



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

Update # 8

16 November–20 November 2015

(with updates to 22 November, as appropriate)

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Highlights: 16 November–20 November

New arrivals

- After the Former Yugoslav Republic of Macedonia (FYROM) decided to admit only Syrian, Afghan and Iraqi nationals, some 1,000 people are stranded in northern Greece.
- Fences continue to be set up at the southern and northern borders of Slovenia.
- In Bulgaria, the number of new arrivals almost doubles in the period between 13 and 20 November, with many leaving before being registered.

Initial registration and processing

- Practices of profiling new arrivals on the basis of nationality emerge in Croatia, Italy and Slovenia, in some cases resulting in refusal of entry to people coming from countries “not affected by war”.
- In Croatia, humanitarian organisations indicate they have witnessed push-backs of new arrivals who could not demonstrate that they were from Syria, Afghanistan or Iraq. The authorities do not confirm such measures.
- Transit through Croatia becomes faster, making it more difficult to provide necessary care; due to lack of medical attention, for example, a new-born baby ended up in intensive care later on in Slovenia.
- Procedures in initial reception facilities in Sicily, Italy, remain inadequate for the identification of persons with vulnerabilities and in need of international protection.

Reception conditions

- At the Austrian- Germany border, new arrivals in Wegscheid have to walk through the snow without winter clothing.
- In Greece, the screening centre in Samos is overcrowded - hosting 981 people when its official capacity is 285.
- The Greek authorities plan to issue medical cards to facilitate access to healthcare for new arrivals as part of a pilot project by the International Organization for Migration.
- Overcrowding and the need to adapt sanitary conditions are reported in Slovenia and Germany. At provisional facilities in Berlin, epidemics (diarrhoea and scabies) break out. In Slovenia, running water is not yet available at the main transit train station.

Child protection

- In Austria, the Styrian Child and Youth Ombudsperson criticises the multiple transfers of unaccompanied children before they are placed in a reception facility in one of the provinces.
- In Croatia, many babies do not receive food due to the accelerated onward transfer of families.
- In Berlin, delays in appointing guardians for unaccompanied children defer asylum registrations.

Legal, social and policy response

- Repercussions of the Paris attacks result in anti-migrant rhetoric at rallies and through online channels in Austria, Bulgaria, Germany and Slovenia.
- Germany proposes a three-week asylum procedure for manifestly unfounded applicants. Slovenia also plans to accelerate and restrict asylum procedures.
- The Hungarian Parliament adopts a law to bring the EU relocation scheme to the Court of Justice.

Austria

Stakeholders contacted

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

- Caritas Austria (Caritas Österreich);
- Anti-Discrimination Bureau Styria (Antidiskriminierungsstelle Steiermark);
- Caritas Styria (Caritas Steiermark);
- Child and Youth Ombud Styria (Kinder- und Jugendanwaltschaft Steiermark);
- Worker's Samaritan Federation (Arbeiter-Samariterbund);
- Provincial Police Department Styria (Landespolizeidirektion Steiermark);
- Red Cross Austria (Rotes Kreuz Österreich);
- Federal Agency for State Protection and Counter Terrorism (Bundesamt für Verfassungsschutz und Terrorismusbekämpfung, BVT).

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

Numbers and patterns of new arrivals

Between 5,000 and 5,500 people have arrived daily in Austria during the reporting period. The number of people arriving decreased on Saturday, when only about 3,000 persons arrived in Spielfeld.¹ This decrease might be due to the measures taken at the Macedonian and Serbian borders refusing the entry of people coming from countries other than Syria, Iraq or Afghanistan. However, there is no clear evidence for this assumption.²

Most people come from Afghanistan, Syria, Iran and Iraq.³ Overall, the number of persons from Syria is decreasing, while the number of Afghan people is rising.⁴

The proportion of families arriving in Austria remains high.⁵

People cross the border at the border crossing points in Spielfeld (Styria) and Bad Radkersburg (Styria),⁶ as well as Rosenbach (Carinthia).⁷

¹ Caritas Styria.

² Caritas Styria; Worker's Samaritan Federation.

³ Provincial Police Department Styria; Red Cross Austria.

⁴ Caritas Styria.

⁵ Caritas Styria.

⁶ Provincial Police Department Styria.

⁷ Red Cross Austria.

Asylum applications and registration

From 16 November to 22 November, more than 3,000 asylum applications were filed in Austria. Compared to the previous week, this is an increase by almost 400 asylum applications.⁸ The majority of asylum applications were filed in Vienna.⁹

Since 20 November, people may file their asylum application also at a newly established point in Spielfeld. The applicants are then brought to Vordernberg, Fehring or Graz-Webling.¹⁰

An increasing proportion of new arrivals applied for asylum during the reporting period. In Salzburg, for example, around 20 % of the people arriving applied for asylum. Especially people from Afghanistan and Iraq apply for asylum, presumably because their perspectives for receiving asylum in Germany are lower in comparison to people from Syria.¹¹

Criminal proceedings against irregular border crossing

No criminal administrative proceedings have been filed so far.¹²

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

In Styria, there have been no fundamental rights issues in the course of initial registration or fingerprinting.¹³

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.¹⁴ There are not enough places for asylum seekers. They are not taken over by the provinces and are thus blocking the capacities in the transit quarters.¹⁵ Around 300 to 500 asylum seekers have stayed in the transit quarter in Graz-Webling for up to two weeks.¹⁶ Currently approximately 7,000 asylum seekers are accommodated in transit quarters all over Austria.¹⁷

The Worker's Samaritan Federation (*Arbeiter-Samariterbund*) continued its efforts to set up additional accommodation for asylum seekers.¹⁸

⁸ Website of the Federal Ministry of the Interior, available at: www.bmi.gv.at/cms/bmi_asyl_betreuung/_news/bmi.aspx (all hyperlinks were accessed on 24 November 2015)

⁹ Worker's Samaritan Federation.

¹⁰ Caritas Styria.

¹¹ Caritas Styria.

¹² Provincial Police Department Styria.

¹³ Provincial Police Department Styria.

¹⁴ Caritas Austria.

¹⁵ Caritas Austria, Caritas Styria.

¹⁶ Caritas Styria.

¹⁷ Red Cross Austria.

¹⁸ Worker's Samaritan Federation.

Generally, the transit quarters are winter proof.¹⁹ There have been challenges to provide sufficient winter proof accommodation in Upper Austria but these could be overcome.²⁰

There was again a backlog of new arrivals at the border crossing point in Spielfeld. People had to wait for hours in front of the Austrian border and were shouting “open the door”.²¹

Child protection

Children are preferentially treated at the border in Spielfeld. They may pass by others waiting to enter the collection point (*Sammelstelle*) at the border.²² Vulnerable groups (in particular families with children and women travelling alone with children) are treated preferentially when it comes to the provision of accommodation. This means that they are preferentially provided with housing and not sent away by the authorities, even if there is only a low number of accommodation places available.²³

The Styrian Child and Youth Ombudsperson harshly criticised that unaccompanied children often undergo several transfers being sent from Spielfeld to Graz, then onwards to Traiskirchen and then further on to the provinces in order to be accommodated. According to the Ombudsperson, a less burdensome way should be established to accommodate unaccompanied child refugees in Austria.²⁴ Many continue staying in initial reception centres.

Families are still sometimes separated during their transport within Austria. Cases have been reported, in which families were not reunited after two weeks.²⁵

Healthcare

It was noticed also during this reporting period that the newly arriving persons suffer from common colds.²⁶

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 21 November, a rally on “Stop the misuse of asylum” (*Asylmissbrauch stoppen*) was organised in Vienna. Various Facebook-groups with affinities to PEGIDA, HoGeSa and the *Identitäre Bewegung Österreichs (IPÖ)* supported the organisation of this rally. Approximately 500 people participated, including right-wing extremists and hooligans. The same day, the *KZ Verband Vienna* organized a counterdemonstration against racism, right-wing extremism and nationalism

¹⁹ Worker’s Samaritan Federation.

²⁰ Red Cross Austria.

²¹ Caritas Styria.

²² Caritas Styria.

²³ Caritas Austria; Caritas Styria; Worker’s Samaritan Federation.

²⁴ Child and Youth Ombud Styria.

²⁵ Caritas Styria.

²⁶ Red Cross Austria.

with 200 to 300 participants. The counterdemonstration was supported by various organisations, such as *Offensive gegen Rechts*, *Bündnis Linz gegen Rechts*, *Sozialistische Linkspartei*, *Autonome Antifa Wien*.²⁷

Islamophobic hate postings, particularly with reference to the recent terror attacks in Paris increased during the reporting period in Styria. At the weekend, the Anti-Discrimination Bureau Styria (*Antidiskriminierungsstelle Steiermark*) received 18 % more reports on such postings than usual.²⁸

Caritas Styria received slightly more negative comments than during previous weeks. Caritas received negative messages stating that there are too many refugees and too many Muslims in Austria.²⁹ Caritas Austria receives a steady amount of positive and negative feedback by email. The organisation has not observed an increase of negative feedback following the recent terrorist attacks in Paris.³⁰

The overall atmosphere among the general population has become slightly more negative in Styria and Upper Austria. The main reason is the fact that the population faces a massive amount of people in transit in these provinces.³¹

NGO humanitarian activities

After the overburdening of the last weeks, the situation is a bit more stable for Caritas Styria. The organisation hopes that the number of people arriving will stabilise at a lower level.³²

Voluntary initiatives

Caritas Austria and Red Cross Austria still receive a sufficient amount of help from volunteers.³³ The Worker's Samaritan Federation (*Arbeiter-Samariterbund*) likewise still receives support from volunteers.³⁴ The Child- and Youth Ombudsperson in Styria receives calls from persons asking for ways how to help best in the current situation.³⁵

Legal and policy responses, including any changes to the law

The Governor of Styria stated that no "economic refugees" should be accepted and that Styria will not take over any more refugees.³⁶ This statement was reiterated by the Vice-chancellor of Austria.³⁷

According to the Child- and Youth Ombudsperson in Styria, there is a large number of unaccompanied children under the age of 14 within Austria. The Ombudsperson plans to set up a "Network unaccompanied refugees" to bring together NGOs,

²⁷ Federal Agency for State Protection and Counter Terrorism.

²⁸ Anti-Discrimination Bureau Styria.

²⁹ Caritas Styria.

³⁰ Caritas Austria.

³¹ Red Cross Austria.

³² Caritas Styria.

³³ Caritas Austria; Red Cross Austria.

³⁴ Worker's Samaritan Federation.

³⁵ Child and Youth Ombud Styria.

³⁶ Caritas Styria.

³⁷ Caritas Styria.

government officials and others to coordinate actions regarding unaccompanied child refugees in Styria. This initiative is, however, still in the planning stage.³⁸

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

- On 21 November, people distributing the Koran were harassed and threatened in Imst (Tyrol).³⁹
- On 15 November, a Caritas banner saying "Help refugees now" (*"Jetzt Flüchtlingen helfen"*) was damaged by a graffiti. It said "Mauthausen is cheaper" (*"Mauthausen ist billiger"*).⁴⁰
- On 16 November, a graffiti saying "Muslims go home. Vive la France." was painted on the door of a quarter for asylum seekers in Linz (Upper Austria).⁴¹

³⁸ Child and Youth Ombud Styria.

³⁹ Federal Agency for State Protection and Counter Terrorism.

⁴⁰ Federal Agency for State Protection and Counter Terrorism.

⁴¹ Federal Agency for State Protection and Counter Terrorism.

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 increase. About 180 persons were apprehended at the border with Turkey, a third of whom women and children. New arrivals were mainly Afghan and Syrian nationals.⁴²

Asylum applications and registration

The number of applicants for asylum marked a slight decrease during the reporting week. Some 530 persons applied for international protection - including some 140 children, many below the age of 14 years – mostly from Iraq, Afghanistan and Syria.⁴³

A significant number of new arrivals continued to leave the reception centres before being registered. During the reporting week, more than 200 people left the reception centre in Ovcha Kupel without being registered.⁴⁴

⁴² Ministry of the Interior, Directorate General Border Police.

⁴³ State Agency for Refugees.

⁴⁴ State Agency for Refugees.

