



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

## Update # 1

28 September–2 October 2015

(with updates to 4 October, as appropriate)

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# Austria

## Stakeholders contacted

Interviews took place mainly via phone and email in the week of 28 September to 2 October 2015 with the following stakeholders:

- Federal Ministry of the Interior, Department III/9, responsible for the basic care and assistance to asylum seekers (*Grundversorgung und Bundesbetreuung, BMI/III/9*);
- Federal Agency for State Protection and Counter Terrorism (*Bundesamt für Verfassungsschutz und Terrorismusbekämpfung, BVT*);
- Caritas Austria (*Caritas Österreich*);
- Red Cross Austria (*Rotes Kreuz Österreich*);
- Workers' Samaritan Federation (*Arbeiter-Samariterbund*).

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

Exact numbers of new arrivals cannot be determined. The estimated number of new arrivals range between 5,500 and 8,000 per day.<sup>1</sup> Workers Samaritan Federation reported 5,500 new arrivals, whereas Caritas Austria indicates some 8,000. The figures represent a decrease compared to previous weeks.<sup>2</sup>

New arrivals mainly come from the following countries: 1. Syria (this is by far the majority as reported by all interviewees apart from the Workers' Samaritan Federation, who has no information on the nationalities), 2. Iraq and 3. Afghanistan. In addition, new arrivals come from Russia, Eritrea, the Balkan countries and Eastern Europe<sup>3</sup>. The lack of exact figures remains a critical issue.<sup>4</sup> Estimates regarding the arrival of children are not available.

Young men travelling alone constitute a large part of the new arrivals.<sup>5</sup> There is an increased number of persons in wheelchairs, persons missing limbs, older persons with impairments, as well as persons with war injuries. An exact number, however, cannot be provided.<sup>6</sup>

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<sup>1</sup> Workers Samaritan Federation reported 5,500 new arrivals, whereas Caritas Austria indicates 8,000 new arrivals.

<sup>2</sup> Caritas Austria and Workers' Samaritan Federation.

<sup>3</sup> Federal Ministry of the Interior, Department III/9.

<sup>4</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>5</sup> Federal Ministry of the Interior, Department III/9; Federal Agency for State Protection and Counter Terrorism

<sup>6</sup> Red Cross Austria.

Nickelsdorf in Burgenland (border to Hungary) is the most affected border crossing point,<sup>7</sup> receiving up to 95 % of all new arrivals<sup>8</sup>. Other affected border crossing points are Heiligenkreuz (Burgenland), Bad Radkersburg and Spielfeld (Styria).<sup>9</sup>

5 % of new arrivals apply for asylum in Austria.<sup>10</sup> During the reporting period, an increase of asylum applications was observed.<sup>11</sup> Exact figures however could not be presented by any of the stakeholders interviewed.

None of the interviewees could provide information on criminal proceedings initiated for offences related to crossing the border.

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

None of the interviewees could provide information on this question.

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

The provision of accommodation is the main challenge. This concerns particularly new asylum applicants for which the Federal State is responsible. The number of accommodation places for new arrivals is currently not sufficient. The provinces should be in charge of providing accommodation to asylum seekers who are at a later stage of the asylum procedure. However, at present the provinces do not do so, resulting in limited accommodation capacity for newly arriving asylum seekers at the Federal level.<sup>12</sup>

A rising challenge is the phenomenon of homeless asylum seekers. Many persons applying for asylum are no longer accommodated in initial reception centres. They are given an information sheet that indicates that their application was registered, but no accommodation is available. Applicants are requested to remain available for the Federal Agency for Alien Matters and Asylum and provide this Agency with information about their whereabouts.<sup>13</sup>

Provision of healthcare is also a challenge, as the initial health check cannot be conducted by the authorities.<sup>14</sup>

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<sup>7</sup> Red Cross Austria, Federal Ministry of the Interior, Department III/9; Federal Agency for State Protection and Counter Terrorism and Workers' Samaritan Federation.

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

<sup>9</sup> Red Cross Austria.

<sup>10</sup> Worker's Samaritan Federation referred to data by the Federal Ministry of Interior.

<sup>11</sup> Federal Ministry of the Interior, Department III/9 and Caritas Austria.

<sup>12</sup> Federal Ministry of the Interior, Department III/9.

<sup>13</sup> Red Cross Austria and Caritas Austria.

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

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

The social response has been overall positive. Many private persons contacted the private accommodation hotline to offer places of accommodation.<sup>15</sup> Many volunteers offered their help at train stations, initial aid centres and in cities.<sup>16</sup>

Three types of negative social responses have been reported:<sup>17</sup>

- 1) Increase in hostile incitements in the context of asylum (*asylfeindliche Agitation*).
- 2) Increased hostility against persons providing aid/helping asylum seekers.
- 3) Increased number of online postings inciting hatred.

There has been an increased number of criminal complaints (*Strafanzeigen*) since the numbers of new arrivals rose massively. The Federal Agency for State Protection and Counter Terrorism, however, could not provide more details on specific incidents due to ongoing investigation.

The Worker's Samaritan Federation also reported negative responses to the situation, such as receiving negative telephone calls.

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

As of 1 October 2015, a new law - the Constitutional Law on Accommodation and Distribution of Aliens in Need of Aid and Protection - entered into force.

It foresees that the Federal State can directly accommodate asylum seekers in municipalities, if required, without waiting for places offered by the Laender. The Federal State has made use of this provision and issued three decisions (*Bescheide*) with respect to two municipalities in Carinthia and one municipality in Upper Austria. No future changes of the law are planned.<sup>18</sup>

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

The Federal Ministry of the Interior (Department III/9) and the Workers' Samaritan Federation reported that there have been no incidents in their respective establishments. Caritas Austria reported that the situation at the train stations is calm at present. The other stakeholders could not provide any information on incidents.

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<sup>15</sup> Federal Ministry of the Interior, Department III/9; Caritas Austria; Red Cross Austria.

<sup>16</sup> Worker's Samaritan Federation and Caritas Austria.

<sup>17</sup> Federal Agency for State Protection and Counter Terrorism.

<sup>18</sup> Federal Ministry of the Interior, Department III/9.

# Bulgaria

## Stakeholders contacted

Interviews took place mainly via phone and email in the week from 28 September to 2 October 2015 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*);
- UNHCR Office in Bulgaria (*ВКБООН в България*);
- Bulgarian Red Cross (BRC) (*Български червен кръст, БЧК*);
- Refugee Support Group (RSG);
- Caritas Bulgaria (*Каритас България*);
- Foundation for Access to Rights (FAR) (*Фондация за достъп до права, ФАР*).

