has improved, largely due to the fact that the flow of people has been manageable and the fact that Austria has been accepting people at an agreed pace. There have been no reports of people left waiting outside without access to food, water and blankets for several hours during the night when temperatures are low in this

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<sup>236</sup> Ministry of the Interior, *Slovenia is improving accommodation conditions for refugees*, Press conference, 12 November 2015, available at:

[www.mnz.gov.si/nc/en/media\\_room/news/article/12137/9491/](http://www.mnz.gov.si/nc/en/media_room/news/article/12137/9491/)

<sup>237</sup> Available at: <http://arhiv.mm.gov.si/vlada/mMC/151113dobova.mp4>

<sup>238</sup> Slovenian Philanthropy; Human rights division of the Legal Information Centre of NGOs; Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>239</sup> Human rights division of the Legal Information Centre of NGOs; Peace Institute, 'Third report from Dobova' (*Tretje poročilo iz Dbove*), 9 November 2015, available at: [www.mirovni-institut.si/tretje-porocilo-iz-dbove/](http://www.mirovni-institut.si/tretje-porocilo-iz-dbove/)

<sup>240</sup> Slovenian Philanthropy.

<sup>241</sup> Peace Institute, 'Third report from Dobova' (*Tretje poročilo iz Dbove*), 9 November 2015, available at: [www.mirovni-institut.si/tretje-porocilo-iz-dbove/](http://www.mirovni-institut.si/tretje-porocilo-iz-dbove/)

<sup>242</sup> Slovenian Philanthropy; Human rights division of the Legal Information Centre of NGOs; Society for non-violent communication.

<sup>243</sup> Slovenian Philanthropy.

reporting period.<sup>244</sup> People did at times have to wait to cross the border, but only for a reasonable amount of time.<sup>245</sup>

A big UNHCR tent has been set up *"between the Slovenian accommodation centre and Austrian reception centre, so that refugees will be more comfortable while waiting to cross the border"*.<sup>246</sup> The tent is heated and closed from all sides.<sup>247</sup> UNCHR will also provide tables and benches to put inside as well as other necessities if needed.<sup>248</sup> Food, however, will not be provided in the tent as people receive meals at Šentilj accommodation centre before they arrive in the "no man's land" area.<sup>249</sup> Volunteers from Slovenian Philanthropy (*Slovenska filantropija*) and the Legal Information Centre of NGOs (*PIC*) are in agreement with the police that they may bring water, bread and blankets to the area, if necessary.<sup>250</sup>

There were a few initiatives with the aim to alleviate the situation in the area between the two borders. On 7 November, volunteers from the organization Are You Syrious (AYS) 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".<sup>251</sup> However, on 11 November, *URSZR* noted that Are You Syrious (AYS) volunteers "are a security issue, as they were distributing food, but did not have enough for everybody causing minor unrests (disputes) among migrants and refugees".<sup>252</sup> On 12 November, *URSZR* told AYS that their assistance in the "no man's land" area was no longer necessary.<sup>253</sup> AYS stated on the same day: *"After yesterday's complications we are allowed to return to NoMansLand, but it seems our help is actually not needed anymore. As of today, Slovenian and Austrian authorities have made some changes in their cooperation and now the flow of refugees is going very smoothly, without anyone waiting in the open, so there's no need for volunteers on no man's land."*<sup>254</sup>

A meeting was held on 11 November between *URSZR* and the Samaritan foundation, an NGO. The organization offered to set up a water tank for water distribution in the "no man's land" area as well as to help out with blankets and soap. The police did not allow setting up the water tank due to security reasons

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<sup>244</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief; Slovenian Philanthropy; Amnesty International Slovenia.

<sup>245</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>246</sup> Ministry of the Interior, *Slovenia is improving accommodation conditions for refugees*, Press conference, 12 November 2015, available at: [www.vlada.si/en/media\\_room/government\\_press\\_releases/press\\_release/article/slovenia\\_has\\_received\\_200000\\_refugees\\_to\\_date\\_56970/](http://www.vlada.si/en/media_room/government_press_releases/press_release/article/slovenia_has_received_200000_refugees_to_date_56970/)

<sup>247</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>248</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 10 November 2015.

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

<sup>251</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>252</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 11 November 2015.

<sup>253</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 12 November 2015.

