

Monthly data collection on the migration situation in the EU

Highlights

October 2016 monthly report

1–30 September 2016

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For the focus on 'Key migration issues: one year on from initial reporting' of this October 2016 monthly report, see:

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Highlights: 1-30 September 2016

New arrivals

Arrivals in Italy remain at a high level, with 16,800 people arriving by sea in September.

Arrivals in Bulgaria decrease by 30 % compared with August. Four migrants, including two children, drown in the Danube when trying to enter Bulgaria.

Hungary returns some 1,060 persons apprehended within 8 km of the border to the Serbian side of the fence where they have to wait until they can submit their asylum claims in one of the transit zones.

The Hungarian government initiates a 'Border Hunting Programme' to recruit volunteers willing to assist the authorities with guarding the borders.

Sweden announces to increase the number of refugees to be resettled in Sweden.

Arrivals in Austria further decrease, with most persons entering from Italy while some arrive through Hungary and Slovenia.

Criminal proceedings

Many new arrivals in Italy are arrested for smuggling and some of them for human trafficking.

Germany initiates criminal proceedings for irregular border crossing in thousands of cases each month (5,800 in August) and for smuggling in human beings in about 150 cases.

Criminal proceedings for irregular border (fence) crossing further decrease in Hungary since persons apprehended within 8 km of the border are immediately returned to Serbia.

Bulgaria also launches several criminal proceedings for irregular border crossing, including for attempts to leave the country irregularly.

Initial registration and processing

Apprehension efforts intensify in Bulgaria, affecting Sofia and the border areas, and in Sweden, where work places are searched more frequently.

The police in Italy report registration and identification in 92 % of all arrivals in 2016. Video recording is used for storing information about the persons identified if they refuse to give their fingerprints. Particularly persons from Eritrea, Somalia and Syria sometimes refuse identification for fear of having to stay in Italy, although this is not as frequent as in the past.

Violent pushbacks from Hungary into Serbia reportedly continue to take place affecting also vulnerable persons such as pregnant women, unaccompanied children, families and persons with medical conditions. People attempting to

cross the border irregularly into Hungary report excessive use of force and violence, with an increasingly active participation of local vigilante groups.

In Italy, a parliamentary question on the legal basis for the return of a group of Sudanese in August 2016 is still pending a response. Lawyers say that this group of Sudanese received identical expulsion orders without consideration of individual circumstances. They were reportedly brought to the local police headquarters in Ventimiglia and only informed the following day by Sudanese officials that they were going to be returned.

Italian and Swiss police cooperate in returning irregular migrants to Italy, but people do not receive any information on their rights and the possibility to apply for asylum.

Asylum applications in Italy in 2016 exceed 2015 figures by 50 %. The police in Rome decides to suspend the registration of asylum applications until 21 October 2016 due to an excessive backlog.

The Greek Asylum Service schedules first appointments for pre-registered asylum seekers prioritising unaccompanied children and vulnerable persons.

In Germany, one in three Syrians receive subsidiary protection instead of refugee status, which limits their rights to family reunification.

Asylum applications decrease in Austria and, significantly, in Bulgaria. Austria prioritises applications from Afghans, deciding in many cases negatively at first instance; processing of asylum applications is expected to accelerate due to an increase in staff.

Reception conditions

Reception facilities in Greece continue to be overcrowded with an occupancy rate of almost 200 % on the islands. Demonstrations and protests against reception conditions and long asylum procedures take place on the Greek mainland and islands. The centre of Moria in Lesbos caught fire following tensions.

Hotspot facilities in Italy are increasingly overcrowded, often hosting unaccompanied children and other vulnerable persons together with unrelated adults. Particularly in Lampedusa, people are kept for longer than 24 to 48 hours that are considered necessary for identification and registration.

Inadequate conditions are reported from several reception centres in Italy. The Ministry of the Interior announces it will assess reception conditions in all centres. An Italian magazine denounces the situation of an overcrowded centre in Foggia, where basic health and living conditions are inadequate. A reception centre in Milan reports cases of scabies, a contagious skin infestation. The supply of basic material as well as sanitary and health conditions continue to be critical at the informal settlement of asylum applicants near the Tiburtina railway station in Rome.

Fewer people are waiting for admission in the transit zones in Hungary due to the restrictive admission policy and the low prospects to receive asylum. Conditions at the border remain very poor. Families and vulnerable groups, including unaccompanied children, may have to wait for months before they are admitted. Single men practically never receive protection status in the transit

zones. Asylum seekers in the open refugee camp in Bicske receive little information about their situation.

Reception centres in Bulgaria are overcrowded for the first time since the beginning of 2016. Asylum seekers increasingly leave the centres on their own initiative. In Busmantsi, asylum seekers with a criminal record or considered likely to cause riots are accommodated in a newly established closed unit at the facility.

In Austria, some asylum seekers, particularly from Afghanistan and Iraq, prefer to voluntarily return home when faced with the alternative of a Dublin transfer to Bulgaria.

Overcrowding in pre-removal facilities increases to up to 190 % in Bulgaria. Reportedly, many returnees are not heard prior to issuing a detention order; birth dates are registered incorrectly leading to detention of unaccompanied children; and there are obstacles in exercising the right to an effective remedy.

Detention conditions in Hungary are very poor. People are increasingly released into open refugee camps with comparatively better conditions.

According to data released, forced returns from Sweden more than doubled in the first half of 2016 compared with the same period in 2015.

Additional financial resources become available in Italy to ensure that no regions are excluded from funding under the National Action Plan against Human Trafficking.

Obligatory integration courses in Germany have long waiting times.

Germany granted permission to work to 30,000 asylum seekers and 5,000 refugees in the first half of 2016, according to official data.