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

During the reporting period, almost 200 persons were apprehended at the border (most at the border with Turkey and one at the border with Serbia), including around 150 at the green border and 40 at border checkpoints. Of these, most were men; there were also 50 women and around 80 children. In terms of nationality, around 100 persons were from Syria, followed by 60 persons from Afghanistan, 20 from Iraq and six from Pakistan. Data about the number of criminal proceedings for unauthorised border crossing are not collected on a weekly basis.<sup>19</sup>

Nearly 700 persons applied for asylum during the reporting period, of which the majority were men (including around 60 children up to 14 years and 60 juveniles between 14 and 18 years) and 130 were women (including around 40 children up to 14 years and 8 juveniles between 14 and 18 years). In terms of nationality, the

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<sup>19</sup> Ministry of the Interior, Directorate General Border Police.

majority came from Iraq (over 400 persons), followed by Afghanistan and Syria (around 120 persons respectively).<sup>20</sup>

The weekly inflow of new arrivals is decreasing but their profile in terms of nationality, age and gender remains the same.<sup>21</sup> The Refugee Support Group reported about a new trend observed at the Turkish border, where border guards tend to permit the entry of people who show a declaration signed by a Bulgarian citizen that he/she will cover the foreigner's expenses in Bulgaria.<sup>22</sup>

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

Generally, asylum seekers are registered almost immediately upon arrival. The backlog in pending asylum applications seems to have been cleared. Some persons in need of international protection have been trying to avoid being fingerprinted for Eurodac, believing that this will exempt them from the Dublin regulations.<sup>23</sup>

Complaints from non-Syrians that Syrians are considered with priority in reception centres have often been reported. Non-Syrians also complain that they have to spend more time in centres where conditions are poor.<sup>24</sup>

Asylum seekers complain that there is an ongoing trend that their names are wrongly inserted during registration. The first name of the person is often recorded as his/her family name and vice-versa. Asylum seekers also complain about the quality of interpretation during interviews claiming that they speak for several minutes but the interpreters sum it up in two or three sentences.<sup>25</sup>

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

Due to a budgetary increase of the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) and to a rise in the funding provided by the European Union to address the emergency situation, lack of food does not seem to be a problem anymore.

The authorities are taking steps to improve accommodation conditions, including by repairing previous construction works already falling off due to poor quality. In the reception centres, families are accommodated in family rooms and there are playgrounds for the children.<sup>26</sup> NGOs are also offering special activities for children, e.g. games and drawing classes. However, asylum seekers often do not allow their children to join such activities.<sup>27</sup>

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<sup>20</sup> State Agency for Refugees.

<sup>21</sup> Refugee Support Group.

<sup>22</sup> Refugee Support Group.

<sup>23</sup> UNHCR Bulgaria.

<sup>24</sup> Refugee Support Group.

<sup>25</sup> Refugee Support Group.

<sup>26</sup> State Agency for Refugees.

<sup>27</sup> Caritas Bulgaria.

Regarding medical care, healthcare staff at the Vrazhdebna reception centre in Sofia complained about lack of basic medicine.

Overcrowding is seen as the biggest challenge with regard to reception conditions of new arrivals. For instance, during the reporting period, overcrowding has reached 33 % in excess of the total capacity of the Special Home for Temporary Placement of Foreigners (SHTPF) in Lyubimets.<sup>28</sup> NGOs have also indicated overcrowding as an issue of major concern.<sup>29</sup>

In the reception centres managed by the Migration Directorate of the Ministry of the Interior (*Дирекция „Миграция“ на Министерство на вътрешните работи*), reception conditions are poorer, particularly with respect to provision of healthcare. In these centres doctors are employees of the Ministry of Interior. The reception centres in Banya and Pastrogor, operated by State Agency for Refugees, have one doctor and one nurse each.<sup>30</sup>

Caritas Bulgaria (*Каритас България*) received complaints that asylum seekers could not find a doctor when they were in need. The organisation also reported that there is a growing problem with the volume of personal effects left behind by migrants leaving Bulgaria.<sup>31</sup>

The Bulgarian Red Cross (BRC) (*Български червен кръст, БЧК*) organised information sessions addressing asylum seekers so as to inform them on procedures, rights and responsibilities, and on the available funding for renting accommodation, once they obtain protection status. The BRC maintains an information centre for refugees, which offers Bulgarian language trainings and other courses. The organisation has provided asylum seekers in reception centres with food packages, child packages (powder milk and diapers) and medicines. In two cases, large groups of irregular migrants, apprehended within the country, were provided with food packages. According to the BRC, refugees are often reluctant to leave the reception centres and move to external addresses. This is due to the fact that the support they are entitled to covers only the rent and excludes utility. Refugees seem to feel less secure outside their own community in the centres. Another challenge is the enrolment of children in schools due to the lack of knowledge of the Bulgarian language combined with reluctance of many asylum seekers to let their children attend schools outside the reception centres.<sup>32</sup>

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

The Sofia Holistic Coworking Company (SOHO)<sup>33</sup> in association with the Council of Refugee Women in Bulgaria (CRWB) (*Съвет на жените бежанки в България, СЖББ*)<sup>34</sup> organised a donation campaign for refugees. The CRWB provided a list

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<sup>28</sup> Special Home for Temporary Placement of Foreigners – Lyubimets.

<sup>29</sup> Refugee Support Group.

<sup>30</sup> Refugee Support Group.

<sup>31</sup> Caritas Bulgaria.

<sup>32</sup> Bulgarian Red Cross.

<sup>33</sup> For more information: Sofia Holistic Coworking Company, [www.soho.bg/](http://www.soho.bg/).

<sup>34</sup> For more information: Council of Refugee Women in Bulgaria (*Съвет на жените бежанки в България*), <http://crw-bg.org/en/who-we-are/>.

of the most necessary items and distributed the donations among asylum seekers and people in need of international protection living outside reception centres.

The political party Reformist Bloc (RB) (*Реформаторски блок, РБ*) launched a donation campaign for refugees.

The recent campaigns for donation of clothes and hygiene items for small children are due to the worsening weather conditions and drop in temperatures. In addition, political parties promoted such initiatives in view of the upcoming local elections (to take place on 25 October 2015).<sup>35</sup>

Continuing negative attitudes towards refugees in social media and online news fora continue to be reported. This discourse could be used for political purposes as the local elections are approaching.<sup>36</sup>

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

On 2 October 2015, the National Assembly adopted the amendments to the Asylum and Refugees Act (*Закон за убежището и бежанците*)<sup>37</sup> – tabled in November 2014 to transpose the recast Qualification and Reception Conditions Directives. The amendments introduce, for the first time in Bulgaria, detention of asylum seekers in closed centres. Although in line with the directives, the provision is seen by human rights lawyers as a serious fundamental rights challenge.<sup>38</sup>

On 26 September 2015, the latest amendments to the Criminal Code (*Наказателен кодекс*)<sup>39</sup> were promulgated and became effective on 1 October 2015. They provide for increased sanctions for smuggling people across borders and for assisting foreigners to reside unlawfully in the country, in exchange for material benefit. The act of helping a foreigner to go through the country was also criminalised for the first time.<sup>40</sup>

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<sup>35</sup> Refugee Support Group.

<sup>36</sup> Refugee Support Group.

<sup>37</sup> Bulgaria, National Assembly (*Народно събрание*) (2014), Amendments and Supplements to the Asylum and Refugees Act (*Закон за изменение и допълнение на Закона за убежището и бежанците*), 7 November 2014, <http://parliament.bg/bg/bills/ID/15049/>.

<sup>38</sup> Foundation for Access to Rights (*Фондация за достъп до права*).

<sup>39</sup> Bulgaria, National Assembly (*Народно събрание*) (2015), Amendments and Supplements to the Criminal Code (*Закон за изменение и допълнение на Наказателния кодекс*), 17 September 2015, [www.parliament.bg/bg/laws/ID/15452](http://www.parliament.bg/bg/laws/ID/15452).

<sup>40</sup> Bulgaria, Criminal Code (*Наказателен кодекс*), 2 April 1968, Art. 280 and 281, [www.lex.bg/bg/laws/ldoc/1589654529](http://www.lex.bg/bg/laws/ldoc/1589654529).