Criminal proceedings against irregular border crossing

One of the previously reported cases of a taxi driver driving persons of Afghani origin having irregularly entered the country ended up in a final sentence. The driver was sentenced to 10 months of imprisonment.⁴⁵

Volunteers reported that people smugglers transporting people within the country have increased the transportation “fees” stating two reasons: 1) the Balkan countries are starting to close their borders so new arrivals have to be transported more quickly while it is still possible; and 2) after the terrorist attacks in Paris and the special situation in Belgium the security control has tightened and transportation requires bigger efforts.⁴⁶

An increasing number of volunteers from abroad contacted the Bulgarian support groups with inquiries about how they could come to Bulgaria and support those who want to reach Western Europe. Bulgarian volunteers refuse to accept such assistance due to the fact that such activities could be considered as facilitating people smuggling, which is a crime according to the Bulgarian Criminal Code (*Наказателен кодекс*).⁴⁷

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Five persons claiming to be of Afghani origin were detained by the police in the region of Vidin on 17 November. They did not have identity papers and were transferred to the border police department in Bregovo for establishing their identity and taking further action.⁴⁸ The police department in Burgas detained 66 persons of Afghani origin in the period 20-23 November.⁴⁹

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

Reception conditions and capacity

Despite the increase in the 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

⁴⁵ Prosecutor’s Office of the Republic of Bulgaria, ‘After a 14-day investigation the Regional Prosecutor’s Office in Stara Zagora reached effective imprisonment sentence for a man having aided 3 Afghans to pass illegally through the country’ (*След 14-дневно разследване Районна прокуратура-Стара Загора постигна ефективна осъдителна присъда за мъж, подпомогнал 3-ма мъже от Афганистан да преминат незаконно през страната*), Press release, 19 November 2015, available at: www.prb.bg/bg/news/aktualno/sled-14-dnevno-razsledvane-rajonna-prokuratura-sta/

⁴⁶ Refugee Support Group.

⁴⁷ Refugee Support Group.

⁴⁸ 24 Chasa Online, ‘Foreigners caught in the countryside around Vidin’ (*Хванаха чужденци в полето край Видин*), 18 November 2015, available at: www.24chasa.bg/Article.asp?ArticleId=5120366.

⁴⁹ Mediapool Online, ‘Police in Burgas caught 66 persons illegally crossing the border for three days’ (*Полицията в Бургас е заловила 66 нелегално преминали границата за три дни*), 23 November 2015, available at: www.mediapool.bg/politsiyata-v-burgas-e-zalovila-66-nelegalno-preminali-granitsata-za-tri-dni-news242150.html.

in Lyubimets, 169 new people were accommodated, whilst 121 people were released. The occupancy rate in this facility is 77 % of its capacity.⁵⁰

In other special homes, like the one in Elhovo, the occupancy rates are slightly above their full capacity. The living conditions at the special home in Lubimets are good unlike those in the special homes in Busmantsi and Elhovo. The special home in Elhovo is using an adapted building of a former school.⁵¹ Volunteers report that the staff of the homes in Busmantsi and Elhovo show compassion and are willing to help those accommodated there.⁵²

The open centres of the State Agency for Refugees (SAR) (*Държавна агенция за бежанците ДАБ*) are almost empty.⁵³ A volunteer reported to have witnessed smugglers picking up 20 persons, who had just been transferred from the closed facility in Elhovo to the open centre in Harmanli, directly from the centre's yard.⁵⁴

There is unofficial information that the State Agency for Refugees (SAR) (*Държавна агенция за бежанците ДАБ*), for financial reasons, may change its plans to outsource the food supply in the reception centres to an external catering company, despite the availability of UNHCR-donated kitchens in all centres. Moreover, the estimated daily food costs per person may be increased from approximately BGN 4 (€ 2) per person per day to approximately BGN 6 (€ 3) per person per day. Against the decreasing numbers of people accommodated in the agency's reception and registration centres, NGOs assess this increase as unjustified.⁵⁵

Child protection

Despite the unofficial agreement between the State Agency for Refugees (SAR) (*Държавна агенция за бежанците ДАБ*) and the Ministry of the Interior (MoI) (*Министерство на вътрешните работи, МВР*), unaccompanied children are still occasionally held in closed centres.

Healthcare

Healthcare of people accommodated at the special homes for temporary accommodation of foreigners is performed by the Medical Institute of the Ministry of the Interior (MIMoI) (*Медицинския институт на МВР, МИМВР*). One doctor and one paramedic of the institute are positioned within the home. For all other medical assistance people are transported to the institute's hospital in Sofia. During the reporting period, a child in need of medical assistance in Busmantsi was not transported to Sofia to get help due to lack of transportation but it was not an emergency.⁵⁶

The personnel of the closed and open-type centres reported on asylum seekers' reluctance to bathe, which contributes to the continuing spread of scabies and

50 Special Home for Temporary Placement of Foreigners – Lyubimets.

51 Refugee Support Group.

52 Refugee Support Group.

53 Refugee Support Group; Bulgarian Red Cross.

54 Refugee Support Group.

55 Refugee Support Group.

56 Refugee Support Group.

parasites.⁵⁷ There is one reported case of malaria. The patient was isolated in the specialised hospital for active treatment of infectious diseases and parasites (*Специализирана болница за активно лечение по инфекциозни и паразитни болести*) in Sofia.⁵⁸

Immigration detention

Nothing new to report.

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

Rallies and incidents

Some 100 people rallied on 21 November against irregular migrants asking for the setting up of security teams of volunteers to guard the Bulgarian borders. The protest rally was organised by the informal ultranationalist fraction National Resistance (*Национална съпротива*).⁵⁹

NGO humanitarian activities

As donations in kind are not needed in registration and reception centres, NGOs transported the items donated by German associations to the closed facilities in Busmantsi, Elhovo and Lyubimets, managed by the Ministry of the Interior (MoI) (*Министерство на вътрешните работи, МВР*).⁶⁰

Legal and policy responses, including any changes to the law

Nothing new to report.

57 Refugee Support Group.

58 Bulgarian Red Cross.

59 ClubZ, 'Some 100 gathered at protest rally against illegal migrants (pictures)' (*Стотина се събраха на протест срещу нелегалните имигранти (снимки)*), 21 November 2015, available at: <http://clubz.bg/30835-stotina-se-sybraha-na-protest-sreshtu-nelegalnite-imigranti-snimki>.

60 Refugee Support Group.

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*);
- Information Legal Center (*Informativno pravni centar*);
- Welcome Initiative (*Inicijativa Dobrodošli*).

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

Numbers and patterns of new arrivals

From 16 September until 22 November at 9 pm, some 432,000 people entered Croatia. During the reporting period, some 37,500 people crossed the border to Croatia.⁶¹ The number of daily arrivals had decreased to less than 3,300 on 20 November.⁶² The decrease may have been caused, inter alia, by push-backs of people who could not show that they were of Syrian, Afghan or Iraqi nationality.⁶³

The majority of migrants were Syrian nationals, followed by persons from Afghanistan, Iraq, Iran, Pakistan and others.⁶⁴ Children constituted around 15 % of the new arrivals.⁶⁵

The border sector most affected was Tovarnik.⁶⁶

Asylum applications and registration

No asylum application seem to have been filed.⁶⁷

As in the past weeks, all new arrivals have been registered.⁶⁸

Two major developments occurred in the reporting week. First, the Slovenian army continued setting up barbed wire on the border with Croatia, although there were no irregular border crossings in the recent weeks. The Croatian Ministry of

⁶¹ Ministry of Interior, Department for Illegal Migration.

⁶² Ministry of Interior, Department for Illegal Migration.

⁶³ Welcome Initiative.

⁶⁴ Ministry of Interior, Department for Illegal Migration.

⁶⁵ Ministry of Interior, Department for Illegal Migration.

⁶⁶ Welcome Initiative.

⁶⁷ Information Legal Center.

⁶⁸ Ministry of Interior, Department for Illegal Migration.

Foreign Affairs sent a protest note on 12 November and again on 20 November, requesting the removal of the barb wire placed on Croatian territory.⁶⁹

Second, a new practice of differentiating people from “war affected areas” and people from “non-war zones” has been introduced. Following a Slovenian request of 18 November asking Croatia to readmit 162 people who entered Slovenia, the Croatian Ministry of Interior stated it would tighten the criteria for admission no longer admitting people from countries “not affected by war”, who would be considered as “economic migrants”.⁷⁰ While no push-backs or collective expulsions were reported by the Ministry of Interior,⁷¹ the Welcome Initiative stated that on 18 November in Šid, Serbia, Croatian police prevented people from countries “not affected by war” from entering trains to Croatia.⁷² The Slovenian authorities were distinguishing refugees from “economic migrants” on the basis of nationality, with the border police taking into account people’s skin colour, spoken language and documents.⁷³ This practice was criticised by the Welcome Initiative as well as in a joint statement of UNHCR, IOM and UNICEF: “In the last couple of days, we have witnessed governments instituting a range of restrictions against the movement of refugees and migrants from Greece through the Western Balkans and further northwards. This includes people being profiled on the basis of nationality. This is becoming increasingly untenable from many standpoints – humanitarian, legal and also safety related, especially in the light of falling temperatures and the related risk for children and others with specific needs”.⁷⁴

Criminal proceedings against irregular border crossing

No criminal proceedings on account of irregular border crossing have been detected.

Returns

There were no returns based on the third safe country rule.⁷⁵

Unaccompanied and separated children

The interviewed stakeholders did not provide data on the number of registered unaccompanied and separated children.

⁶⁹ Večernji list, ‘Hrvatska diplomatskom notom zatražila od Slovenije da ukloni žicu’, 20 November 2015, available at: www.vecernji.hr/hrvatska/hrvatska-diplomatskom-notom-zatražila-od-slovenije-da-ukloni-bodljikavu-zicu-1038888

⁷⁰ N1, *N1 doznaje: Hrvatska zatvara granice za ekonomske migrante*, 19 November 2015, available at <http://hr.n1info.com/a85957/Vijesti/N1-doznaje-Hrvatska-zatvara-granice-za-ekonomske-migrante.html>

⁷¹ Ministry of Interior, Department for Illegal Migration.

⁷² Welcome Initiative.

⁷³ N1, *N1 doznaje: Hrvatska zatvara granice za ekonomske migrante*, 19 November 2015, available at <http://hr.n1info.com/a85957/Vijesti/N1-doznaje-Hrvatska-zatvara-granice-za-ekonomske-migrante.html>

⁷⁴ UNHCR, *Joint UNHCR, IOM, and UNICEF statement on new border restrictions in the Balkans*, 20 November 2015, available at <http://www.unhcr.org/564ee87b6.html>

⁷⁵ Ministry of 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

During the reporting week, the Slavonski Brod camp was in operation, and the reception and registration processes were smooth.

The average duration of stay in the Slavonski Brod camp became much shorter. During the time of higher influx, some migrants were sent straight to trains after registration, without spending any time in a sector. Such practice has a negative impact on meeting basic needs, such as attending toilets, getting a meal, changing clothes or taking a rest.

During the reporting week, people have been accommodated in two of the six available sectors, both of which had heated tents with bunk beds and army beds without mattresses. The sixth sector is still under construction, with more than 500 beds provided by Caritas that were being installed this week.⁷⁶

The clothes distribution system in the camp is still unsatisfactory, as the containers are centralised in one place. Blankets are no longer distributed to people situated in heated tents, except upon request by vulnerable groups, even though there are enough blankets available.⁷⁷

Legal experts from the NGO Information Legal Center have been present in the Slavonski Brod camp since its opening with the intention of providing legal advice and information. Together with the Croatian Law Center staff, the Information Legal Center staff distributed brochures and leaflets with information on the Croatian asylum procedure. During the reporting period, the demand for this kind of information was almost non-existent. The information leaflets were distributed in the sectors, as the access to the registration point is restricted to Croatian Red Cross volunteers only. The number of people who approached the staff for additional information was very little - less than five since the camp was opened. One of the reasons for the low interest may lay in the fact that the Information Legal Center did not provide interpretation although their staff had no trouble communicating with people in English or through an interpreter of another organisation when questions were posed.⁷⁸

Child protection

Shortening the average duration of stay in the Slavonski Brod camp and not admitting certain people into sectors can have an adverse effect on the wellbeing of children. The time available for screening the needs of children has thus shortened, and a number of babies could not receive baby food because they were

⁷⁶ Welcome Initiative.

⁷⁷ Welcome Initiative.