<sup>254</sup> News Digest 12 November 2015: "No need for volunteers on no man's land", "Slavonski Brod is getting more doctors", "Prešovo still under a lot of pressure", "Dmitrovgrad is asking for volunteers!", Are You Syrious (AYS) Facebook post from 12 November 2015 at 14:19.

(similarly as above, the police is afraid that people might start a fight if there was not enough water for everyone).<sup>255</sup>

While sustaining an adequate level of hygiene in all of the accommodation and reception centres remains a difficult task, in this reporting period the issue was not pointed out to be as problematic as in previous weeks. There were also no reports of “burnout” amongst those working for migrants and refugees.<sup>256</sup> Food distribution has remained adequate with no reports of people not receiving food.<sup>257</sup> More interpreters would still be welcome.<sup>258</sup> People are at times still insufficiently informed about the procedures that are taking place and many are in dire need of psychosocial support, which is not available to them.<sup>259</sup>

## Child protection

Separate areas that could accommodate vulnerable groups, primarily small children, pregnant women and nursing mothers, planned by the Ministry of the Interior<sup>260</sup> in the “no man’s land” area in Šentilj, have not yet been set up.<sup>261</sup>

Slovenian Philanthropy volunteers try to set up activities for children in the accommodation centres if the situation allows. In Šentilj accommodation centre volunteers from the local youth centre do so as well. There is however no schedule with regular activities, because the police consider such activities to be a security issue. They are afraid of losing oversight and control over the group of people if the volunteers are mixed in the crowd of migrants and refugees for longer periods of time.<sup>262</sup>

Indeed, the police regularly intervenes in fights among people waiting to enter Austria at or near the centre in Šentilj.<sup>263</sup> On 13 November, for example, a group of people tried to open the railings set up at the border and enter Austria. The police had to use body force and sticks to push the crowd away in order to protect children who were in the first row of the crowd. No injuries were reported by the authorities, NGOs or the media.

The Peace Institute (*Mirovni Inštitut*) reports the problem of families being separated is still present. This happens when the police forms two lines for the registration and security inspection (women and children in one line and men in the other) and then sends them on their way with different trains or buses. Volunteers and translators present try to remedy this problem. For example, on 9 November when two trains – each with the capacity of 560 passengers – were

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<sup>255</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 11 November 2015.

<sup>256</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 1, 8, 9, 10, 11, 12 and 13 November 2015.

<sup>257</sup> Human rights division of the Legal Information Centre of NGOs.

<sup>258</sup> Amnesty International Slovenia.

<sup>259</sup> Slovenian Philanthropy.

<sup>260</sup> 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/](http://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/).

<sup>261</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>262</sup> Slovenian Philanthropy.

<sup>263</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 13 November 2015.



boarded, one for Jesenice (new exit point to Austria) and the other for Šentilj (other exit point to Austria, located 217 km to the west), volunteers and translators helped separated family members to switch trains.<sup>264</sup>

## Healthcare

During the reporting period regular tasks have been carried out.<sup>265</sup> Accommodated persons have the right to: emergency medical care and emergency transport; emergency treatment based on a physician's decision when an individual's life is directly threatened; to be treated for febrile conditions in order to prevent the spread of infections that could lead to epidemic or sepsis; the treatment of and the prevention of poisoning; health care for pregnant women and women in labour; people with special needs (vulnerabilities) have the right to additional treatment.<sup>266</sup> Underage asylum seekers and unaccompanied children are entitled to the same health care as citizens of the Republic of Slovenia.<sup>267</sup>

New developments: On 9 November, Doctors of the World (MSF) set up a clinic in a tent at the accommodation centre Gornja Radgona (exit point to Austria) to help out in providing health care.<sup>268</sup> A ROLE 1 type mobile hospital was brought from the Czech Republic on 14 November and is being set up in the accommodation centre Šentilj.<sup>269</sup> Slovenia has asked the World Health Organization to assist by coordinating international non-governmental organisations in providing health care to refugees and migrants, in the purchase of 20 reanimation vehicles and in obtaining additional translators for communication in the field.<sup>270</sup>

Medical staff and translators are lacking in Dobova.<sup>271</sup>

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

### NGO humanitarian activities

The traditional weekly meeting of NGOs and HOs working on this issue did not take place this week.

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<sup>264</sup> Peace Institute, 'Third report from Dobova' (*Tretje poročilo iz Dobove*), 9 November 2015, available at: [www.mirovni-institut.si/tretje-porocilo-iz-dobove/](http://www.mirovni-institut.si/tretje-porocilo-iz-dobove/).