# Croatia

## Stakeholders contacted

Interviews took place mainly via phone and email between 28 September and 7 October 2015 with the following stakeholders:

- UNHCR, Country office
- UNICEF, Country office
- Ministry of the Interior, Department for illegal migration
- Ministry of the Social Policy and Youth, Minister's cabinet
- The People Ombudsman's Office, National preventive mechanism
- Ombudsperson for Children of the Republic of Croatia
- Croatian Legal Centre
- Centre for Peace Studies (CPS)
- Welcome Initiative

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

### **Inputs provided by MOI, Department for Illegal Migrations:**

From the beginning of refugee crisis nearly 126,000 people have entered Croatia. From that number about 80,000 people were initially registered. Out of this number only 11 people have expressed intent for asylum. Vulnerable groups, as defined by Asylum Act<sup>41</sup> have priority in relation to registration process, application for asylum, accommodation in heated tents, and aid delivery.

Most affected border sectors are the border sectors in Eastern Slavonia bordering with Serbia (all refugees are arriving from the territory of the Republic of Serbia): Bapska and Tovarnik.

The majority of new arrivals are being registered (around 80,000 out of 126,000). Exemptions to this rule occur in cases of mass arrivals during the night if newly arrived persons are being immediately transported to the Hungarian border. MOI does not take fingerprints if refugees oppose to fingerprinting; most of the refugees are reluctant to give fingerprints due to the repercussions they fear this will have for the application of the Dublin regulation. Registration consists of copying travel documents (passports) or, in case of undocumented migrants, taking their name, date of birth and photo.

The MOI did not initiate criminal proceedings against people who have illegally crossed the border, and are treating them as all the other refugees coming through

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<sup>41</sup> Act on International and Temporary Protection (Official gazette 70/15) , Article 4/1/14 defines vulnerable persons as persons without legal capacity, minors, unaccompanied minors, elderly people, incapacitated persons, people with serious illnesses, disabled people, pregnant women, single parents with minor children, persons with mental disorders, victims of human trafficking, persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation.

official border crossings. MOI did not apply the "third safe country" rule; none of the arrivals were returned to Serbia, or any other country.

The MOI has detected several cases of persons facilitating exit of refugees from Croatia to Slovenia. In all detected cases, facilitation was done without financial compensation, so MOI has initiated only misdemeanour procedures against facilitators.

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

According to the People's Ombudsman office, refugees are being registered upon arrival at the camps where MOI officers check and copy their travel documents (in cases where the refugee has them). If refugees do not have travel documents, the MOI takes their name, surname and photo. The MOI is not taking fingerprints for Eurodac. According to the Ombudsman office and CPS staff, most of the refugees are trying to avoid any kind of registration in order to avoid the application of the Dublin regulation.

MOI stated that there were no cases of forceful fingerprinting and that most of the new arrivals reject giving fingerprints due to the potential application of the Dublin regulation.

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

In the first several days of the migration crisis, between 700 and 800 hundred people were detained in MOI's facility, Centre for foreigners, in Jezevo (immigration detention). Detention was short - up to 24 hours - and applied only for the necessary registration of migrants, basic medical triage and provision of food and other necessities. From the centre, migrants have been transferred to the asylum seekers Centres in Kutina and Zagreb.

The key challenge emphasised by the People's Ombudsman office, CPS staff and Welcome initiative volunteers is the lack of information provided to refugees regarding their placement in camps, the duration of their stay in the camps, the schedule for transportation to the Hungarian border, their status in Croatia etc. The People's Ombudsman office claims that there is a lack of volunteers and translators who would be able to provide information to refugees. All contacted stakeholders claim that the situation regarding the distribution of information is improving, but that there is still a lack of continuous coordination and dissemination of information from the institutions to the volunteers, translators and refugees.

The People Ombudsman office stated that the conditions in the camps have improved, but there is a continuous lack of sleeping bags. There is no permanent solution other than covering the ground in tents with wood or other adequate material which would stop the current practice where refugees are sleeping literally on the ground without sufficient protection from cold and moist. Nevertheless, there are now several tents with installed heating for vulnerable groups: pregnant women and women with children. It is expected that during this week additional heated tents will be installed.

According to the People's Ombudsman inputs, Doctors Without Borders who are active in the camp Opatovac have stated that one of the biggest challenges is an insufficient number of volunteers and inadequate triage of refugees coming to the camp. They also claim that although there are Croatian medical teams present in the camp, they do not act unless refugees require assistance from the police. This results in inadequate assistance being provided to some refugees who do not have that information or are afraid to ask the police for medical assistance.

One of the biggest challenges is the massive influx of refugees during nights. In several such cases, the Croatian Red Cross has been unable to timely distribute clothes and blankets to all the refugees who came in during the night.

According to a report published by the Ministry of Health on activities and measures taken for health protection of migrants from 17 September to 3 October, there were more than 3,000 emergency medical interventions, out of which around 80 people were referred to further treatment. 160 emergency medical teams were present on the ground. There were about 4,600 interventions of family medical teams out of which some 120 people were referred to further treatment. Around 190 migrants were treated in hospitals, out of which 30 were hospitalised. Most of them were released after treatment. From the beginning of the crisis, the Ministry of Health provided close to 7,900 interventions.<sup>42</sup>

The Ministry of the Social Policy and Youth has stated that all unaccompanied children have been treated according to the *Protocol on the treatment of children separated from their parents- foreign nationals*.<sup>43</sup>

In cases of human trafficking, the Ministry applies the Protocol for identification, assistance and protection of human trafficking victims. In the case of two Egyptian unaccompanied children in the camp Opatovac, on 29 September 2015, the *Protocol on the treatment of children separated from their parents - foreign nationals* has been activated.<sup>44</sup>

According to other stakeholders contacted, there is a lack of institutional capacity on behalf of the Ministry of the Interior and centre's for social care and of staff available for risk assessment in relation to accompanied children and children who could be trafficking victims. There is no case management and team work. International cooperation in relation to children with special needs should be established; although children with special needs are registered as a priority in practice it does not have much effect unless international and national NGOs recognise them and assist them directly.

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

According to the People's Ombudsman office, CPS and Welcome initiative, there is no record of organised rallies or other types of public protests against refugees; general public opinion and media support humanitarian approach and government's efforts that refugees get proper assistance upon arrival.<sup>45</sup>

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<sup>42</sup> Ministry of Health, [www.zdravlje.hr/novosti/migrantska\\_krizabroj\\_pruzenih\\_zdravstvenih\\_usluga](http://www.zdravlje.hr/novosti/migrantska_krizabroj_pruzenih_zdravstvenih_usluga).

<sup>43</sup> Ministry of social policy and youth.

<sup>44</sup> Ministry of social policy and youth.

<sup>45</sup> People's Ombudsman.

Humanitarian assistance (collection, management and distribution) is coordinated by the Croatian Red Cross. Due to the fact that the CRC has the biggest operative and material capacities, all other citizens' initiatives which are involved in the collection of aid are delivering collected aid to one of the CRC distribution centres, or directly to camps in coordination with CRC. In the camps, CRC is holding coordinative meetings with MOI and volunteer organisations working in camps on a daily basis.<sup>46</sup>

Civil society organisations have started "Initiative Welcome", which gathers more than 60 NGOs who are active in collecting and distributing aid to refugees, advocacy actions on national and EU level, media campaigning for rights of refugees and raising public awareness, provision of legal aid, organisation and coordination of volunteers working in camps.<sup>47</sup>

Citizens from all over Croatia willing to participate in assistance to refugees in camps report daily to the Centre for Peace Studies and other NGOs in Initiative Welcome.

Except national CSOs, several international organisations are also active in camps: UNICEF, UNHCR, Save the children, Doctors without borders, MAGNA, Adventist Development and Relief Agency (ADRA), Jesuit Refugee Service (JRS), International Red Cross.

There is significant positive media coverage of volunteers' work and humanitarian assistance.<sup>48</sup>

MOI stated that they did not have any reports on or proceedings initiated because of any kind of racist or xenophobic incidents.