⁷⁸ Information Legal Center.

immediately forwarded to onward transportation by train. Reports referred to a new born baby who had to be placed in intensive care in the city hospital of Maribor (Slovenia) because the baby had not received medical assistance in Croatia. The Ministry of Social Policy and Youth stated that some families with babies were unwilling to stay for longer than the registration process requires, which could potentially put babies at risk.⁷⁹

The Ministry of Social Policy and Youth reported a case of a 10 year old boy from Afghanistan who arrived to Croatia on 20 November travelling with a group of people coming from the same village. The boy was placed in a children's home in Zagreb and assigned a special guardian, considering that the "tribal connections" were insufficient for the boy to be considered as accompanied. The Dublin III procedure⁸⁰ was initiated in order to reunite the boy with a relative in Switzerland. Furthermore, two unaccompanied boys from Afghanistan, one aged 13 and the other aged 15, were placed in a children's home in Osijek on 22 November and assigned special guardians.⁸¹

Healthcare

As reported in the previous reporting week, the provision of healthcare was inadequate, as the medical staff provided by the Ministry of Health were not present in the sectors but stationed in special containers outside the accommodation sectors, and could only be consulted in case of emergency.⁸²

Due to the accelerated registration procedure, some people could not access medical assistance and did not undergo the medical triage.⁸³

According to the Migrants' Health Protection report for the period from 16 November (at 6 am) until 23 November (at 6 am), published by the Ministry of Health, there were 31 emergency medical interventions, leading to a referral of all persons concerned to the *in situ* clinic for further treatment. An emergency medical team was present on a daily basis. There were 778 family medical interventions in total, handled by four medical teams per day, with 63 people referred to further treatment. 26 people were treated in the camp clinic, four were kept for observation, and three discharged. From 16 September until 23 November, the Ministry of Health provided some 19,000 interventions.⁸⁴

Immigration detention

No cases of detention have been detected.

⁷⁹ Ministry of Social Policy and Youth, Minister's cabinet.

⁸⁰ 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.

⁸¹ Ministry of Social Policy and Youth, Minister's cabinet.

⁸² Welcome Initiative.

⁸³ Welcome Initiative

⁸⁴ Ministry of Health, Number of available medical services (*Broj pruženih zdravstvenih usluga*), available at:

www.zdravlje.hr/novosti/migrantska_kriza/broj_pruzenih_zdravstvenih_usluga

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

Voluntary initiatives

On 17 November, Nobel Women’s Initiative delegates visited the Slavonski Brod camp. They were welcomed by the Minister of Interior, who showed them the camp. Their main message was that the Paris attacks should not incite an atmosphere of fear, xenophobia or anti-Islamic sentiment across Europe.⁸⁵

Other activities

On 20 November, the Welcome Initiative held a press conference on a border crossing between Croatia and Slovenia in order to disapprove the push-backs and nationality profiling practices. They emphasised that practices restricting access to Croatia or other EU countries as well as restricting asylum and other legal rights on the basis of nationality were illegal and not in line with humanitarian needs and principles.⁸⁶

Legal and policy responses, including any changes to the law

Nothing new to report.

⁸⁵ Welcome Initiative.

⁸⁶ Welcome Initiative.

Germany

Stakeholders contacted

The interviews were conducted by phone and email with the following stakeholders:⁸⁷

- UNHCR Germany;
- Federal Association for Unaccompanied Minor Refugees (*Bundesfachverband Unbegleitete Minderjährige Flüchtlinge e. V., B-umF*);
- Caritas Germany (*Caritas Deutschland e. V.*);
- Refugee Council Bavaria (*Flüchtlingsrat Bayern e. V.*);
- Refugee Council Berlin (*Flüchtlingsrat Berlin e. V.*);
- Schleswig Holstein Helps (*Schleswig Holstein Hilft e. V.*).

In addition, media reports and public announcements of stakeholders 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

In general, the numbers of new arriving persons in need of international protection remained on a high level. Compared to the most affected areas in south and South-Eastern Europe, the situation at the Bavarian border is, however, “relatively organised”.

Most affected border regions were Wegscheid, Neuhaus am Inn, Simbach am Inn and Passau. As it started snowing during the reporting week, most of the new arriving persons were freezing. Many of them did not have weather resistant clothes. Especially those persons who crossed the border in Wegscheid had to walk through the snow. There has been no bus taking persons at this border crossing point from Austria directly to Wegscheid. Most of the arriving persons can receive a hot soup and a warm temporary shelter at the Bavarian border.

During the reporting week and the week preceding it, the number of persons in need of international protection departing from Schleswig Holstein to Sweden by ferry slightly decreased. This may result from the fact that Sweden reintroduced the obligation to the Stenaline ferry company to only take passengers on board who have a valid passport. Nevertheless, on every single day during the reporting week, numerous persons in need of international protection were trying to go by train or by bus to Sweden.

Asylum applications and registration

In Berlin, many persons in need of international protection complained about a lack of information during the asylum procedure. They do not know what they

⁸⁷ The following text does not make reference to individual interviews.

have to do in order to receive international protection. As the authorities are overloaded, they can never speak or ask questions to the representatives of the authorities. Nobody informs them of the dates when they will be registered, when they can submit their asylum application and, finally, when the interview will take place. While waiting to be registered, persons concerned frequently are getting frustrated. Nearly every morning when the area of the Berlin registration office opens, violent behaviour occurs among people waiting for registration, in order to get a good position in the waiting line.

Unaccompanied and separated children

More than 30,000 unaccompanied children in need of international protection are estimated to have arrived in Germany since the beginning of 2015.⁸⁸

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 accommodation of hundreds of thousands of persons in need of international protection remains challenging. In Berlin, the former airport Tempelhof, which is currently being used as a mass reception centre, is overcrowded and sanitary conditions are very poor. Inhabitants were accommodated in empty hangars although showers were not yet installed. An epidemic diarrhoea broke out and approximately 50 persons were infected with scabies. Up to eight persons have to share a 12 square meter space. Fire protection is not yet ensured.

Child protection

The situation related to the reception conditions of unaccompanied children is difficult to assess. In most German states, unaccompanied children are taken into care relatively quickly. However, in Berlin, it still takes approximately four to six months until a free place in an appropriate reception centre can be provided to unaccompanied children. As the same waiting period applies to the appointment of a legal guardian, unaccompanied children are unable to apply for asylum during the waiting period. During the waiting period, unaccompanied children have to stay in hostels and other temporary accommodation centres, which are inadequate.

In Nürtingen, Baden-Württemberg, on 23 November 2015, a teenage asylum seeker from Tunisia was sexually abused by three asylum seekers from Algeria.

⁸⁸ Federal Association for Unaccompanied Minor Refugees, press release 20 November 2015, available at: www.b-umf.de/images/pm_bumf_45000_2015.pdf.

The perpetrators, who were taken into custody, were between 19 and 34 years old. The child had to be taken to the hospital.⁸⁹

Healthcare

The existing capacities cannot meet the huge demand for healthcare. Further medical staff and more interpreters translating medical documents in reception centres are required. In many reception facilities, a tuberculosis medical-examination can only be conducted after a period of 10 to 15 days. This situation results in a high risk of infection for inhabitants and staff members.

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 16 November, as on every Monday, supporters of the right-wing PEGIDA movement gathered in Dresden to demonstrate against the asylum policy of the Federal Government. Approximately 9,000 to 12,000 persons participated.⁹⁰ One of the co-organizers of the movement stated in his speech that the Paris terror attacks are the “result of the immigration policy” (“*Ergebnis der Einwanderungspolitik*”).⁹¹

On 19 November in Nuremberg, a PEGIDA demonstration gathering around 140 supporters took place. At the same time, approximately 300 participants gathered for a counter demonstration organised by the Nuremberg section of the trade union Verdi (service workers union).⁹²

Voluntary initiatives

In general, the willingness to support persons in need of international protection is still high. Volunteers are irreplaceable. If volunteers stopped to help, a wide gap would arise. This relates especially to the provision of healthcare as well as the social and mental support for asylum seekers.

In Schleswig Holstein, more than 150 activists were supporting the initiative “Schleswig Holstein Hilft” during the reporting week. The initiative provides 30 volunteers each day at the “market hall” in Kiel which is currently being used as

⁸⁹ Stuttgarter Zeitung, *Drei Männer sollen 16-Jährigen vergewaltigt haben*, 22 November 2015, available at: www.stuttgarter-zeitung.de/inhalt.fluechtlingsunterkunft-nuertingen-drei-maenner-sollen-16-jaehrigen-vergewaltigt-haben.571b132e-4747-4fe9-866c-dca9cbf96de3.html.

⁹⁰ Süddeutsche Zeitung, *Perser, Araber, Sunniten, schiiten – auch egal*, 16 November 2015, available at: www.sueddeutsche.de/politik/pegida-demo-in-dresden-merkel-als-mutter-terrorosia-1.2740506.

⁹¹ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

⁹² Nordbayer.de, *300 Menschen demonstrierten am Rennweg gegen Pegida*, 20 November 2015, available at: www.nordbayern.de/region/nuernberg/pegida-spaziert-wieder-rennweg-heute-gesperrt-1.4792471.

a reception centre for persons in need of international protection on their way to Sweden.

Legal and policy responses, including any changes to the law

Following the 5 November 2015 decision of the leaders of governing parties CDU, CSU and SPD,⁹³ a draft law on the implementation of an accelerated asylum procedure was proposed by the Ministry of the Interior. The draft law essentially provides the establishment of special accommodation centres for persons whose asylum applications are “manifestly ill-founded”. The asylum procedure for persons concerned will last only one week. A further two weeks are foreseen for a possible appeal procedure, so that in total an asylum procedure can be completed in three weeks, as is the case in the so called “airport procedure”. For the persons concerned the entitlement of benefits according to the Asylum Seekers Benefits Act (*Asylbewerberleistungsgesetz*) will arise only with admission to the special accommodation centre responsible. Violations of the residence obligation will result in the suspension of the benefits provided according to the Asylum Seekers Benefits Act.

In addition, the draft law intends to suspend the applications for family reunification by people granted subsidiary protection. Finally, it aims to implement stricter rules regarding obstacles for forced return due to health reasons.⁹⁴

The draft law met heavy criticism by NGOs, the churches and human rights organisations. After this and further negotiations between the coalition parties, a second, defused draft of the law was shared for consultation on Thursday evening. The consultation procedure was halted again on Friday “due to ongoing political discussions”.⁹⁵

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

Racist and related incidents

- In Jüterbog, Brandenburg, on 20 November, an explosion of pyrotechnics occurred in an international youth centre providing German lessons to asylum seekers. Windows were destroyed. The damage is € 2,500.⁹⁶
- In Berggießhübel, Saxony, on 17 November, unknown perpetrators painted two swastikas and the word “Raus” (“get out”) on a building which is currently being used as an accommodation centre.⁹⁷

⁹³ See below: WEEK from 2 November to 8 November, Legal and Policy responses.

⁹⁴ Draft Law available at: www.proasyl.de/fileadmin/fm-dam/v_Dokumente_Dritter/Referentenentwurf_BMI_Gesetz_zur_Einfuehrung_beschleunigter_Asylverfahren.pdf.

⁹⁵ Pro Asyl, press release 18 November 2015, available at: www.proasyl.de/de/presse/detail/news/frontalangriff_auf_das_individuelle_asylrecht/.

⁹⁶ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

⁹⁷ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

- In Bad Oeynhausen, North-Rhine Westphalia, on 17 November, unknown perpetrators destroyed the window of a building close to an accommodation centre. They also “showed their discontent” about refugees on papers which were thrown into the building.⁹⁸

⁹⁸ 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);
- Doctor without Borders (Medecins Sans Frontieres) Greece-MSF Greece (Γιατροί Χωρίς Σύνορα, γραφείο Ελλάδας);
- Greek Council for Refugees (Ελληνικό Συμβούλιο για τους Πρόσφυγες);
- NGO PRAKSIS.

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

Numbers and patterns of new arrivals

Sea arrivals decreased compared to previous weeks due to adverse weather conditions.⁹⁹ Delays remain in the registration of new arrivals and not all persons are reflected in the official data.

In the period from 13 to 20 November 2015, some 16,000 people arrived by sea. Chios was the main point of entry, followed by Lesbos and Samos. New arrivals originated mainly from Syria, followed by Afghanis and Iraqis.¹⁰⁰

For the same period, the Hellenic Coastguard had to take action in 115 instances, mostly in relation to unseaworthy or waterlogged boats.¹⁰¹ During the reporting period, the Hellenic Coastguard strongly denied allegations by foreign press to have attempted to sink a boat with refugees as well as dialogue allegedly taking place with Turkish Coastguards, contrary to what the Turkish press has reported.¹⁰²

⁹⁹ UNHCR Greece.

¹⁰⁰ Hellenic Coastguard.

¹⁰¹ Hellenic Coastguard.