<sup>265</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

<sup>266</sup> The Government of the Republic of Slovenia, *Helping refugees: Slovenia's response*, available at: [www.vlada.si/en/helping\\_refugees/slovenias\\_response/](http://www.vlada.si/en/helping_refugees/slovenias_response/).

<sup>267</sup> The Government of the Republic of Slovenia, *Helping refugees: Slovenia's response*, available at: [www.vlada.si/en/helping\\_refugees/slovenias\\_response/](http://www.vlada.si/en/helping_refugees/slovenias_response/).

<sup>268</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 9 November 2015.

<sup>269</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 14 November 2015.

<sup>270</sup> The Government of the Republic of Slovenia, *ASSISTANCE FROM ABROAD: Assistance in health care*, available at: [www.vlada.si/en/helping\\_refugees/assistance\\_from\\_abroad/](http://www.vlada.si/en/helping_refugees/assistance_from_abroad/).

<sup>271</sup> News Digest 13 November 2015, "Dobova needs more medical staff", "Everything working well in Slavonski Brod", "Conflicting reports about refugees not being allowed on trains from Belgrade to šid", Facebook post Are You Syrious (AYS), 13 November 2015.

Amnesty International Slovenia's main activity this week has been conducting research on the legal grounds for the fence that has been put up by the Slovenian authorities on the border.<sup>272</sup> The Human rights division of the Legal Information Centre of NGOs (PIC) – the UNCHR implementation partner in Slovenia – has been performing its usual monitoring activities.<sup>273</sup> The Slovenian Philanthropy (*Slovenska Filantropija*) reports that the 22 new coordinators that they acquired last week are doing a good job. They have a telephone line for aspiring volunteers and where daily schedules are set. Coordination among volunteers is improving: a positive example is the accommodation centre Gornja Radgona where the first shift is led by a coordinator from one organization, the next by a coordinator from another organization and so forth. Slovenian Philanthropy (*Slovenska Filantropija*) further notes that a big problem that they see in the field is that migrants and refugees lack information and that most of them need psychosocial support from professionals. They have contacted the Slovenian Psychologists' Association (*Društvo Psihologov Slovenije*) who have expressed willingness to help.<sup>274</sup> The Peace Institute (*Mirovni Inštitut*) is working on the issue of migrants and refugees through the project "Monitoring of refugee policy, providing information and addressing xenophobia", funded by the Open Society Initiative for Europe until 15 February 2016. On 11 November, the Peace Institute organised a public tribune entitled: "*Media and Refugees: A contribution to the understanding of the events or mere deepening of prejudices?*" Participants of the event discussed the perception the media has on the arrival of refugees and how they report on the issue.<sup>275</sup>

### Voluntary initiatives

On 13 November, Slovenian literary authors Draga Potočnjak, Svetlana Makarovič, Boris A. Novak and Dušan Šarotar organized a press conference to express their outrage because a fence is being set up on the Slovenian border. They were joined by their peers from the cultural and intellectual sphere.<sup>276</sup>

On 13 November, the organization Antiracist front without borders (*Protirasistična fronta brez meja*) protested in the centre of Ljubljana by setting up an obstruction in the middle of the road that represented barbed wire at rush hour time. Traffic was jammed only for a short period of time, but their point was made.<sup>277</sup>

### Response to hate speech online

The Slovenian hotline for reporting hate speech incidents on the internet "Web eye" (*Spletno oko*) has analysed reports from the period 2 to 8 November: the

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<sup>272</sup> Amnesty International Slovenia.

<sup>273</sup> Human rights division of the Legal Information Centre of NGOs.

<sup>274</sup> Slovenian Philanthropy.

<sup>275</sup> The Peace Institute.

<sup>276</sup> Mladina: 'In 50 years our descendants will judge us by the images of this barbed wire' (*Čez 50 let nas bodo zanamci sodili po podobah te bodeče žice*), 13 November 2015, available at: [www.mladina.si/170778/cez-50-let-nas-bodo-zanamci-sodili-po-podobah-te-bodece-zice/](http://www.mladina.si/170778/cez-50-let-nas-bodo-zanamci-sodili-po-podobah-te-bodece-zice/).