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

The Centre for Peace studies<sup>49</sup> has prepared a proposal arguing for amending the national budget which would result in releasing HRK 30.6 million of emergency funds for the refugee crisis. Part of the funding was proposed to come from the International cooperation grant funding mechanism (HRK 4 million) reserved on the behalf of the Ministry of Foreign and European affairs, which was intended for support to NGOs working on the provision of international assistance. All organisations which are members of the international cooperation umbrella organisation CROSOL have agreed to renounce funding for 2015 so that reserved funds can be reallocated in response to the refugee crisis. The amendment was officially proposed by the parliamentary party ORAH. The government has only partly accepted the budget amendment and reallocated HRK 1 million for the refugee crisis.

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<sup>46</sup> CPS.

<sup>47</sup> Welcome Initiative coordinators.

<sup>48</sup> CPS interview and excerpts from press clipping provided by CPS.

<sup>49</sup> CPS.

# Germany

## Stakeholders contacted

Interviews took place mainly via phone and email in the week from 28 September to 2 October 2015 with the following stakeholders:<sup>50</sup>

- - Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge, BAMF*);
- - Federal Border Police (*Bundespolizei, BPOL*);
- - Federal Chancellery (*Bundeskriminalamt, BKA*);
- - Federal Ministry of the Interior (BMI);
- - Bavarian Refugee Council (*Flüchtlingsrat Bayern*);
- - Schleswig-Holstein Refugee Council (*Flüchtlingsrat Schleswig Holstein*);
- - German Red Cross – General Secretariat (*Deutsches Rotes Kreuz e. V.*);
- - Caritas Germany (*Caritas Deutschland e. V.*).

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

The Federal Office for Migration and Refugees publishes current figures on asylum applications, most common countries of origin, Dublin III “take charge” requests and asylum decisions on a *monthly* basis. These data collection relate to the previous month and do not include information on gender and age characteristics, vulnerabilities and most affected border sectors. According to the latest figures, over 33,000 new arrivals have applied for asylum in August 2015. Around 10,000 came from Syria, 8,200 from Albania, 2,300 from Afghanistan, 1,800 from Iraq and 1,400 from Serbia.<sup>51</sup>

Information for September: According to an answer given by the German Government to a parliamentary question, between 1 and 27 September 2015, more than 138,000 asylum seekers have been recorded in the “EASY system”, which is an IT programme for initially distributing new arrivals to accommodation centres across Germany by quotas.<sup>52</sup> The approximate distribution of new arrivals per country is as follows:

- 71,900 Syria
- 15,900 Iraq
- 14,700 Afghanistan
- 5,400 Albania
- 4,400 Pakistan

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<sup>50</sup> The following text does not make reference to individual interviews.

<sup>51</sup> *Bundesamt für Migration und Flüchtlinge, Aktuelle Zahlen zu Asyl, Ausgabe, August 2015, [www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/Asyl/statistik-anlage-teil-4-aktuelle-zahlen-zu-asyl.pdf?\\_\\_blob=publicationFile](http://www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/Asyl/statistik-anlage-teil-4-aktuelle-zahlen-zu-asyl.pdf?__blob=publicationFile).*

<sup>52</sup> Deutscher Bundestag, Plenarprotokoll 18/126, p. 12262, <http://dip21.bundestag.de/dip21/btp/18/18126.pdf>.

- 3,600 Eritrea
- 1,800 Serbia
- 1,700 Iran
- 1,400 Nigeria
- 1,400 Macedonia

According to the Federal Office for Migration and Refugees, the majority of the new arrivals apply for asylum in Germany. The Schleswig Holstein Refugee Council also highlighted that a number of new arrivals are travelling from Flensburg to Sweden by ferry on a daily basis. The President of the Federal Office for Migration and Refugees recently stated that around 290,000 unregistered new arrivals are residing in Germany.<sup>53</sup>

The Federal Border Police stated that they initiated over 14,000 proceedings for unauthorised entry and around 400 proceedings for unauthorised residence in the period 28 – 30 September 2015 (relevant data from 1 till 4 October 2015 could not be provided). These numbers do not, however, cover the total amount of proceedings. It should be noted that in special trains transporting asylum seekers, the police forces of the Laender are responsible. No information on proceedings related to these numbers was provided by the Federal Border Police.

In Germany, whenever a newly arrived person contacts the police in order to apply for asylum, the police initiates a proceeding for unauthorised entry. At a later stage, the proceeding will be closed due to Art. 31 of the Geneva Convention relating to the Status of Refugees.

The general situation at the Bavarian borders is said to be out of control, according to the key stakeholders. It seems that none of the relevant authorities is able to oversee the situation. The newly appointed President of the Federal Office for Migration and Refugees has publicly criticised the lack of transparency concerning the size of new arrivals last week. To improve the information basis, he is focussing on better cooperation and the exchange of information between the Federal Office for Migration and Refugees, Federal Border Police, federal states and municipalities.<sup>54</sup>

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

No information was provided by the contacted stakeholders.

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

According to Caritas, there are challenges concerning the medical treatment of new arrivals. Caritas is currently not able to meet the increasing demand for medical staff. Most new arrivals cannot provide any information about their medical condition and history due to language barriers. Caritas lacks translators

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<sup>53</sup> Federal Office for Migration and Refugees, [www.tagesschau.de/inland/weise-bamf-101.html](http://www.tagesschau.de/inland/weise-bamf-101.html).

<sup>54</sup> Federal Office for Migration and Refugees, [www.tagesschau.de/inland/weise-bamf-101.html](http://www.tagesschau.de/inland/weise-bamf-101.html).

able to translate medical conversations and medical documents (records, test results), which are most often in Arabic.

Asylum seekers in Schleswig Holstein face problems in finding decent accommodation. Some of the new arrivals had to wait for several days until a sleeping place in a reception centre was provided to them and had to sleep outside while waiting.

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

Many local citizens offered new arrivals a place to sleep in their homes until accommodation for new arrivals was organised. Caritas and the German Red Cross reported countless new volunteers offering their support in the current situation.

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

As a reaction to the current situation, the Cabinet has passed a legislative package including several draft laws on 29 September 2015. These include amendments to the Asylum Procedures Act (*Asylverfahrensgesetz*) and the Asylum Seekers Benefits Law (*Asylbewerberleistungsgesetz*).

In a nutshell, the suggested changes aim to speed up the asylum-seeking process, facilitate the deportation of those rejected and enhance accommodation for asylum seekers. The draft law contains several restrictions to rights of asylum seekers, including a shift from cash to in-kind benefits, a longer obligation to live in reception centres and a cut in benefits for rejected applicants. If the new rules enter into force, Albania, Kosovo and Montenegro are to be considered as "safe countries of origin".

On 1 October 2015, two days later, the first reading of the proposed legislative package took place in the German parliament (Bundestag).<sup>55</sup>

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

Issue	Please report what happened and, where relevant, the policy response	No. of people involved	Date of incident	Location
Law enforcement measures against persons facilitating entry of	No information was provided by the contacted stakeholders. According to a report in the German paper " <i>Die Tageszeitung</i> ", the police is investigating border crossing helpers for smuggling of			

<sup>55</sup> Deutscher Bundestag, *Plenarprotokoll*, <http://dipbt.bundestag.de/doc/btp/18/18127.pdf>.