¹⁰² Hellenic Coastguard, Press release, available at: www.hcg.gr/node/11519.

From 9 to 15 November, the First Reception Service¹⁰³ had registered some 330 third-country nationals, mainly Syrian nationals, followed by Iraqi and, Afghani. More than half were women and children.¹⁰⁴

Idomeni

On 18 November, the Former Yugoslav Republic of Macedonia (FYROM) closed its borders and admitted only Syrian, Afghans and Iraqis.¹⁰⁵ On 19 November, FYROM prevented access to all nationalities for the entire day. During that night 6,000¹⁰⁶ people were accommodated in Idomeni's transit camp, which has a capacity to accommodate 2,700 people.¹⁰⁷ MSF distributed additional tents in order to relieve pressure on the overcrowded camp.¹⁰⁸ The following days, FYROM continued to admit only Syrian, Afghan and Iraqi nationals.

As a consequence, about 1,000 people are stuck at the border with FYROM. With frustration growing, some 200 people protested – mainly Iranians, Bangladeshis and Pakistanis. Some 60 people are on hunger strike, and 11 individuals are reported to have stitched up their mouths. About 150 people returned voluntarily to Athens where they are being advised that they can seek asylum.

Near the border crossing point Idomeni, UNHCR and partners have set up a transit centre consisting of seven heated rub halls where stranded people can spend the night and receive a hot meal.¹⁰⁹

Asylum applications and registration

From 16 to 20 November, some 200 people applied for asylum,¹¹⁰ almost half of whom were women and unaccompanied children. They mainly registered in Attica.¹¹¹ Most applicants are 18-34 years of age. They originated mainly from Syria, Iraq, Pakistan, Albania, Afghanistan and Bangladesh. Syria applicants have a 100 % recognition rate at first instance, followed by Afghanistan with 62.7 % and Pakistan with 3.4 % recognition rate.¹¹²

Information sessions on international protection and asylum continue to be conducted in the islands. UNHCR notifies new arrivals on increased risks if they proceed to the borders with FYROM.¹¹³

Relocation

Between 16-20 November, the Asylum Service made 18 requests for relocation pending confirmation by the EUMS of destination. Between 12 October to

¹⁰³ The First Reception Service cannot provide any data on a weekly basis regarding the status or the vulnerability of the cases recorded for the reporting period, however FRC's mandate is to give priority to vulnerable groups.

¹⁰⁴ First Reception Service.

¹⁰⁵ MSF Greece.

¹⁰⁶ MSF Greece.

¹⁰⁷ UNHCR Greece.

¹⁰⁸ MSF Greece.

¹⁰⁹ UNHCR press briefing on 24 November 2015 in Geneva

¹¹⁰ Asylum Service.

¹¹¹ The Asylum Service did not provide information on whether the Asylum Service were new arrivals.

¹¹² Asylum Service. The Asylum Service provided the recognition rate statistics, based on data from decisions (at first instance) until 30 September 2015.

¹¹³ UNHCR Greece.

20 November, 108 requests for relocation were made. 65 relocation decisions have been completed while 43 decisions are pending. The Member States involved are Luxembourg (31), Finland (27), France (19), Germany (16), Lithuania (8), Portugal (4), Cyprus (2) and Sweden (1).¹¹⁴

Criminal proceedings against irregular border crossing

No criminal proceedings were initiated against third-country nationals for irregular border crossing. For the period from 13 to 20 November, the Greek authorities prosecuted 18 cases of suspects allegedly involved in smuggling.¹¹⁵

Returns

Twenty-five forced returns took place in the period from 16 to 22 November. The majority concerned Albanian nationals, followed by persons from Nigeria, Turkey, Serbia, Georgia, Moldavia, Ukraine and Tunisia.¹¹⁶

Unaccompanied and separated children

From the 15 to 22 November, the First Reception Service registered 49 unaccompanied children.¹¹⁷ The majority were boys of 15 years old on average. Twenty-eight were registered in the First Reception Centre of Moria (Lesvos), 14 were registered in Orestiada and seven by the mobile unit in Samos.¹¹⁸ Many continue to claim that they are adults in order to complete the registration procedure faster and avoid referral to reception facilities.¹¹⁹ Children accommodated in reception facilities continued to abscond even within a day from their referral.¹²⁰

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

The lack of human resources and equipment continues and results in registration backlogs in Chios, Leros and Kos.¹²¹ The number of arrivals has increased in Chios slowing down the registration procedure.¹²² The authorities keep changing the registration procedure in Moria and Kara Tepe camps in Lesvos. For example, one day only Syrian families are registered in Kara Tepe camp and the next day all Syrian nationals are registered there. As a result, new arrivals do not know where to go for registration.¹²³

¹¹⁴ Asylum Service.

¹¹⁵ Hellenic Police Headquarters.

¹¹⁶ Attica Aliens Directorate.

¹¹⁷ 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.

¹¹⁸ First Reception Service.

¹¹⁹ Ministry for Migration Policy.

¹²⁰ NGO PRAKSIS.

¹²¹ UNHCR Greece.

¹²² UNHCR Greece.

¹²³ UNHCR Greece.

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

Reception conditions and capacity

Region of Attica

On 24 November, the Ministry for Migration Policy will reopen the 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 1500 migrants, had to be evacuated on 28 September 2015 because of logistical obstacles.¹²⁴

On 20 November, the hockey field in Elliniko was completely empty. The temporary accommodation facility in Elaionas together with the Galatsi stadium hosted 500 persons. The three temporary accommodation facilities had a low occupancy rate compared to their capacity. This is due to the fact that new arrivals use private buses to reach Idomeni from Pireus.¹²⁵

The islands

Reception conditions and capacity continue to be inadequate. No agreement has been reached on the temporary site on Kos and new arrivals are still without any shelter. UNHCR supports the transportation of new arrivals from the island's entry points to the registration site.¹²⁶

The influx of arrivals in Farmakonisi remains steady.¹²⁷ Delays in referral have been reported. There were no improvements with respect to reception conditions and especially with regard to protection from adverse weather conditions.¹²⁸

There are no reception facilities on some small islands and people sleep outside or rent private accommodations.¹²⁹

Kara Tepe and Moria camps in Lesvos had a low occupancy rate, a fact attributed to the decreased numbers of arrivals.¹³⁰

In Leros, the authorities plan to expand the capacity of the temporary accommodation shelter and the registration site following interventions by UNHCR.¹³¹

Winterization plans are ongoing in some islands, with the installation of insulated flooring for rubhalls and additional heating systems.¹³²

¹²⁴ Ministry for Migration Policy.

¹²⁵ Ministry for Migration Policy.

¹²⁶ UNHCR Greece.

¹²⁷ Farmakonisi is an uninhabited island, which administrative belongs to the municipality of Leros. A military base is operating on the island. Arrivals spent one or two days on the island after their referral to Leros.

¹²⁸ UNHCR Greece.

¹²⁹ UNHCR Greece.

¹³⁰ NGO PRAKSIS.

¹³¹ UNHCR Greece.

¹³² MSF Greece.

UNHCR plans to establish an accommodation facility for vulnerable people in Kos.¹³³

First Reception Centre in Orestiada

The living conditions in the First Reception Centre in Orestiada are deteriorating due to inadequate maintenance of the centre.¹³⁴ The First Reception Centre in Orestiada has a capacity to accommodate 240 people and currently hosts 160 people.¹³⁵

Child protection

There is still a lack of appropriate shelter for children in almost all reception facilities in the islands. Children are kept in police custody before being transferred to open reception facilities in the mainland. In Lesvos, the NGO PRAKSIS is still facing problems concerning the accommodation of unaccompanied children in the 'transit facility' for children. The local Prosecutor does not give permission for their referral.¹³⁶ As a consequence, children are accommodated in the First Reception Centre in Moria until their referral to reception facilities on the mainland.

Save the Children established a child-friendly space at the new temporary registration site in Tabakika, Chios.¹³⁷ PRAKSIS plans to extend its presence in Samos and Chios and set up transit accommodation facilities for children.¹³⁸

On 20 November, two children were placed in detention, one in a special facility for children in the pre-removal centre of Amygdaleza and one in the pre-removal centre of Tavros in Attica.¹³⁹

Healthcare

The General Secretariat of Public Health plans to establish medical cards for new arrivals within the next 15 days. The medical card will be provided to new arrivals at the country's entry points and will allow access to health services and the prescription of medication. The medical card will include a brief medical history and basic characteristics such as name, gender and age of the beneficiary.¹⁴⁰

The Ministry of Health also gave permission to International Organization for Migration for the implementation of a pilot program regarding medical cards for new arrivals. The implementation of the program will start in December.¹⁴¹

The Ministry of Health plans to standardize the registration process and the role and the competence of all actors, in order to ensure accountability on the islands.¹⁴²

¹³³ UNHCR Greece.

¹³⁴ UNHCR Greece.

¹³⁵ Ministry for Migration Policy.

¹³⁶ NGO PRAKSIS.

¹³⁷ UNHCR Greece.

¹³⁸ NGO PRAKSIS.

¹³⁹ Hellenic Police Headquarters-Irregular Migration Division.

¹⁴⁰ Ministry of Health.

¹⁴¹ Ministry of Health.

¹⁴² UNHCR Greece.

A 160 % increase of respiratory tract infections was noted at the country's entry points, a fact attributed to the deteriorating weather conditions and to the substandard reception capacity.¹⁴³

Immigration detention

The current capacity of pre-removal centres in Greece is 5,157. On 22 November, the total number of detainees was 335 people, including some 80 asylum seekers. The total capacity for all pre-removal, screening and First Reception Centres (Orestiada) is 5,856. At present, some 1,400 people are hosted in such immigration detention facilities, which corresponds to 25 % occupancy rate.

In Samos, the screening centre is still overcrowded. Almost 1,000 persons are accommodated there, while its capacity is 285.

The total number of detainees decreased compared to previous weeks.¹⁴⁴ Serious gaps regarding the provision of food remain in all pre-removal centres across the country.¹⁴⁵

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.

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

- On 17 November, the Hellenic Coastguard rescued nine individuals and recovered the bodies of another nine persons including four children in the maritime area of Kos after their boat capsized.¹⁴⁶

¹⁴³ MSF Greece provided this information according to its month statistics.

¹⁴⁴ NGO PRAKSIS.

¹⁴⁵ Greek Council for Refugees.

¹⁴⁶ Hellenic Coastguard.

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*);
- United Nations' High Commissioner for Refugees (UNHCR) Hungary;
- Hungarian Helsinki Committee (*Magyar Helsinki Bizottság*);
- Hungarian Association for Migrants (*Menedék Migránsokat Segítő Egyesület*);
- Amnesty International Hungary;
- 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, some 60 people crossed the border into Hungary, the majority entering through the Hungarian-Serbian Border. This shows a slight decrease compared to the previous week.¹⁴⁷ Asylum seekers originated mainly from Afghanistan, Turkey and Pakistan. Children constituted approximately a fourth.¹⁴⁸

On 20 November, the Romanian government established stricter border control at the Hungarian-Romanian border crossings in order to thoroughly check those arriving from war zones such as Syria, Iraq and Afghanistan, and those who may be a threat to national security. As a result of this measure, waiting time for registration at the Romanian-Hungarian border crossing points has increased significantly. The Hungarian authorities have no information on how many people were denied entry into Hungary from Romania after the stricter border control had been in effect.¹⁴⁹

¹⁴⁷ National Police Headquarters, Press Department.

¹⁴⁸ Office of Immigration and Nationality.

¹⁴⁹ National Police Headquarters, Press Department.

Asylum applications and registration

Registration of new arrivals took place systematically.¹⁵⁰

Some 60 people applied for asylum during the reporting period. They originated mainly from Afghanistan, Turkey and Pakistan.

Persons with an entry-ban issued after committing the crime of unauthorised border fence crossing also applied for asylum. As long as an asylum procedure is in progress, the applicant cannot be expelled from the country.