<sup>277</sup> Zurnal24.si: 'Barbed wire in Ljubljana as a sign of protest' (*V protest bodeča žica tudi v Ljubljani*), 13 November 2015, available at: [www.zurnal24.si/v-protest-bodeca-zica-tudi-v-ljubljani-clanek-259845](http://www.zurnal24.si/v-protest-bodeca-zica-tudi-v-ljubljani-clanek-259845).

hotline received 20 reports of hate speech. The seriousness of the reports was low, none were referred to the police.<sup>278</sup>

## Polls

A survey carried out by the newspaper Delo showed that public opinion has changed with regard to building the fence. At the end of August, 70 % respondents said they would oppose if Slovenia decided to set up a fence like the one Hungary was building. In the first week of November, public opinion had changed: 60 % now said Slovenia should build a fence on its border with Croatia.<sup>279</sup>

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

### A fence of razor wire is being built on segments of the border

On 10 November, Prime Minister Miro Cerar announced the government's decision to start erecting "temporary physical barriers" on the Schengen border with Croatia: *"Austria and Germany have reduced their intake of refugees. Austria has announced that only up to 6,000 people will be accepted per day, and Germany will be imposing a similar restriction. This may result in thousands of people being stranded in Slovenia. As winter draws closer and temperatures fall, this could lead to a humanitarian disaster, as Slovenia will not be able to provide adequate accommodation, food, water, clothing or care. [...] The border remains open, but under strict control. The sole purpose of these temporary physical barriers will be to prevent the dispersal of refugees and to steer them towards controlled entry points."* Cerar added that this was a necessary temporary measure needed to ensure the proper functioning of the country and citizens' safety, as well as to protect the refugees and prevent a humanitarian disaster. The Prime Minister emphasised that Slovenia remains a responsible EU Member State and a guardian of the Schengen border.<sup>280</sup>

In the morning of 11 November, barriers were being put up at certain points on the border with Croatia, extending over about one kilometre in the area of Rigonce and about 500 metres near the Gibina border crossing. Mr Boštjan Šefic, State Secretary of the Ministry of Interior (*Ministrstvo za notranje zadeve*) emphasised that "this does not mean sealing off the border or preventing refugees from entering." The purpose of physical barriers at the border is supposedly to channel refugees to enter at the main reception points where they can receive due care, prevent possible dispersal and crossings in unsuitable areas and eases the police, members of civil protection, volunteers and humanitarian organisations. The

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<sup>278</sup> "Web eye".

<sup>279</sup> DELO, 'Before the majority opposed a fence, now they are for it' (*Prej večina proti ograji, zdaj za*), 13 November 2015, available at: [www.delo.si/novice/slovenija/prej-vecina-proti-ograj-zdaj-za.html](http://www.delo.si/novice/slovenija/prej-vecina-proti-ograj-zdaj-za.html).

<sup>280</sup> The Government of the Republic of Slovenia, *Construction of physical barriers on the Schengen border a necessary temporary measure*, Press release, 10 November 2015, available at: [www.vlada.si/en/media\\_room/government\\_press\\_releases/press\\_release/article/construction\\_of\\_physical\\_barriers\\_on\\_the\\_schengen\\_border\\_a\\_necessary\\_temporary\\_measure\\_56924/](http://www.vlada.si/en/media_room/government_press_releases/press_release/article/construction_of_physical_barriers_on_the_schengen_border_a_necessary_temporary_measure_56924/).

measures are in accordance with the State Border Control Act, which allows their use in the event of a threat to security, public order or peace.<sup>281</sup>

By 12 November, "temporary barriers" extending over 4.5 kilometres had been set up on the Slovenian-Croatian border.<sup>282</sup> By 14 November, the Army had set up 16 kilometres of razor wire with work still underway.<sup>283</sup> Mr Boštjan Šefic, State Secretary of the Ministry of Interior (*Ministrstvo za notranje zadeve*) reiterated that this is a preventative and temporary measure to control and direct the flow of refugees to where reception centres are located. Therefore, the barriers do not extend along the entire border, but only at individual stretches.<sup>284</sup>

### Further possible measures

On 13 November, Prime Minister Cerar emphasized that Slovenia has no intention of accepting refugees which might be refused by Germany or Austria, a position he also explained at the EU summit in Malta.<sup>285</sup> He believes that refugees have no wish whatsoever to stay in Slovenia, while Slovenia would not be capable to carry such a burden. In his opinion, there is no legal or actual basis for such measures: "*It is obvious that all the refugees who came to Slovenia came through Croatia. The fact that we have registered them is to be contributed to our good cooperation with Austria, and taking our role of a Schengen Member State seriously,*" Cerar emphasized. He recalled that Slovenia had agreed to a certain quota within the agreement on reallocation of refugees between the EU Member States, and will accept them, but is in no position to agree to forced transfer of refugees.<sup>286</sup>