Issue	Please report what happened and, where relevant, the policy response	No. of people involved	Date of incident	Location
irregular migrants (which is undertaken not for profit)	migrants, applying tough investigation practices, including strip searches and detention of up to 31 hours. More than 700 "smugglers" are reportedly in detention. <sup>56</sup>			
Racist and related incidents against migrants and people in need of international protection	Two asylum seekers were attacked by five to six men with glass bottles. The victims suffered head injuries and had to be taken to the hospital. The perpetrators fled. The police is investigating the incident as grievous bodily harm. <sup>57</sup>	2	28 Sept. 2015	Dresden, Saxony
	Fire broke out in a building which is currently being rebuilt for the purposes of accommodation of refugees. According to initial investigation results by fire experts, a technical accident can be excluded. <sup>58</sup>	0	29 Sept. 2015	Oberteuringen, Baden-Württemberg
	Four mobile toilets at the front of a gymnasium, which is temporarily being used as an accommodation centre for 11 asylum seekers, have been set on fire. The toilets were completely burned and the fire spread. The police assumes arson. No one was injured. <sup>59</sup>	11	4 Oct. 2015	Friemar, Free State of Thuringia

<sup>56</sup> *Die Tageszeitung*, 1 October 2015, [www.taz.de/!5234973/](http://www.taz.de/!5234973/).

<sup>57</sup> *Amadeu Antonio Stiftung and Pro Asyl, Chronik flüchtlingsfeindlicher Vorfälle 2015*, <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

<sup>58</sup> *Amadeu Antonio Stiftung and Pro Asyl, Chronik flüchtlingsfeindlicher Vorfälle 2015*, <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

<sup>59</sup> *Amadeu Antonio Stiftung and Pro Asyl, Chronik flüchtlingsfeindlicher Vorfälle 2015*, <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

# Greece

## Stakeholders contacted

Information was collected through telephone interviews during the week from 28 September to 2 October 2015. The following institutions<sup>60</sup> were contacted:

- - Ministry of Migration Policy:
  - Asylum Service
  - First Reception Service.
- - Ministry of Citizen Protection:
  - Hellenic Police Headquarters
  - Attica Aliens Directorate
  - Border Protection Division
  - Irregular Migration Division
- Ministry of Health
- Hellenic Coast Guard
- United Nations High Commissioner for Refugees (UNHCR) Greece
- International Organization for Migration (IOM) Greece
- Médecins du Monde (MDM) Greece
- NGO PRAKSIS
- Racist Violence Recording Network

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

Over 271,000 third-country nationals arrived in Greece during the first eight months of 2015.<sup>61</sup> This is a 547 % increase from the same timeframe in 2014.<sup>62</sup> The main blue border entry points were Lesvos, Samos, Chios and the Dodecanese islands, which include Kos and Leros<sup>63</sup>.

There were more than 133,400 blue border crossings in September and the island of Lesvos continues to be the main point of entry.<sup>64</sup> The official data for September 2015 are not yet available. The majority of newcomers through blue borders in September were Syrian nationals (about 96,300 out of 133,400),

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<sup>60</sup> It is important to mention that contact persons have been appointed in the stakeholder institutions to respond to the request for weekly update on the situation.

<sup>61</sup> Ministry of Citizen Protection, Hellenic Police.

<sup>62</sup> Ministry of Citizen Protection, Hellenic Police, [www.astynomia.gr/images/stories//2015/statistics15/allodapwn/8\\_statistics\\_all\\_2015\\_et.JPG](http://www.astynomia.gr/images/stories//2015/statistics15/allodapwn/8_statistics_all_2015_et.JPG).

<sup>63</sup> The Hellenic Police Headquarters did not provide specific data for the week of 28 September–4 October.

<sup>64</sup> Hellenic Coastguard. The information provided concerns the blue border crossings for September 2015.

followed by Afghan, Iraqi, Pakistani and Iranian nationals.<sup>65</sup> No data were made available regarding the arrival of children.

Because of the high inflows on Lesbos island, in addition to the commercial ferries used by migrants to leave Lesbos, there is one non-commercial ferry which departs daily and transports migrants from Lesbos to Piraeus.<sup>66</sup> This initiative was organised by the Central Coordination Body for Migration.<sup>67</sup>

There were over 200 asylum applications during the reporting period, out of which most were from men; more than 50 were from women, while 7 applications were from unaccompanied children.<sup>68</sup> The main region of registration was Attica, followed by Thessaloniki, South and North Evros, Rhodes, Patras and Lesbos. The majority of applicants were 18-34 years of age. The main countries of origin are Syria with a 100 % recognition rate at first instance, followed by Afghanistan with 64 % and Pakistan with a 3 % recognition rate.<sup>69</sup>

The total number of forced returns for the reporting period was 27<sup>70</sup>, the majority of which concerned Albanian nationals.<sup>71</sup>

No national voluntary return programme is in place. Therefore, voluntary return is not available for third-country nationals who cannot stay in Greece and would like to return home. IOM provides for a limited number of voluntary returns through smaller directly funded projects.<sup>72</sup>

Article 14 (2) of Law 4332/2015 which amended the Article 30 (6) of Law 4251/2014 states that «*exempt from prosecution are persons involved in rescue at sea, transport of persons in need of international protection, by the requirements of international law and to cases of promotion within the country or facilitation of transportation, in entry view the procedures of Article 83 of Law 3386/2005 or Article 13 of Law 3907/2011, after informing the competent police and coastguard authorities.*»<sup>73</sup>

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<sup>65</sup> No data was provided by the Hellenic Police or the Hellenic Coastguard regarding the nationality, gender, age characteristics and the vulnerabilities of the new arrivals.

<sup>66</sup> Ministry of Citizen Protection, Hellenic Police Headquarters.

<sup>67</sup> The Central Coordination Body for Migration is composed of representatives from the Ministry for Migration Policy, the Ministry of Citizen Protection, the Ministry of Shipping and Island Policy and the Ministry of National Defense.

<sup>68</sup> Ministry of Migration Policy, Asylum Service. It should be noted that the Asylum Service is open to the public 06:00-13:00 CET, Monday to Friday and hence the data covers only weekdays.

<sup>69</sup> Ministry of Migration Policy, Asylum Service. Recognition rate statistics are based on decisions' (at first instance) data up to 31 August 2015.

<sup>70</sup> Ministry of Citizen Protection, Hellenic Police.

<sup>71</sup> Ministry of Citizen Protection, Hellenic Police, Attica Aliens Directorate.

<sup>72</sup> International Organization for Migration (IOM) - Greece.

<sup>73</sup> Law 4332/2015, Amending provisions of the Greek Citizenship Code-Modification of Law 4521/2014 on the adaptation of Greek legislation to the Directive 2011/98/EU of the European Parliament and of the Council on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State and Directive 2014/36/EU on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers (Τροποποίηση διατάξεων Κώδικα Ελληνικής Ιθαγένειας– Τροποποίηση του Ν. 4521/2014 για την προσαρμογή της ελληνικής νομοθεσίας στις οδηγίες του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου 2011/98/ΕΕ σχετικά με την ενιαία διαδικασία υποβολής αίτησης για τη χορήγηση στους πολίτες τρίτων χωρών ενιαίας άδειας διαμονής και εργασίας στην επικράτεια κράτους-μέλους και σχετικά με κοινό σύνολο δικαιωμάτων για τους εργαζομένους

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

There were no fundamental rights issues reported with respect to initial registration and fingerprinting for Eurodac by the contacted stakeholders.

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

The current capacity of pre-removal centres in Greece is about 5,200. On 3 October 2015, the number of detainees was 700 people, around 180 of whom were asylum seekers. The total capacity for all pre-removal centres, screening centres and the First Reception Centre (Orestiada) is close to 5,900. At present there are around 1,200 people in immigration detention.