Currently, around 400 asylum seekers are waiting for a decision by the Office of Immigration and Nationality.¹⁵¹ Between 16 and 22 November, 13 positive decisions accepting the asylum claim and 34 negative decisions were made.¹⁵² People whose claims are rejected do not usually appeal. Currently, the Administrative and Labour Court of Szeged (*Szegedi Közigazgatási és Munkaügyi Bíróság*) has 13 ongoing review procedures in which claimants ask for a judicial review of the Office's negative decisions.¹⁵³

Criminal proceedings against irregular border crossing

Unauthorised border fence crossing

A third of the new arrivals were apprehended by the police and charged with unauthorised border crossing as they had climbed over, or ducked under the fences installed at the Serbian-Hungarian borders. Criminal proceedings were initiated by the police against 21 of them, only at the Hungarian-Serbian border.¹⁵⁴ This constitutes a slight decrease in numbers compared to the previous reporting period (25 criminal procedures). 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 into crossing the fences.¹⁵⁵ 959 criminal proceedings were initiated since 15 September 2015 (the date when Hungary criminalised unauthorised border fence crossing). The prosecutor pressed charges against 15 people in the reporting period. All defendants admitted that they had committed the crime of unauthorised border crossing.¹⁵⁶

The District Court of Szeged (*Szegedi Járásbíróság*) held 21 criminal trials in the reporting period. Seventeen people have been sentenced to expulsion to Albania and Kosovo, their countries of origin. Nine people received a one-year entry ban; seven persons a two-year entry ban, and one person a three-year entry ban. In two cases, the Court sent the people back to the prosecutor for further

¹⁵⁰ National Police Headquarters, Press Department.

¹⁵¹ Ministry of Internal Affairs.

¹⁵² Office of Immigration and Nationality.

¹⁵³ County Court of Szeged, Press Department.

¹⁵⁴ The provision of unauthorised border crossing as offence is set out in Article 352/A of Act C of 2012 on the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről*; Criminal Code), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=152383.297990#foot_121_place.

The provision was introduced in the Criminal Code by Act CXL of 2015 on the amendment of certain laws as a result of the migrant situation (*2015. évi CXL. törvény egyes törvényeknek a tömeges bevándorlás kezelésével összefüggő módosításáról*; Act CXL of 2015), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=177552.298006. Act CXL of 2015 entered into force on 15 September 2015.

¹⁵⁵ National Police Headquarters, Press Department.

¹⁵⁶ General Attorney's Office.

investigation. The Court dismissed two cases as the defendants had left the country. None of the defendants appealed against the Court's decisions, therefore all judgments are final. All the defendants stated immediately 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.¹⁵⁷

In the reporting period, the police initiated criminal procedures against 14 people (beyond the new arrivals) who were suspected of having committed the crime of forging public documents when they tried to enter Hungary.¹⁵⁸

Amnesty International published a report titled 'Fear and Fences – Europe's Approach to Keeping Refugees at Bay' on 17 November. The report heavily criticises Hungary for installing fences at the Hungarian-Serbian borderline that served as the main entry point of new arrivals in the first eight months of 2015. The subchapter titled 'Refugees Unwelcome: Hungary's Efforts to Keep Refugees Out' states that Hungary systematically established legal and physical barriers in order to keep the asylum-seekers out. Amnesty International states that Hungary violated the 1951 Geneva Convention on the Status of Refugees through efforts aimed at either preventing the arrival of asylum-seekers in the country or ensuring their speedy return to where they came from. As a consequence Hungary redirected asylum-seekers towards more dangerous sea and land routes that caused more fatalities.¹⁵⁹

Facilitation of irregular entry or stay

During the reporting period, the police did not report cases of facilitation of irregular crossing for humanitarian purposes at the Serbian borders in Csongrád County.¹⁶⁰

The Police apprehended a young Serbian man who led 13 Turkish citizens to the fences in the area of Röszke (a Hungarian city at the Serbian border) and helped them climb over the fences in exchange of money on 16 November. The police arrested the man and initiated a criminal procedure against him.¹⁶¹

On 19 November, the Prosecutor's Office in Kecskemét pressed charges against a Hungarian man who agreed to transport 10 Syrian people – one of them was an infant – to Budapest on 13 September 2015. The defendant rented a van and asked for € 700 for the transport. The police stopped the van on the M5 motorway for a routine check.¹⁶²

Returns

¹⁵⁷ County Court of Szeged, Press Department.

¹⁵⁸ National Police Headquarters.

¹⁵⁹ Amnesty International (2015), *Fear and Fences – Europe's Approach to Keeping Refugees at Bay*, available at: www.amnesty.hu/data/file/1915-fear-and-fences-updated-web-finalv3.pdf?version=1415642342.

¹⁶⁰ National Police Headquarters.

¹⁶¹ National Police Headquarters.

¹⁶² Hungarian Prosecutor, *Pressing charges in Kecskemét against a Hungarian man who tried to smuggle migrants among them an infant (Vádemelés egy csecsemőt is csempésző Magyar férfi ellen Kecskeméten)*, 19 November 2015, available at: <http://mklu.hu/hnlp14/?p=24189>.

The readmission procedure to Serbia remains long; it can take up to three months. Serbia is willing to readmit ten people a day who have valid ID and travel documents.¹⁶³ 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. The authorities started to relocate women and children in the detention centres to the open areas of the refugee camps. Most of the detained people are men and the majority are 19-35 years old.¹⁶⁴

Almost 50 persons were readmitted to Turkey and Serbia in the reporting period.¹⁶⁵ The General Attorney's Office monitored the readmission procedure in one case when the person was deported to Kosovo.¹⁶⁶ Because of the slow readmission procedures, around 620 people have been waiting for deportation in penal institutions and detention centres.¹⁶⁷ Some of them have been in detention for more than 70 days awaiting readmission into Serbia.

Civil society organisations find that the detainees get insufficient information about the expected date of their readmission and their rights.¹⁶⁸

Unaccompanied and separated children

The Hungarian authorities registered four unaccompanied children among the new arrivals in the reporting period. They were 15-17 years old.¹⁶⁹ They were accommodated in special institutions in Fót and Hódmezővásárhely. Proper support from social services is provided.¹⁷⁰

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.¹⁷¹

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

Reception conditions and capacity

Four transit zones (Röszke and Tompa at the Serbian borders, Letenye and Beremend at the borders with Croatia) remained open in the reporting period. New arrivals only used the ones at the Serbian borders. Currently, nobody is accommodated in the transit zones.¹⁷²

¹⁶³ Ministry of Internal Affairs.

¹⁶⁴ National Police Headquarters, Press Department.

¹⁶⁵ National Police Headquarters.

¹⁶⁶ General Attorney's Office.

¹⁶⁷ National Police Headquarters, Press Department.

¹⁶⁸ Helsinki Committee; UNHCR Hungary.

¹⁶⁹ National Police Headquarters, Press Department.

¹⁷⁰ UNHCR Hungary.

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

¹⁷² National Police Headquarters, Press Department.

The total capacity of the three refugee camps (Bicske, Vámoszabadi, Nagyfa) is 980. On 19 November, 260 asylum seekers were accommodated in Bicske, 150 in Vámoszabadi and 73 in Nagyfa. As the total number of asylum-seekers in the country (483) is still below the maximum capacity of these institutions, the authorities have started to relocate those who are currently in immigration or asylum detention in penal institutions and detention centres, and the authorities accommodate them in these refugee camps. The authorities relocated around 50 people in the open parts of the refugee camps. The relocated people were mainly women and children and they were released from the detention centres.¹⁷³ Civil society organisations believe that the relocation procedures are the results of their demarches against automatic placement of asylum-seekers in detention.¹⁷⁴

Civil society organisations still experience that the authorities do 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 have to support people to gain access to proper information. Some persons did not get any information on their relocation to another centre.¹⁷⁵

Child protection

The two institutions that accommodate unaccompanied or separated refugee children housed 22 children (ten in Fót, twelve in Hódmezővásárhely) in the reporting period. They have a total capacity of 88 beds.¹⁷⁶ According to civil society organisations, children got proper support from social services in the two institutions.¹⁷⁷

In the previous reporting periods, civil society organisations reported some unaccompanied or separated children in detention centres.¹⁷⁸ The authorities conducted age assessments for these children. As a result, two children were relocated from detention centres to the special institutions of Fót and Hódmezővásárhely, where they receive proper support from social services.¹⁷⁹

Health care

Civil society organisations consider that the healthcare services provided to people detained in prisons are not satisfactory. Severe medical conditions still do not get treated immediately and it may take days for medical care to be provided, even in the more urgent cases.¹⁸⁰

Immigration detention

Around 620 people are in immigration detention and around 400 people are in asylum detention. They are mainly from Syria, Afghanistan and Iraq.¹⁸¹

¹⁷³ Ministry of Internal Affairs.

¹⁷⁴ UNHCR Hungary; Helsinki Committee.

¹⁷⁵ Helsinki Committee.

¹⁷⁶ Ministry of Human Capacities.

¹⁷⁷ Helsinki Committee.

¹⁷⁸ UNHCR Hungary.

¹⁷⁹ Ministry of Human Capacities.

¹⁸⁰ UNHCR Hungary; Helsinki Committee.

¹⁸¹ Office of Immigration and Nationality; National Police Headquarters.

During the reporting period, 35 migrants (all adults) have been placed into asylum detention.¹⁸²

People in the detention centres and the penal institutions are becoming impatient and tensions are growing, as most of them – especially those who should be readmitted to Serbia – have to wait for deportation for months and do not receive information about the readmission procedures.¹⁸³ The police registered irregular behaviour in six cases (disobeying orders, yelling at officials, rejecting food, damaging furniture in the cell). Civil society organisations also experienced protests and dissatisfaction (impatient behaviour, complaints against the lack of information) on multiple occasions in the reporting period.¹⁸⁴

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

Rallies and incidents

The Hungarian Academy of Sciences Centre for Social Sciences' Institute for Minority Studies (*MTA TK Kisebbségkutató Intézet*) organised a two-day long conference on 16-17 November titled 'Global migration tendencies and Hungary – Challenges and Answers.' The conference covered various topics related to the recent migration crisis, such as historic perspectives, racism and xenophobia in Hungary, the migration crisis and the labour market, and the possible integration of refugees. More than 300 people attended the conference.¹⁸⁵

The Students' Union at the University of Debrecen (*Debreceni Egyetem*) held a conference on 17 November titled 'Break the Taboo!' with more than 100 participants. The keynote speaker of the conference addressed the migration crisis and its environmental and social impact. The keynote speaker, Chair of the BOCS Foundation (*BOCS Alapítvány*), a civil society organisation that was established in 1995 to serve the idea of a sustainable environment, proposed that birth control should be established in the developing countries. Many of the participants found this idea racist and inhuman.¹⁸⁶

NGO humanitarian activities

The Hungarian Association of Refugees organised a visit to the mosque in Budapest on 21 November with the purpose of raising awareness about Islam among the general population. Around 100 people participated. Visitors could ask questions about Islam to the imams of the mosque. The Association found that

¹⁸² Office of Immigration and Nationality.

¹⁸³ Helsinki Committee.

¹⁸⁴ National Police Headquarters; Helsinki Committee.

¹⁸⁵ HAS Centre for Social Sciences - Institute for Minority Studies, *Global migration tendencies and Hungary – Challenges and Answers (Globális migrációs folyamatok és Magyarország – Kihívások és válaszok)*, available at: <http://kisebbssegkutato.tk.mta.hu/hirek/2015/11/globalis-migracios-folyamatok-es-magyarorszag>.

¹⁸⁶ Debreceni Egyetem, *Break the Taboo! (Tört meg a tabut!)*, available at: <http://www.unideb.hu/portal/hu/node/17046>.

such events are needed for the Hungarian society, especially after the attacks in Paris on 13 November 2015.¹⁸⁷

The Hungarian Interchurch Aid (*Magyar Ökumenikus Segélyszervezet*), an internationally recognised charity organisation that was founded in 1991 to assist those in need, is assisting asylum-seekers in Hungary and Slovenia. Children and pregnant women are their main concern. The Interchurch Aid provides hygiene tools, nappies, talcum powder, medicine and winter clothes in the Slovenian refugee camps of Lendva and Gornja Radgona, and the Hungarian camps of Bicske and Vámoszabadi.¹⁸⁸

Hungarian NGOs continue to focus their efforts on the situation at the Croatian-Slovenian borders. Their activities mainly consist of providing useful items (telecommunication devices, warm clothes, medicine) and information.¹⁸⁹ A few dozens of Hungarian volunteers are assisting civil society organisations in Austria, Serbia, Croatia and Slovenia on a daily basis.¹⁹⁰

Voluntary initiatives

Migration Aid, the volunteer project organised on Facebook in June 2015, continues to collect donations for new arrivals at the Croatian-Slovenian borders and the Slovenian-Austrian borders. Migration Aid keeps posting calls for donations requesting specific supplies and items (mainly food, beverages, blankets, warm clothes, shoes) on their Facebook page on a daily basis.¹⁹¹

Migration Aid International's started a new project, SIRIUS.HELP. The project aims to establish a life rescue unit in those locations where most life threatening incidents occur to refugees while attempting to reach the Greek islands from the shores of Turkey. The project supplied new arrivals with 1,000 pieces of insulation mats. The organisation is planning to buy heated tents and speedboats in the upcoming weeks. SIRIUS.HELP relies fully on private individuals and charity organisations.¹⁹²

Legal and policy responses, including any changes to the law

On 17 November, the Hungarian Parliament adopted the legislative proposal No. T/7332 on initiating court procedures against the Council of the European Union's decision on the relocation quota scheme related to those seeking international protection.¹⁹³ The new law obliges the Government to challenge Council Decision

¹⁸⁷ Hungarian Association for Migrants.