He also confirmed that Slovenia was considering a harsher asylum legislation.<sup>287</sup>

### Bilateral assistance from other EU Member States

During the reporting period, Slovenian police officers were assisted by 160 officers from EU Member States: 50 from Hungary, 25 from Estonia, 20 each from the Czech Republic, Slovakia, Lithuania and Latvia, and 5 from France. Germany, who has already provided 5 police officers, has promised to send 15 more. Austria has contributed 15 people, among them a liaison officer. Slovenia is also in talks with

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<sup>281</sup> Ministry of the Interior, *Slovenian border remains open*, Press conference, 11 November 2015, available at: [www.mnz.gov.si/nc/en/media\\_room/news/article/12137/9489/](http://www.mnz.gov.si/nc/en/media_room/news/article/12137/9489/).

<sup>282</sup> Ministry of the Interior, *Slovenia is improving accommodation conditions for refugees*, Press conference, 12 November 2015, available at: [www.vlada.si/en/media\\_room/government\\_press\\_releases/press\\_release/article/slovenia\\_has\\_received\\_200000\\_refugees\\_to\\_date\\_56970/](http://www.vlada.si/en/media_room/government_press_releases/press_release/article/slovenia_has_received_200000_refugees_to_date_56970/).

<sup>283</sup> RTVSLO MMC web portal, 'The army is continuing to erect the fence, Šefic won't say where' (*Vojska postavlja ograjo naprej, Šefic ne pove, kje*), 14 November 2015, available at: [www.rtvlo.si/begunska-kriza/vojska-postavlja-ograj-nej-sefic-ne-pove-kje/378645](http://www.rtvlo.si/begunska-kriza/vojska-postavlja-ograj-nej-sefic-ne-pove-kje/378645).

<sup>284</sup> Ministry of the Interior, *Slovenia is improving accommodation conditions for refugees*, Press conference, 12 November 2015, available at: [www.vlada.si/en/media\\_room/government\\_press\\_releases/press\\_release/article/slovenia\\_has\\_received\\_200000\\_refugees\\_to\\_date\\_56970/](http://www.vlada.si/en/media_room/government_press_releases/press_release/article/slovenia_has_received_200000_refugees_to_date_56970/).

<sup>285</sup> Council of the European Union, *Valletta Summit on migration, 11-12/11/2015*, available at: [www.consilium.europa.eu/en/meetings/international-summit/2015/11/11-12/](http://www.consilium.europa.eu/en/meetings/international-summit/2015/11/11-12/)

<sup>286</sup> RTVSLO MMC web portal, *Cerar: Slovenia will disagree with returning of refugees*, 13 November 2015, available at: [www.rtvlo.si/news-in-english/cerar-slovenia-will-disagree-with-returning-of-refugees/378578](http://www.rtvlo.si/news-in-english/cerar-slovenia-will-disagree-with-returning-of-refugees/378578)

<sup>287</sup> RTVSLO MMC web portal, *Cerar: Slovenia will disagree with returning of refugees*, 13 November 2015, available at: [www.rtvlo.si/news-in-english/cerar-slovenia-will-disagree-with-returning-of-refugees/378578](http://www.rtvlo.si/news-in-english/cerar-slovenia-will-disagree-with-returning-of-refugees/378578)

the United Kingdom, while Romania has promised to send 25, Italy 50 and Bulgaria 10 police officers. Details are being worked out as to the form of assistance to be provided by Spain, while Switzerland has already offered to provide material aid. The Ministry of the Interior expressed its gratitude at a press conference.<sup>288</sup>

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<sup>288</sup> Ministry of the Interior, *Slovenia has received 200,000 refugees to date*, Press conference, 13 November 2015, available at: [www.vlada.si/en/media\\_room/government\\_press\\_releases/press\\_release/article/slovenia\\_has\\_received\\_200000\\_refugees\\_to\\_date\\_56970/](http://www.vlada.si/en/media_room/government_press_releases/press_release/article/slovenia_has_received_200000_refugees_to_date_56970/).