First Reception Service currently operates in Orestiada and on the islands of Lesbos and Samos. It intends to extend its services in Athens (in 2016), the islands of Chios (in 2015), Kos and Leros (in 2016).<sup>74</sup>

Public buses were set up for the transfer of third-country nationals from Victoria's square in the centre of Athens, where many were living on the streets, to the stadiums in Galatsi and Elliniko immediately after their opening. This initiative was undertaken by the Ministry for Migration Policy and the Ministry of Citizen Protection in cooperation with civil society organisations.

Given the large number of third-country nationals arriving in the Attica region with no place to stay, the Ministry for Migration Policy in cooperation with the local authorities (regional and municipal) opened two stadiums to accommodate new arrivals in mainland Greece. The hockey arena in the Elliniko district (in the southern sector of the region of Attica), which belongs to Elliniko S.A (*Ελληνικό Α.Ε.*), opened on 28 September and has the capacity to accommodate 500 persons. The Olympic Stadium in the Galatsi municipality (in the northern suburbs of Athens) opened on 1 October and can host up to 1,000 persons. The Tae Kwon Do arena in the Faliro area, which had been used to accommodate up to 1,500 migrants had to be evacuated on 28 September 2015 because of logistical obstacles. Both the previous and current stadiums and arenas – currently used for migrant accommodation – were constructed for ATHENS 2004 Olympic Games. The majority of the new arrivals in the open centres are Afghan nationals.<sup>75</sup>

Primary healthcare, both in Elliniko and Galatsi and formerly in the Faliro stadiums, is provided by the mobile unit run by the Hellenic Centre for Disease Control and Prevention (*ΚΕΕΛΠΝΟ-Κέντρο Ελέγχου και Πρόληψης Νοσημάτων*). Supplementary healthcare is also provided by NGOs. Since 30 September 2015, the Hellenic Red Cross has begun providing healthcare services with its mobile unit in the open reception centre in the hockey arena at Elliniko. In addition, the

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*από τρίτες χώρες που διαμένουν νομίμως σε κράτος-μέλος και 2014/36/ ΕΕ σχετικά με τις προϋποθέσεις εισόδου και διαμονής πολιτών τρίτων χωρών με σκοπό την εποχιακή εργασία και άλλες διατάξεις*), (OG A 76/09-07-2015), [www.et.gr/index.php/2013-01-28-14-06-23/2013-01-29-08-13-13](http://www.et.gr/index.php/2013-01-28-14-06-23/2013-01-29-08-13-13).

<sup>74</sup> Ministry for Migration Policy.

<sup>75</sup> Ministry for Migration Policy.

NGO PRAKSIS sent mobile units to the Faliro and Galatsi stadiums. They reported a lack of coordination in the provision of healthcare primarily because of the lack of accurate and updated medical data on people already examined.<sup>76</sup> This contributed to duplicate examinations, prescriptions and medications. MDM-Greece was concerned about the availability of healthcare at the country's entry points. They are only able to provide primary healthcare in emergency situations and medical screening only to vulnerable groups, as there are no state structures for referrals apart from emergency referrals to General Hospitals.<sup>77</sup>

UNHCR Greece estimates that 6,000 people<sup>78</sup> are transiting the area of Eidomeni<sup>79</sup> each day. In mid-September 2015, UNHCR proceeded with a site planning assessment for the establishment of an open space structure for migrants in transit. The Mayor of Paionia Municipality provided an open space, which is located 500 metres from the border with FYROM. In cooperation with Medecins Sans Frontieres (MSF) five tents were erected with a capacity to accommodate 700 people on average. The structure is also equipped with basic sanitation facilities and water supply. There are also containers used for first aid supplies by volunteers, and tents for medical care and childcare. Healthcare is being provided by the Hellenic Centre for Disease Control and Prevention and various NGOs including the Hellenic Red Cross, MDM-Greece and PRAKSIS. MDM-Greece provided more specific data and stated that from 23 August 2015 until 2 October 2015 more than 4,000 third-country nationals were examined by their staff in the region.<sup>80</sup>

With regard to children, the NGO ARSIS currently operates in Eidomeni and provides childcare.<sup>81</sup> On 1 October 2015 on Lesbos island, the NGO PRAKSIS established a transit facility for children with the capacity to accommodate unaccompanied children, until medical examinations are conducted and their referral to the reception facilities is arranged.<sup>82</sup> A child friendly space was established in Kara Tepe camp on Lesbos island with the support of UNHCR and Eurolife, a Greek NGO. Save the Children is operating in Lesbos, Kos and Chios, distributing child focused items. The Hellenic Red Cross is also providing 'children kits' at the border entry points.<sup>83</sup>

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

In Athens, on 25 September 2015, the Assembly of the Occupation for the Accommodation of Refugees occupied a building in 26 Notara Street, which was the

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<sup>76</sup> NGO PRAKSIS.

<sup>77</sup> MDM Greece.

<sup>78</sup> UNHCR Greece.

<sup>79</sup> Eidomeni is a village close to the border with the former Yugoslav Republic of Macedonia (FYROM), in Central Macedonia, Greece. It belongs to Paionia municipality in the regional unit of Kilkis.

<sup>80</sup> MDM Greece.

<sup>81</sup> UNHCR Greece.

<sup>82</sup> NGO PRAKSIS.

<sup>83</sup> UNHCR Greece.

former headquarters of the Unified Subsidiary Fund for Employees (*ETEAM-Eviaio Ταμείο Επικουρικής Ασφάλισης Μισθωτών*). The Assembly invited groups and individuals to support this effort, both with their presence and material help.<sup>84</sup>

Communication with the Assembly is only possible through their Facebook page, which is updated regularly and provides information on both the activities of the Assembly and requests for donations, such as food, medications and other goods that are needed for refugees.

In Athens, on 29 September 2015, the self-organised movement “Solidarity with the Refugees in Greece” occupied a building on 56 Dervenion Street. The building will be used for storage of donated items and for open meetings of the group. The movement uses Facebook to communicate with the public.<sup>85</sup>

In Athens on 30 September 2015, the NGO Action for Migration and Development (METAction) teamed up with Taxibeat (a startup providing free taxi services) in a joint initiative to collect first aid items and supplies for persons in need of international protection. From 10:00 to 16:00 CET on that day, the public was invited to contact Taxibeat, who would send taxis, free of charge, to collect any items that were to be donated. The NGO METAction was responsible for distributing the items to persons in need of international protection on the islands of Lesbos, Samos, Chios, Kos and in the village of Eidomeni at the Greek-Macedonian border. On its official Facebook page, METAction stated that the public’s response was so overwhelming that all existing storage units and containers were filled.<sup>86</sup>

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

There were no amendments to relevant legislation during the reporting period, nor are there any changes to refugee law in the foreseeable future.

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

Issue	Please report what happened and, where relevant, the policy response	No. of people involved*	Date of incident	Location
Right to life	The Coast Guard in Mitelene reported finding two bodies, one male and one female in the maritime area of Lesbos island.	Two deceased persons	30 Sept. 2015	Lesvos

<sup>84</sup> Assembly of the Occupation for the Accommodation of Refugees (*Κατάληψη Στέγης Προσφύγων*), [www.cantiere.org/8618/refugeeswelcome-in-athens/#sthash.U5oXyUba.dpuf](http://www.cantiere.org/8618/refugeeswelcome-in-athens/#sthash.U5oXyUba.dpuf).

<sup>85</sup> Solidarity with the Refugees in Greece (*Αλληλεγγύη στους Πρόσφυγες*), [www.facebook.com/pediontouareos](http://www.facebook.com/pediontouareos).

<sup>86</sup> METAction (*Μετάδραση*), [www.facebook.com/metadrasi?ref=ts](http://www.facebook.com/metadrasi?ref=ts).