¹⁸⁸ Magyar Idők, Interchurch Aid Action for Refugees in Slovenia (*Ökumenikus segélyakció szlovéniai menekülteknek*), 18 November 2015, available at: <http://magyaridok.hu/belfold/szloveniai-migransokra-koncentralnak-az-okumenikusok-122056/>.

¹⁸⁹ UNHCR Hungary; Helsinki Committee; Migration Aid; Hungarian Association for Migrants.

¹⁹⁰ 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.

¹⁹¹ Migration Aid.

¹⁹² Migration Aid.

¹⁹³ Legislative proposal No. T/7332 on initiating court procedure against the Council of the European Union's decision on the relocation quota scheme related to those seeking international protection (*az Európai Unió Tanácsa által a nemzetközi védelmet kérők*

(EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece¹⁹⁴ before the European Court of Justice. The new law states that the Council Decision violates the principles of public international law as no sovereign country can be obliged to take over and decide on claims of international protection submitted in another country. The new law stresses that the Council Decision also violates the principle of subsidiarity as the national Parliaments did not get an opportunity to express their opinions about the proposed relocation quota scheme prior to its adoption. The President of Hungary is expected to sign the new act in a few days, and it should enter into force the day after it will be promulgated in the Official Journal of Hungary (*Magyar Közlöny*).¹⁹⁵

After the attacks in Paris on 13 November 2015, two of the opposition parties, the Democratic Coalition (*Demokratikus Koalíció*) and Together (*Együtt*), suspended their campaign to get signatures from people who support the relocation quota scheme on 16 November 2015. They believe that people need some time to think after the attacks as government officials often blame the migrants and mark them as scapegoats in the press.¹⁹⁶

A contingent of 49 Slovakian police officers arrived in Szeged on 20 November to assist the Hungarian authorities at the Hungarian-Serbian borders. The Slovakian policemen will be wearing armbands labelled 'V4' referring to the coalition of the Visegrád Countries.¹⁹⁷

The Decree of the Minister of Internal Affairs No. 60/2015. (XI. 16.), on reordering partial border closure at the Hungarian-Croatian border,¹⁹⁸ extended the closure of three rail crossing points (Murakeresztúr, Gyékényes, Magyarbóly) at the Hungarian borders with Croatia. Trains arriving from Croatia may still occasionally enter at Gyékényes. The extended closure of the rail crossing points will be in effect for 30 days, then the Minister of Internal Affairs reviews whether the border closure is still necessary.

kötelező kvóták szerinti elosztásáról elfogadott határozattal összefüggésben indítandó bírósági eljárásról szóló T/7332. törvényjavaslat), available at: www.parlament.hu/irom40/07332/07332.pdf.

¹⁹⁴ Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece, available at: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2015_248_R_0014.

¹⁹⁵ Official Journal of Hungary (*Magyar Közlöny*), available at: www.magyarokozlony.hu.

¹⁹⁶ Magyar Idők, Gyurcsány still supports the relocation (*Gyurcsányék továbbra is kitartanak a betelepítés mellett*), 16 November 2015, available at: <http://magyaridok.hu/belfold/gyurcsanyek-tovabbra-kvota-mellett-148774/>; Politico, *All the terrorists are migrants*, 23 November 2015, available at: www.politico.eu/article/viktor-orban-interview-terrorists-migrants-eu-russia-putin-borders-schengen/.

¹⁹⁷ National Police Headquarters, Press Department.

¹⁹⁸ Decree of the Minister of Internal Affairs no. 60/2015. (XI. 16.) on reordering partial border closure at the Hungarian-Croatian border (*60/2015. (XI. 16.) BM rendelet részleges határzár Magyar-horvát határon történő ismételt elrendeléséről*), available at: http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1500060.BM.

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

The number of racist comments has increased significantly on the internet where people comment on articles and Facebook entries reporting about the Paris attacks and the relocation quota scheme.¹⁹⁹

¹⁹⁹ Information is based on expert's personal observation between the period of 16-22 November 2015.

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 by the Federation of Evangelical Churches in Lampedusa (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

During the reporting period, some 200 persons were rescued by the Irish ship 'LÉ Samuel Beckett', later on embarked on the MSF ship 'Argos',²⁰⁰ with passengers originating mainly from sub-Saharan countries, and by the Italian Navy ship 'Duilio', and then transferred to the ship 'Aliseo'.²⁰¹ Some 2000 persons applied for asylum.²⁰²

Between 6 and 14 November, some 1300 persons arrived by sea and were disembarked in Pozzallo and Trapani, Sicily, originating mainly from Syria, Eritrea and sub-Saharan countries.²⁰³

According to IRC, in the reporting week, two Nigerian women and one from Togo reported having suffered rape and sexual assaults. The necessity to identify and register as many new arrivals as possible does not allow to properly identify people in need of international protection or their protection needs. As an example, after disembarkation a Nigerian woman reported having suffered violence during the

²⁰⁰ Information available on the Twitter accounts of MSF (@MSF_sea) and the Irish Defence Forces (@defenceforces).

²⁰¹ Mediterranean Hope and Information available on the Twitter account of the Italian Navy (@italian_navy).

²⁰² Ministry of the Interior, Civil Liberties and Immigration Department (*Ministero dell'Interno, Dipartimento per le Libertà civili e l'Immigrazione*).

²⁰³ UNHCR, *Europe's Refugee Emergency Response – Update #10*, 6-12 November 2015 and IRC.

journey. As she had declared to be in Italy for work related reasons, the police was about to transfer her to the nearby identification and expulsion centre. IRC and UNHCR intervened and managed to transfer her to a proper reception centre.²⁰⁴

Unaccompanied and separated children

MSF recalls that in September a group of children from Egypt spent more than 15 days in the centre in Pozzallo due to lack of appropriate reception centres for children. They were held in a confined room, without any possibility to go out in open air and deprived of any recreational activities. This contributed to a very tense situation, and some children suffered from anxiety. One engaged in an act of self-harm.²⁰⁵

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

In the above mentioned hearing at the Chamber of Deputies, MSF pointed out that people do not seem to fully understand what happens during the initial registration in Pozzallo. During the medical screening inside the centre (which occurs after the registration procedure), they frequently ask MSF staff for clarifications, information, and details.²⁰⁶

MSF clearly states that although their operators have no competence to assess the quality of the information provided, they maintain that the initial registration and identification takes place so rapidly that they seriously doubt that it is adequate to identify particular vulnerabilities and asylum seekers. In addition, MSF outlines that the situation is chaotic, without a clear identification of roles and responsibilities. As a result, new arrivals are very confused about what is going on.²⁰⁷

The Italian Refugees Council (CIR) agrees with MSF. Asylum seekers assisted by CIR confirmed that the registration and identification procedures in Pozzallo are not clear. According to CIR, the centres in Pozzallo and Porto Empedocle are *de facto* working as hotspots: several 'delayed rejections at the border' (*respingimento differito*)²⁰⁸ have been acted upon. Access for NGOs to these centres has become harder. Two weeks ago, CIR, along with other Italian NGOs, asked for a meeting with the Minister of the Interior to discuss the procedures in Pozzallo and Porto Empedocle. Yet they have not received a response.

UNHCR highlights the need to improve the coordination system and to develop a standard registration and identification procedure within hotspots.²⁰⁹

²⁰⁴ Italian Red Cross.

²⁰⁵ Medecins Sans Frontieres.

²⁰⁶ Italian Refugees Council.

²⁰⁷ Medecins Sans Frontieres.

²⁰⁸ Deferred push-back/Delayed removal is implemented when migrants have avoided border checks and have been stopped at the entrance or immediately after the entrance, or are entitled to enter temporarily in order to be rescued, but they are not entitled to stay on the territory of the Italian State.

²⁰⁹ UNHCR, *Europe's Refugee Emergency Response – Update #10*, 6-12 November 2015.

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

Reception conditions and capacity

In the above mentioned hearing at the Chamber of Deputies,²¹⁰ MSF Italia reported on the conditions of the first-aid and reception centre (*Centro di Primo Soccorso e Accoglienza*, CPSA) in Pozzallo.²¹¹ MSF voiced several issues of concerns. The centre needs maintenance: there are some water infiltrations from the roof, showers and toilets do not work properly, and toilets do not have doors. Furthermore, there have been episodes of cockroach infestation. These precarious conditions become even more unbearable when the centre is overcrowded. Safety is also a serious shortcoming. The safety door is often blocked by a police car parked in front of it. The main door is blocked by a piece of wood which is removed when the personnel of the centre needs to enter or exit. In the event of fire, security risks are very high also because of flaws in the fire prevention system. Therefore, MSF raises serious doubts about the suitability of the reception system in Pozzallo.²¹²

In other regions of Italy, local authorities promoted public initiatives to improve the capacities for receiving asylum seekers. For example, the Municipality of Arzachena (Sardinia) published a call for services to develop reception facilities to receive asylum seekers arriving in Sardinia. Funds are provided by the Ministry of the Interior.²¹³ On 16 November, an agreement was signed between by the Province of Trento (Trentino-Alto Adige) and the local diocese in order to develop reception facilities for 120 asylum seekers, using buildings belonging to the local parishes and the diocese. The project is supposed to be fully operational by the end of 2015.²¹⁴

Child protection

On 20 November, the Italian Authority for Childhood and Adolescence (*Autorità Garante per l'Infanzia e l'Adolescenza*) issued a roadmap to develop a standard procedure for the reception and care of unaccompanied children arriving in Italy. The roadmap aims at improving the Italian legislation about unaccompanied migrant children and at developing standard procedures that can be implemented on the Italian soil.²¹⁵ This decision is particularly important considering that in

²¹⁰ Italian Refugees Council.

²¹¹ Hearing available at: <http://webtv.camera.it/evento/8623>; Medecins Sans Frontieres, *Rapporto Pozzallo: condizioni inaccettabili, servono risposte urgenti e strutturate*, 17 November 2015, available at: www.medicisenzafrontiere.it/notizie/comunicato-stampa/rapporto-pozzallo-condizioni-inaccettabili-servono-risposte-urgenti-e.

²¹² Medecins sans Frontieres.

²¹³ Municipality of Arzachena, Public announcement of 10 November 2015, available at: www.comunearzachena.gov.it/images/stories/Amministrazione_trasparente/Settore4/avviso%20esplorativo%20accoglienza%20migranti%202015.pdf.

²¹⁴ Melting Pot, *In Trentino 120 richiedenti asilo nelle strutture parrocchiali*, 18 Novembre 2015, available at: www.meltingpot.org/In-Trentino-120-richiedenti-asilo-nelle-strutture.html#.VIAPk3YvfIU.

²¹⁵ Italian Authority for Childhood and Adolescence, *Verso un Sistema di tutela dei minorenni stranieri non accompagnati*, 20 November 2015, available at: <http://garanteinfanzia.s3-eu-west-1.amazonaws.com/s3fs-public/Verso%20un%20sistema%20di%20tutela.pdf>

Italy there are currently 15,000 unaccompanied children: more than 5,500 have left reception facilities and are not included in the records.²¹⁶

Healthcare

In the above mentioned hearing at the Chamber of Deputies, MSF pointed out the involvement of the Local Health District Authority (*Azienda Sanitaria Locale, ASL*) as a promising practice implemented in Pozzallo. MSF, in cooperation with ASL, has developed an effective health screening procedure.