Child protection

Poor reception conditions, prolonged detention, lack of primary and specialised healthcare, and slow identification and protection procedures all continue to affect unaccompanied children in Greece. At present, 2,500 unaccompanied children are registered in Greece whereas only 891 places are available in specialised shelter facilities. Some 140 children are held in closed facilities pending a transfer to specialised facilities.

Tensions between Syrian and Pakistani unaccompanied children increase in the Moria camp on Lesbos in Greece.

A 16-year-old was raped by four other unaccompanied children in the safe zone for unaccompanied children in Moria.

In Italy, the reception system cannot accommodate the increasing number of unaccompanied children arriving, many of them – an average of 28 daily – disappear.

UNICEF Bulgaria recommends clarifying who appoints the representatives of asylum-seeking children to ensure early identification and representation.

Human trafficking in Sweden rapidly increased during the first half of 2016, primarily for suspected sexual exploitation, but also forced labour and begging

according to data released. About a third of the reported cases concerns children.

Unaccompanied children in Sweden continue to be moved back to the originally assigned municipality. The Health and Social Care Inspectorate doubts if such relocation is in the children's best interests considering that they lived in another municipality for six months and longer. The Inspectorate as well as municipal staff also remain concerned about the mental health of unaccompanied children.

Age assessment at the border in Germany is not always conducted with the involvement of the local youth welfare office. This may increase risks that unaccompanied children cannot access protection or are refused entry.

Unaccompanied children in Germany often wait several months before their placement and specific benefits are decided. Some 12,000 unaccompanied children are still provisionally cared for by youth welfare offices.

The majority of unaccompanied children in Austria are from Afghanistan.

Legal, social and policy responses

A Joint Ministerial Decision in Greece defines the procedure for asylum seekers applying for legal assistance.

The Austrian government discusses a draft Emergency Situation Decree. It would allow the police to take decisions on asylum and restrict applicants' access to legal advice and appeals before return, if public order or internal security are at risk.

A new regional law on basic care enters into force in Styria, Austria. While the law strengthens the consideration of specific protection needs at reception, it is criticised for extending the reasons to restrict or withdraw basic care, for example, when failing to prove the submission of an asylum application within four weeks after arrival in Austria.

Bulgaria amends a regulation on the reception of asylum seekers to allow for setting up separate units for unaccompanied children in reception centres.

Draft amendments to the Family Code in Bulgaria propose new rules on guardianship whereby a relative or unrelated adult legally residing in Bulgaria can become a guardian if they are considered to act in the child's best interests and consent in writing.

The German government passes an amendment to the Asylum Seekers Benefits Act that reduces the minimum subsistence level for asylum seekers below the level of other social benefits recipients.

Germany plans to extend temporary border controls beyond November 2016 as initially planned.

In Italy, an operational board including the Ministry of the Interior starts working on reforming the regional distribution of migrants and asylum seekers.

Public funds for local reception and assistance projects in Italy become more accessible as they are no longer bound to a call for tender and proposals can be submitted any time of the year.

The Civil Court of Rome holds a first hearing on the collective pushbacks to Libya during 2009 and 2010, already condemned by the European Court of Human Rights (ECtHR), in view of possible compensation.

The Bulgarian Ministry of Education starts consultation on new rules for the enrolment of asylum-seeking children in school.

The association of municipalities in Bulgaria announces to pilot new integration measures in two or three municipalities: municipalities prepare individual integration plans for a certain number of refugees with whom integration agreements can be concluded, based on an individual integration profile prepared by the State Agency for Refugees.

In preparation for presidential elections in Bulgaria, the limitation of the number of refugees is discussed. A candidate of the socialist party appeals for creating closed migration centres outside towns and villages.

In Sweden, preparations start for an evaluation of the management of the refugee crisis.

The Swedish Ministry of Justice suggests to carry out age assessment earlier in the asylum procedure, allowing the Migration Agency to decide provisionally on an unaccompanied child's age if there is reason to doubt that the applicant is a child, unless the applicant accepts to undergo medical tests.

In case of future migration pressure, the Ministry of Justice also suggests to increase the judicial capacity by temporarily allowing courts that are not specialised in migration to review migration cases.

The Swedish Interior and Justice Ministers propose several measures to facilitate return, including: expanding the grounds for work place inspections; allowing for fingerprints during internal controls; reviewing the minimum age of 14 years for fingerprinting; obliging the Migration Agency to inform the police if a person pending return contacts them; allowing for detention in non-specialised detention facilities for up to three days to avoid long transports to specialised facilities; and expanding police competence to detention decisions concerning children.

In Austria, several demonstrations and incidents protesting against asylum seekers take place, as well as some demonstrations in favour of asylum policies in line with human rights.

A large demonstration against deportations to Afghanistan takes place in Hamburg, Germany.

The Hungarian government continued its campaign against EU mandatory relocation quota in preparation for the national referendum held on this question on 2 October 2016.

Hate speech and violent crime

Tensions between asylum seekers and radical groups in Bulgaria build up at the reception centre in Ovcha kupel. A shooting incident injuring a Syrian refugee took place near a shopping mall in Sofia.

Police detain and allegedly ill-treat five Syrian refugee children carrying toy guns in Athens, Greece.

Arson is suspected in Gothenburg, Sweden, where a camping area with trailers to be allocated to refugees caught fire. A local right-wing politician in Hudiksvall is forced to resign following online comments encouraging the bombing of Swedish mosques and shooting of asylum seekers.

Several hate crime incidents occur in Austria, primarily insults, threats and property damage, as well as in Germany, including injuries in many cases.

According to the Amadeu Antonio Foundation and Pro Asyl, in Germany every day violent attacks are committed against refugees and on average every three days a refugee accommodation is affected by arson attacks. Many cases are not reported because the victims are afraid of the police or of the consequences for their residence status.