	Kos' Coast Guard reported finding two bodies, one male and one female in the maritime area of Kos island.	Two deceased persons	1 Oct. 2015	Kos
	Kos' Coast Guard reported finding one body of an infant in the maritime area of Kos island.	One deceased person	4 Oct.2015	Kos

# Hungary

## Stakeholders contacted

Interviews took place mainly via phone and email in the week of 28 September to 2 October 2015 with the following stakeholders:

- United Nations High Commissioner for Refugees (UNHCR) Hungary, based in Budapest;
- Hungarian Helsinki Committee (*Magyar Helsinki Bizottság*);
- Hungarian Association for Migrants (*Menedék Migránsokat Segítő Egyesület*);
- National Police Headquarters (*Országos Rendőr-főkapitányság*);
- General Attorney's Office (*Legfőbb Ügyészség*);
- Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal*) (regional office in Debrecen, headquarters in Budapest);
- County Court of Szeged (*Szegedi Törvényszék*).

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

### Situation of new arrivals

During the reference period, around 36,700 migrants crossed the border into Hungary.<sup>87</sup> With the physical closure (the installed fences) of the Hungarian-Serbian border lane, most migrants entered the country from the Croatian side (around 36,000 migrants).<sup>88</sup> Asylum seekers and migrants arrived from Croatia every day. They were mainly Afghan and Syrian nationals. 80 % of them were men, 20 % were women. With respect to age: 18 % were under 14 years old, slightly more than 10 % were between 14-17 years old (inclusive), roughly 61% were between 18-34 years old (inclusive) and around 11% were between 35-64 years old (inclusive).<sup>89</sup>

Most migrants do not apply for asylum in Hungary and they are not registered at the border. In the reporting period, less than 800 migrants applied for asylum in Hungary.<sup>90</sup> The Hungarian authorities transport those not seeking asylum in Hungary to the Austrian border (Nickelsdorf) by train.<sup>91</sup>

At present, around 300 asylum seekers are waiting for the decision of the Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal*; Office). The Office does not have information about the number of decisions taken between 28 September and 4 October. Statistical data are only available

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<sup>87</sup> National Police Headquarters, Press Department.

<sup>88</sup> National Police Headquarters Press Department.

<sup>89</sup> Office for Immigration and Nationality.

<sup>90</sup> Office for Immigration and Nationality.

<sup>91</sup> National Police Headquarters Press Department.

regarding the number of decisions taken between 1 January and 4 October. In this period, about 400 positive decisions (accepting the asylum claim) and 2,300 negative decisions (rejecting the claim) were made. In about 82,400 cases the Office terminated the process, as the applicants had left the country.<sup>92</sup>

### **Criminal proceedings against those crossing the borders**

Criminal proceedings were initiated against around 300 migrants during the reporting period on charges of unauthorised border crossing (*határzár tiltott átlépése*).<sup>93</sup>

During the reporting period, about 100 criminal trials were held against migrants before the Metropolitan Court of Szeged (*Szegedi Járásbíróság*). In each case, the Court found the defendants guilty of illegal border crossing. Most migrants received either a one-year or a two-year entry ban. In one case, the court only imposed a reprimand against the defendant. One case was postponed, and in two cases the court sent the case back to the prosecutor due to insufficient evidence. Only three defendants appealed against the judgments.<sup>94</sup>

Defendants were mostly Afghan and Syrian nationals, but some were from Iraq, Pakistan, Kosovo and Albania.<sup>95</sup>

### **Number of third-country nationals returned to third country**

The Office of Immigration and Nationality does not keep a record of the reasoning behind the decisions. This implies that there are no data available on the number of cases in which the 'safe third-country rule' was applied.<sup>96</sup>

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

The stakeholder consultation has not revealed any fundamental rights issues in connection with the registration and fingerprinting of migrants. Authorities experienced cooperation from the migrants' side during the registration and fingerprinting process. Electronic fingerprinting devices are available at all border stations.<sup>97</sup>

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<sup>92</sup> Office for Immigration and Nationality.

<sup>93</sup> The provision of illegal 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), [njt.hu/cgi\\_bin/njt\\_doc.cgi?docid=152383.297990#foot\\_121\\_place](http://njt.hu/cgi_bin/njt_doc.cgi?docid=152383.297990#foot_121_place). The provision was introduced in the Criminal Code by Act CXL of 2015 on the amendment of certain laws as a result of the migrant situation (*2015. évi CXL. törvény egyes törvényeknek a tömeges bevándorlás kezelésével összefüggő módosításáról*; Act CXL of 2015), [njt.hu/cgi\\_bin/njt\\_doc.cgi?docid=177552.298006](http://njt.hu/cgi_bin/njt_doc.cgi?docid=177552.298006). Act CXL of 2015 entered into force on 15 September 2015.

<sup>94</sup> County Court of Szeged, Press Department.

<sup>95</sup> County Court of Szeged, Press Department.

<sup>96</sup> Office for Immigration and Nationality.

<sup>97</sup> Office for Immigration and Nationality.

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

In the reporting period, nearly 800 asylum seekers were accommodated in Hungary. These numbers are within the maximum capacity of refugee camps. Therefore, reception conditions are adequate and authorities are able to provide sufficient care to people.<sup>98</sup>

Hospitals close to the Serbian and Croatian borders have around 50 migrant patients a day, while medical doctors are also present at the border to give on site assistance (the number of the on site assistance varies from day to day).<sup>99</sup>

The Office of Immigration and Nationality is working on establishing a new transit zone at the Hungarian-Croatian border (near the city of Letenye). In this location, the Office plans to install 28 containers, some dedicated to health care and sanitary services. An overnight accommodation will also be established in Letenye with a maximum capacity of 15 beds. The new facility should open in the week of 5 October 2015. At present, construction works take place to provide water, electricity and heating infrastructure.<sup>100</sup>

When the Hungarian Association for Migrants (*Menedék Menekülteket Segítő Egyesület*) visited the city of Zákány at the Hungarian-Croatian border on 1 October 2015, they experienced a 700m long muddy area that has been declared as an area of operations. Migrants entering Hungary from Croatia had to cross this muddy area to board the train at the station in the Hungarian city of Gyékényes (this train takes migrants to the Austrian border). The Hungarian Association for Migrants experienced that most migrants refrained from requesting medical help as they preferred to continue their journey to the west and they feared that obtaining medical assistance would slow them down.<sup>101</sup>

The number of unaccompanied children arriving in the country is still significant (around 20 % of the newcomers).<sup>102</sup> The two institutions that take care of immigrant children have a maximum capacity of 70 (*Fót*) and 18 (*Hódmezővásárhely*) beds. The majority (95 %) of children taken in by these institutions are between ages of 14-18. They typically leave after spending a day or two in the institutions to continue their journey to the West. The Government secured HUF 368.8 million (cc. €1.18 million) additional funding to extend the capacity and operation of such institutions through Decision No. 1706/2015

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<sup>98</sup> UNHCR Hungary.

<sup>99</sup> UNHCR Hungary.

<sup>100</sup> Office of Immigration and Nationality. Statement by the Deputy Head of the Office is available in the article 'Increased police control in October too' (*Fokozott rendőri ellenőrzés októberben*), 1 October 2015, [nepszava.hu/cikk/1071735-fokozott-rendori-ellenorzes-oktoberben-is](http://nepszava.hu/cikk/1071735-fokozott-rendori-ellenorzes-oktoberben-is).

<sup>101</sup> Hungarian Association for Migrants. A short summary of the Association's experiences at the border is available on the Association's website: Our action team was at the Croatian-Hungarian border (*Akciócsapatunk a horvát-magyar határnál járt*), <http://menedek.hu/hirek/akciocsapatunk-a-horvat-magyar-hatarnal-jart>.