The health screening goes through several steps. The first screening is carried out on board by the doctors of the Maritime, Air, and Border Health Offices (*Uffici di Sanità Marittima, Aerea e di Frontiera, USMAF*). The second screening is performed at the dock by ASL doctors specialised in emergency healthcare. Before people enter the centre, a third screening is carried out, specifically targeted at diagnosing any infectious diseases (the most frequent are scabies and dermatological problems, along with respiratory diseases). In the Pozzallo centre, a doctor is available for eight hours a day, and a nurse for 24 hours a day. The team consists of doctors from both MSF and ASL. Everybody hosted in the centre is screened again for any disease. Less than 5 % need to be hospitalised. Pregnant women are systematically hospitalised. Acts of self-harm were all connected with a prolonged stay in the centre.²¹⁷

Despite this, several shortcomings have been outlined. The personal hygiene kit is not always provided. There is no suitable area to treat people suffering from scabies. People hosted in the centre have difficulties in communicating with relatives or other people by phone. There is only one public phone, and this is in the court in front of the centre, and the phone cards provided to migrants are often not suitable to call the countries they come from. As MSF outlines, this has some effects on people's psychological health, especially in the period immediately after disembarkation. Finally, the lack of information and the chaotic situation during the initial registration and fingerprinting procedure have consequences also on people's health conditions. These severe shortcomings of the centres seriously affect healthcare, no matter how good the implemented procedure is.²¹⁸

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

On 17 November, the deadline for the adoption by the Government of a decree to implement the decriminalisation of the offence of irregular immigration – which

²¹⁶ Redattore Sociale, *Minori stranieri non accompagnati: sono oltre 5,5 mila gli "irreperibili"*, 20 November 2015, available at: www.redattoresociale.it/Notiziario/Articolo/495126/Minori-stranieri-non-accompagnati-sono-oltre-5-5-mila-gli-irreperibili.

²¹⁷ Medecins Sans Frontieres.

²¹⁸ Medecins Sans Frontieres.

had been decided by the Houses of Parliament – expired.²¹⁹ The offence of irregular migration is consequently still in place.²²⁰ According to CIR, the offence has not had a big impact on asylum seekers as a deterrent measure.

²¹⁹ Deadline was established by Law No. 67 of 28 April 2014 – *Legge 28 aprile 2014, n. 67, Deleghe al Governo in materia di pene detentive non carcerarie e di riforma del sistema sanzionatorio. Disposizioni in materia di sospensione del procedimento con messa alla prova e nei confronti degli irreperibili*

²²⁰ *Il Sole 24 ore, Depenalizzazione vicina al traguardo, ma sull'immigrazione clandestine deciderà il Parlamento*, 13 November 2015, available at: <http://www.ilsole24ore.com/art/notizie/2015-11-13/depenalizzazione-vicina-traguardo-ma-sull-immigrazione-clandestina-decidera-parlamento-170955.shtml?uuid=ACPOoMZB>. At a later stage, the information should be made available on the following web page of the Italian Parliament: www.parlamento.it/parlam/leggi/deleghe/14067ld.htm

Slovenia

Stakeholders contacted

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

- The Directorate for Internal Administrative Affairs, Migration, and Naturalization (*Direktorat za upravne notranje zadeve, migracije in naturalizacijo*) at the Ministry of the Interior (*Ministrstvo za notranje zadeve, MNZ*).
- The Police (*Policija*), a constituent body of the Ministry of the Interior (*Ministrstvo za notranje zadeve*);
- Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*Uprava Republike Slovenije za zaščito in reševanje, URSZR*) – responsible for reception conditions;
- Centre for foreigners in Postojna (*Center za tujce Postojna*);
- The Office of the State Prosecutor General of the Republic of Slovenia (*Vrhovno državno tožilstvo Republike Slovenije*);
- Red Cross Slovenia (*Rdeči križ Slovenije*);
- ADRA Slovenia (*ADRA Slovenija*), a humanitarian organization established by the Seventh-day Adventist Church (*Krščanska adventistična cerkev*);
- Slovenian Philanthropy (*Slovenska Filantropija*), an NGO;
- Caritas Slovenia (*Slovenska Karitas*);
- 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;
- UNICEF 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;
- Coordinator of the 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

Registration

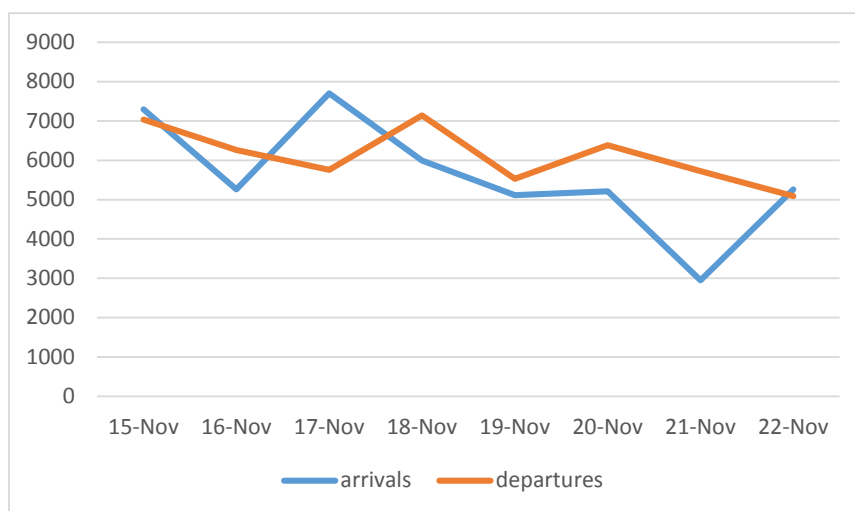
All new arrivals are being registered by the police.²²¹ The police reports more than 42,000 persons having entered Slovenia during the reporting period. As these figures are revised in the registration procedure, the number of people recorded in the main police statistical database for this period following registration

²²¹ The police, Ministry of the Interior.

amounts to some 25,000 persons, mostly originating from Syria, Afghanistan and Iraq. 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.²²²

Slightly less than half of them were children and women.

Figure 1: Number of people who entered and left Slovenia, 15–22 November 2015



Asylum applications

During the reporting period, four persons sought asylum, including an unaccompanied child from Pakistan.²²³

Asylum proceedings

From 16 October 2015 until 16 November 2015, some 80 persons had applied for international protection.²²⁴

Criminal proceedings or punitive sanctions against irregular border crossing

In Slovenia, irregular border crossing is not a crime. It is a petty offence/misdemeanour.²²⁵ During the reporting period, the police issued a fine for avoiding border control to three persons, including two nationals of Croatia.²²⁶

²²² The police, Ministry of the Interior.

²²³ The police, Ministry of the Interior.

²²⁴ Ministry of the Interior, *Šefić: The situation in Slovenia is stable and secure*, Press conference, 17 November 2015, available at: www.mnz.gov.si/en/media_room/news/article/12137/9505/8fdd321eed7758eb188f080118615bc7/ and Ministry of the Interior, *Activities to control the influx of migrants assessed as good*, Press conference, 23 November 2015, available at: www.mnz.gov.si/nc/en/media_room/news/article/12137/9518/.

²²⁵ 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.

²²⁶ The police, Ministry of the Interior.

Returns

During the reporting period eight Albanians were readmitted by Croatia.²²⁷

Other procedures

During the reporting period, almost 90 persons were detained for irregular border crossing in the Centre for foreigners in Postojna (*Center za tujce Postojna*) in order to establish their identity, which included on unaccompanied child from Syria, or prepare their return, which included 62 people from Morocco to be returned on the basis of a bilateral agreement to Croatia.²²⁸

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

While the flow of migrants has remained constant between 15 and 21 November, the strain on reception and accommodation centres has been manageable.²²⁹ The Dobova Livarna reception centre, which has been renovated a couple of weeks ago, is well kept.²³⁰ Running water can now be heated up to 20 degrees Celsius.

During the reporting period, the Šentilj accommodation centre, accommodating up to 2,000 persons, was overcrowded on three days with more than 3,000 persons staying there on 16 and 17 November.²³¹ Public order and peace offences at the centre included efforts by people to make a hole and leave the tent, in some instances also taking blankets and beds with them. The situation subsequently improved as the police gradually let people leave for Austria (a group every hour).²³²

Since 14 November, the capacities of the accommodation and reception centres have increased from 7,393 to 9,393.²³³ It has been noted that people are staying in Slovenia for longer periods of time. While the centres are still operating adequately, on a long term basis this will become a logistical challenge for the approximately 500 staff of the Administration for Civil Protection and Disaster

²²⁷ The police, Ministry of the Interior.

²²⁸ Centre for foreigners in Postojna.

²²⁹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 15, 16, 18, 18, 19, 20, and 21 November 2015.

²³⁰ Slovenian Philanthropy.

²³¹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 16, 17 and 20 November 2015.

²³² Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 18 November 2015.

²³³ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 14 November 2015.

Relief and volunteers working in the centres.²³⁴ Communication with Croatia as well as Austria has been good, although “Slovenia would appreciate it if Croatia was able to further slow down the frequency of transporting people to Slovenia”.²³⁵

Two key issues of concern remain unresolved: the sanitary situation at the train station at Dobova, the main entry point to Slovenia, and the “no man’s land” area between Slovenia and Austria, next to the Šentilj accommodation centre.

There have been some positive developments at Dobova train station and at reception centre Dobova Livarna. On 20 November, a meeting took place between the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*URSZR*), the Slovenian police, the Slovenian army and NGOs. It was agreed to provide running (or, if possible, drinking) water at the Dobova train station. This is a difficult task because the pipes at the train station have not been used for twelve years.²³⁶ The NGO Adra suggested covering the asphalted train station platform with wood, in order to make it warmer when people have to wait on the platform. The issue is still being discussed.²³⁷ Plastic mobile toilets will be replaced with metal containers that are a closer to a real toilet. The train platforms are being cleaned a few times a day. The public cleaning company, however, announced that they will not be cleaning the platforms any longer during the night, i.e. after 10 pm.²³⁸ The smell is still unpleasant, but the area is a bit cleaner.²³⁹

Improvements were noted concerning the “no man’s land” area in Šentilj between Slovenia and Austria. People generally waited in the area for a reasonable amount of time, except for on 17 November when they had to wait for several hours as the pace of accepting people into Austria slowed down.²⁴⁰ The human rights division of the Legal Information Centre of NGOs (*PIC*) informed the Ministry of the Interior about the congestion, and the situation was resolved by 18 November.²⁴¹ The Ministry of the Interior’s longer-term solution for these occasional congestions is that all three exit points from Slovenia, i.e. Šentilj, Jesenice and Gornja Radgona, are to become equally permeable. For now Šentilj has been carrying an excessively large part of the traffic. The discussions on how to arrange this are taking place between the Slovenian and Austrian police forces.²⁴²

Additionally, the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*URSZR*) agreed to order six additional toilet cabins while Adra will provide a few more volunteers in the “no man’s land” area,²⁴³ which had been subject to discussion with the Administration of the Republic of Slovenia for Civil

²³⁴ Ministry of the Interior, Šefic: *The situation in Slovenia is stable and secure*, Press release, 17 November 2015, available at: www.mnz.gov.si/nc/en/media_room/news/article/12027/9505/.

²³⁵ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

²³⁶ Slovenian Philanthropy.

²³⁷ Adra.

²³⁸ Slovenian Philanthropy; Adra.

²³⁹ Amnesty International Slovenia.

²⁴⁰ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 17 November 2015.

²⁴¹ Human rights division of the Legal Information Centre of NGOs.

²⁴² Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

²⁴³ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 20 November 2015.

Protection and Disaster Relief (*URSZR*) for quite some time.²⁴⁴ In addition, another dining room is to be set up in the Šentilj accommodation centre.²⁴⁵

Reports on the behaviour by the police show a mixed picture: some officers are very helpful²⁴⁶ while others yell impatiently. It has been suggested that the atmosphere would be calmer if the police was using megaphones that allow for a calmer voice instead of yelling.²⁴⁷ The Legal Information Centre of NGOs (*PIC*), UNHCR implementation partner in Slovenia, reported a group of policemen for yelling and pushing people. The policemen were not violent, however, their behaviour was inhospitable. Procedures against them are underway. The organization also informed the Slovenian Ombudsman (*Varuh človekovih pravic Republike Slovenije*) about the situation. Following these two measures, the situation improved at Dobova train station and Dobova Livarna.²⁴⁸

As temperatures decrease, the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*URSZR*) has several concerns: adapting the sanitary facilities in Šentilj to cold weather,²⁴⁹ heating up 50 tents in Gruškovje that are still not being heated, finding a solution for pipes bursting due to low temperatures.²⁵⁰

There are still reports of difficulties (i.e. long waiting times) to accommodate persons at the centres upon arrival of large numbers at once. For instance on 18 November at 13:55, twenty buses carrying around 1,000 people arrived at the accommodation centre Vrhnika. The strain of the crowd at the entrance made their reception and the provision of care very difficult.²⁵¹

Child protection

There is still no regular schedule for activities intended for children due to the fact that the police consider such activities a security issue. They are afraid of losing control if the volunteers mix in the crowd of migrants and refugees for longer periods of time.²⁵² At the weekly meeting of non-governmental organizations (NGOs) on 19 November, the Human rights division of the Legal Information Centre of NGOs (*PIC*) proposed to extend the participation in the meetings to organizations interested in working with children.²⁵³

UNICEF Slovenia plans to set up family friendly spaces in the accommodation centres between 23 and 29 November. The idea is to create areas separated from other people (a part of a tent, for example) where mothers can breastfeed and children can play.²⁵⁴

²⁴⁴ Adra.

²⁴⁵ Human rights division of the Legal Information Centre of NGOs.

²⁴⁶ Amnesty International Slovenia.

²⁴⁷ Slovenian Philanthropy.

²⁴⁸ Human rights division of the Legal Information Centre of NGOs.

²⁴⁹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 16 November 2015.

²⁵⁰ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 16 November 2015.

²⁵¹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 18 November 2015.

²⁵² Slovenian Philanthropy.

²⁵³ Human rights division of the Legal Information Centre of NGOs.

²⁵⁴ UNICEF Slovenia.

Medical issues

On 13 November, a person from Syria died due to internal organ failure after being found very ill during registration procedures at the Petišovci reception centre at night.²⁵⁵ The person's two children (one now an unaccompanied child) were located and brought to the reception centre for asylum seekers – called the 'Asylum Home' (*Azilni dom*) – located in Ljubljana, until a decision is reached, "possibly for them to be returned to Turkey where their mother is".²⁵⁶

A person presumably of Syrian nationality died on 17 November at Ptuj general hospital after having entered Slovenia in a group of some 500 persons via the Gruškovje border crossing point. The deceased complained of severe chest and stomach pain, was given medical assistance and taken to Ptuj hospital. Her relatives have been notified.²⁵⁷ No wrongdoing of authorities has been reported by the stakeholders or the media.

On 19 November, a couple was taken from the accommodation centre Logatec to the maternity hospital in Ljubljana where the woman gave birth. Other members of her family were taken to the accommodation centre Vrhnika, where they awaited their return. The centre for social work has been notified.²⁵⁸

Finally, a ROLE 1 type mobile hospital that was brought from the Czech Republic has now been set up and is operating in the accommodation centre in Šentilj.²⁵⁹

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 weekly meeting of NGOs and HOs took place on 19 November at SLOGA (a platform for non-profit NGOs) headquarters.²⁶⁰ Among others, a letter inquiring about the government's intentions concerning the setting up the new, larger accommodation centre will be sent to the Ministry of the Interior (*Ministrstvo za notranje zadeve*) by SLOGA.

²⁵⁵ The police, *A migrant dies in Murska Sobota hospital yesterday – information update at 9:00*, Press release, 14 November, available at: www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/Novem ber/14_november/20151114_A_migrant_dies_in_Murska_Sobota_hospital_yesterday.doc.

²⁵⁶ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 15 November 2015.

²⁵⁷ The police, *A migrant dies in Ptuj hospital this morning*, Press release, 17 November, available at: www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/Novem ber/17_november/17112015_umrla_migrantka_ptuj.doc.

²⁵⁸ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 15 November 2015.

²⁵⁹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 16 November 2015.

²⁶⁰ Weekly meeting of NGO's dealing with migrants and refugees at SLOGA headquarters.

Voluntary initiatives

Less people are signing up at Slovenian Philanthropy (*Slovenska filantropija*) to volunteer during the week and particularly at night. The need to increase the number of volunteers that are present in the accommodation and reception centres at night was brought up at the weekly meeting of NGOs and HOs on 19 November. There is still, however, ample interest to volunteer during the weekends. Additionally, NGOs and HOs representatives present at the meeting agreed to find a way to include smaller and foreign NGOs and HOs that are offering their assistance in the established system of Slovenian organizations engaged in working with migrants and refugees.²⁶¹

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 9 to 15 November: the hotline received 46 reports of hate speech, one involving the influx of refugees was so serious that it was referred to the police.²⁶²

On-line social response remains high. Journalism ethics committees find that their peers are in general reporting in a matter of fact way on this issue, condemn hate speech online and urge media outlets to do more to stop it.²⁶³ The National radio television web portal MMC RTVSLO (www.rtv slo.si) still restricts online commenting to only one news article related to this issue per day.

Legal and policy responses, including any changes to the law

Development in registration procedures

The police has introduced a special app for faster registration that enables entering personal information directly in the police records. By 23 November, the names of some 230,000 persons had been entered into the register; some 150,000 photographed, and almost 35,000 fingerprinted.²⁶⁴

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

By 19 November, Slovenia had built “temporary physical barriers” of over 40 kilometres on the border with Croatia (near Metlika, Rigonci and Središče ob Dravi).²⁶⁵ By 23 November, a total of over 50 kilometres of physical barriers were

²⁶¹ Weekly meeting of NGO's dealing with migrants and refugees at SLOGA headquarters.

²⁶² Coordinator of “Web eye”.

²⁶³ STA (Slovenska tiskovna agencija – Slovenian Press Agency), 'Journalism ethics committees condemn hate speech on internet forums' (*V novinarskih častnih razsodiščih kritični do sovražnega govora na forumih*), 23 November 2015, available at: www.sta.si/2199566/v-novinarskih-castnih-razsodiscih-kriticni-do-sovraznega-govora-na-forumih.

²⁶⁴ Ministry of the Interior, *Activities to control the influx of migrants assessed as good*, Press conference, 23 November 2015, available at: www.mnz.gov.si/nc/en/media_room/news/article/12137/9518/.

²⁶⁵ Ministry of the Interior Šefic: *An agreement on returning economic migrants is vital*, Press conference, 19 November 2015, available at: www.mnz.gov.si/nc/en/media_room/news/article/12137/9514/.

put up. New ones are being currently set up in the area of Novo Mesto (southern region), Celje and Maribor (northern part of the country).²⁶⁶

The Government emphasises: "In cooperation with the neighbouring countries, Slovenia is adopting measures to regulate the flow of migration, taking into account the available capacities and the number of migrants we can receive and the number of migrants we can pass on. These measures do not represent closure of the border".²⁶⁷

Harsher asylum legislation is expected²⁶⁸

A new act on international protection (asylum) is being coordinated among departments, which will envisage faster processing and more stringent asylum conditions.²⁶⁹

Further possible measures: return of economic migrants – profiling on the basis of nationality as condemned by UNHCR, IOM, and UNICEF²⁷⁰

On 18 November, Slovenia proposed "the return of 160 Moroccan migrants" to Croatia on the basis of a bilateral agreement. Croatia rejected their return on 19 November. Mr Boštjan Šefic, State Secretary at the Ministry of the Interior (*Ministrstvo za notranje zadeve*) explained that these people were "classic economic migrants who had joined the stream at some point".²⁷¹ When Croatia rejected their return they "were allowed to again join this stream and continue their way towards Austria". This seems to have applied only to some of these people. According to the police, the same day "80 economic migrants (79 citizens of Morocco and 1 citizen of Egypt) were detained in the Centre for foreigners in Postojna (*Center za tujce Postojna*). All are still being held there and are in the process of removal from the country."²⁷²

The State Secretary emphasised that this has been the only instance of attempt to return. Slovenia remains open and is still allowing all people to enter (economic migrants or refugees).²⁷³ However, he also emphasised the need to return

²⁶⁶ Ministry of the Interior, *Activities to control the influx of migrants assessed as good*, Press conference, 23 November 2015, available at: www.mnz.gov.si/nc/en/media_room/news/article/12137/9518/.

²⁶⁷ The police, *Measures to regulate migration flow do not mean closing borders*, Press release, 16 November 2015, available at: www.policija.si/eng/index.php/component/content/article/13-news/1781-measures-to-regulate-migration-flow-do-not-mean-closing-borders.

²⁶⁸ As announced by the Prime Minister during the last reporting period (RTVSLO MMC web portal, *Cerar: Slovenia will disagree with returning of refugees*, 13 November 2015, available at: www.rtv slo.si/news-in-english/cerar-slovenia-will-disagree-with-returning-of-refugees/378578).

²⁶⁹ Ministry of the Interior, *Activities to control the influx of migrants assessed as good*, Press conference, 23 November 2015, available at: www.mnz.gov.si/nc/en/media_room/news/article/12137/9518/.

²⁷⁰ UNHCR, *Joint UNHCR, IOM, and UNICEF statement on new border restrictions in the Balkans*, press briefing, 20 November 2015, available at: www.unhcr.org/564ee87b6.html.

²⁷¹ Ministry of the Interior, *Šefic: An agreement on returning economic migrants is vital*, Press conference, 19 November 2015, available at: www.mnz.gov.si/nc/en/media_room/news/article/12137/9514/.

²⁷² Centre for foreigners in Postojna.

²⁷³ MMC RTVSLO web portal, 'Šefic: we are not returning economic migrants automatically' (*Šefic: Ekonomskih migrantov ne vračamo samodejno*), 19 October 2015, available at: www.rtv slo.si/svet/sefic-ekonomskih-migrantov-ne-vracamo-samodejno/379011.

economic migrants.²⁷⁴ He stated that this is necessary, because the number of economic migrants is escalating significantly. He stated that economic migrants are those that do not come from the key countries (for example Syria, Iraq, Afghanistan) but other countries, for example, countries of the Western Balkans as well as others, “for which we know that they are safe” and their residents have legal possibilities of entering the EU. He emphasised that all further actions will be the result of an agreement between all countries involved, as Slovenia is aware that unilateral actions are futile and do not bring the results desired.²⁷⁵

Including contractual Slovenian army reservists

The Slovenian army has been calling into duty 200 of its 914 contractual army reservists (*pogodbeni rezervisti*) who will be included in the management of the reception and accommodation centres.²⁷⁶

Bilateral assistance from other EU Member States

On 17 November, Slovenian police officers were assisted by 180 foreign officers from nine countries. Another hundred are expected to be sent to Slovenia in the next few days.²⁷⁷ Fourteen countries have provided international assistance to Slovenia through the European Civil Protection Mechanism,²⁷⁸ also in the form of material and technical resources, protection resources and food.²⁷⁹

Cooperation regarding security concerns

On 17 November 2015, a working meeting of home affairs representatives of a few countries along the so-called Western Balkan migration route took place at Brdo pri Kranju on the initiative of the Slovenian Minister of the Interior, Ms Vesna Györkös Žnidar. The invited countries included Greece, Macedonia, Serbia and Croatia. Croatia did not respond to the invitation. The meeting focused on improving operational cooperation to manage the influx of migrants more effectively. The participants agreed to “begin to slow down the flow in order to prevent the overburdening of countries, which would negatively affect everyone”.²⁸⁰

²⁷⁴ Ministry of the Interior, *Šefic: An agreement on returning economic migrants is vital*, Press conference, 19 November 2015, available at: www.mnz.gov.si/nc/en/media_room/news/article/12137/9514/.

²⁷⁵ Ministry of the Interior, Press conference, 19 November 2015, video of the entire conference available at: <http://arhiv.mm.gov.si/vlada/mMC/151119NKBEG.mp4>

²⁷⁶ MMC RTVSLO web portal, 'The army will draft its contractual reservists' (*Vojska bo vpoklicala pogodbene rezerviste*), 19 November 2015, available at: www.rtvlo.si/slovenija/vojska-bo-vpoklicala-pogodbene-rezerviste/379025.

²⁷⁷ Ministry of the Interior, *Šefic: The situation in Slovenia is stable and secure*, Press conference, 17 November 2015, available at: www.mnz.gov.si/en/media_room/news/article/12137/9505/8fdd321eed7758eb188f080118615bc7/.

²⁷⁸ Ministry of the Interior, *Activities to control the influx of migrants assessed as good*, Press conference, 23 November 2015, available at: www.mnz.gov.si/nc/en/media_room/news/article/12137/9518/.

²⁷⁹ The Government of the Republic of Slovenia's website, *Helping refugees: Assistance from abroad*, available at: www.vlada.si/en/helping_refugees/assistance_from_abroad/.

²⁸⁰ Ministry of the Interior, *Better operational cooperation and more effective management of the influx of migrants discussed at Brdo pri Kranju*, 17 November, available at: www.mnz.gov.si/en/media_room/news/article/12137/9506/8dc64be61f572cd59f38ce76095a9fb8/.