<sup>102</sup> Office for Immigration and Nationality.

(IX. 29).<sup>103</sup> On 3 October 2015, the Government announced a plan to increase the capacity of these institutions to be able to accommodate another 144 children.<sup>104</sup>

On a press conference held in Debrecen, the spokesmen of Fidesz (the governing political party in Hungary) announced that they would recommend the Government to shut down the refugee reception camp in Debrecen by the end of November. Fidesz argues that Debrecen is far from the southern borders of Hungary, therefore, it is not economical to have the largest refugee camp (capacity is cc. 930) there.<sup>105</sup>

In order to execute the Court's expulsion decision, about 80 migrants were put into immigration detention during the reporting period. The execution of the expulsion order, however, was completed without incident.<sup>106</sup>

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

As the majority of migrants are now arriving from the Hungarian-Croatian border, the presence of humanitarian assistance is the most significant in that area (close to the following cities: Barcs, Zákány, Magyarbóly, Letenye, Berzence, Beremend, Udvar). The Hungarian Association for Migrants (*Menedék Migránsokat Segítő Egyesület*) visited the area of Barcs and Zákány on 1 October 2015 to deliver blankets, insulation mats and food. There is also a significant presence of private individuals (their number varies from around 50-100 a day) who voluntarily help and assist migrants by giving them food, warm clothes, blankets and medicine.<sup>107</sup>

Most volunteers do not belong to any civil society associations and some spontaneous actions of locals are organised on Facebook. Help the Refugees Together Group (*Segítsünk együtt a menekülteknek*)<sup>108</sup> is a group of individuals who originally got in contact last August on Facebook to help refugees when many of them were at the Keleti train station in Budapest. Members of the group now

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<sup>103</sup> Government Decision No. 1706/2015 (IX. 29.) on securing additional funds to extend the capacity and operation of institutions accommodating and protecting unaccompanied minors in need international protection (1706/2015. (IX. 29.) Korm. Határozat a nemzetközi védelemben részesülő gyermekek gyermekvédelmi szakellátásban történő elhelyezéséhez szükséges férőhelyszám bővítéséhez és működtetéséhez szükséges többletforrás biztosításáról), <http://magyarkozlony.hu/dokumentumok/6d0b03d3eff98422f9cdfc4b913c186e00d992f9/megtekintes>, p. 19974.

<sup>104</sup> More information on EU support to accommodate unaccompanied children can be found at this link: *Uniós támogatás a kísérő nélküli kiskorúak elhelyezésére*, [www.kormany.hu/hu/emberi-eroforrasok-miniszteriuma/szocialis-ugyekert-es-tarsadalmi-felzarkozasert-felelos-allamtitkarsag/hirek/unios-tamogat-as-a-kisero-nelkuli-kiskoruak-elhelyezesere](http://www.kormany.hu/hu/emberi-eroforrasok-miniszteriuma/szocialis-ugyekert-es-tarsadalmi-felzarkozasert-felelos-allamtitkarsag/hirek/unios-tamogat-as-a-kisero-nelkuli-kiskoruak-elhelyezesere).

<sup>105</sup> Dehir.hu 'The Debrecen refugee camp will be closed by the end of November' (*November végéig bezárják a debreceni menekülttábort*), 2 October 2015, [www.dehir.hu/debrecen/november-vegeig-bezarjak-a-debreceni-menkulttabort/2015/10/02/](http://www.dehir.hu/debrecen/november-vegeig-bezarjak-a-debreceni-menkulttabort/2015/10/02/).

<sup>106</sup> Office for Immigration and Nationality.

<sup>107</sup> Hungarian Association for Migrants. A short summary of the Association's experiences at the border can be found on the Association's website under the title 'Our action team was at the Croatian-Hungarian border' (*Akciócsapatunk a horvát-magyar határnál járt*), <http://menedek.hu/hirek/akciocsapatunk-a-horvat-magyar-hatarnal-jart>.

<sup>108</sup> Facebook page of the Help the Refugees Together Group (*Segítsünk együtt a menekülteknek!*), [www.facebook.com/groups/16030438999611/?fref=ts](http://www.facebook.com/groups/16030438999611/?fref=ts).

often visit the Hungarian-Croatian border area to bring food, warm clothes to migrants and also to assist Croatians in the organisation of food and the distribution of donations in order to avoid waste.<sup>109</sup>

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

On 29 September 2015, the Hungarian Parliament adopted the legislative proposal No. T/6244 on the jurisdiction of courts in certain civil and criminal law matters (*az egyes polgári és büntető ügyekben eljáró bíróságok illetékességéről*).<sup>110</sup>

This new law grants jurisdiction over cases related to the crimes of illegal border crossing,<sup>111</sup> damaging instalments that protect the border<sup>112</sup> and obstructing the construction of border closure instalments.<sup>113</sup> This jurisdiction has been granted to: in Zala and Somogy counties, to the Metropolitan Court of Zalaegerszeg (*Zalaegerszegi Járásbíróság*) (entry level jurisdiction) and the County Court of Zalaegerszeg (*Zalagerszegi Törvényszék*) (court of appeals); in Baranya county, to the Metropolitan Court of Pécs (*Pécsi Járásbíróság*) (entry level jurisdiction) and the County Court of Pécs (*Pécsi Törvényszék*) (court of appeals). The act also gives jurisdiction to the Administrative and Labour Court of Pécs (*Pécsi Közigazgatási és Munkaügyi Bíróság*) in Baranya county and the Administrative and Labour Court of Zalaegerszeg (*Zalaegerszegi Közigazgatási és Munkaügyi Bíróság*) in Zala and Somogy counties to trial the review procedures against the decisions of the Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal*) in the cases of asylum seekers.

The metropolitan, county, administrative and labour courts of Szeged – a city close to the Serbian-Hungarian border – have exclusive jurisdiction over the related criminal cases and review procedures.

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*).<sup>114</sup>

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<sup>109</sup> UNHCR Hungary.

<sup>110</sup> Legislative proposal No. T/6244. on the jurisdiction of Courts in certain civil and criminal law matters (*az egyes polgári és büntető ügyekben eljáró bíróságok illetékességéről*), [www.parlament.hu/irom40/06244/06244.pdf](http://www.parlament.hu/irom40/06244/06244.pdf).

<sup>111</sup> Article 352/A of the Criminal Code.

<sup>112</sup> Article 352/B of the Criminal Code.

<sup>113</sup> Article 352/C of the Criminal Code.

<sup>114</sup> Official Journal of Hungary (*Magyar Közlöny*), [www.magyarokozlony.hu](http://www.magyarokozlony.hu).

# Italy

## Stakeholders contacted

Interviews took place in the week from 28 September to 5 October 2015 with the following stakeholders. Some of them could not provide information but referred to updates available on their webpages. Other stakeholders contacted could not contribute to this first data collection due to various reasons.

- The Ministry of Interior, Department for Civil Liberties and Immigration
- UNHCR Italy
- MSF Italy
- Association for Legal Studies on Immigration (Associazione per gli Studi Giuridici sull'Immigrazione, ASGI).
- Central Police Station of Ragusa - Sicily (Questura di Ragusa - Sicilia)
- CISPM - Coalizione Internazionale dei Sans-papiers, Migranti, Rifugiati e Richiedenti asilo (International coalition of Sans-Papiers, Immigrants, Refugees and asylum seekers)
- "Semiautonomia Minori Stranieri" project of the Municipality of Rome

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

In the week from 28 September to 4 October 2015, an average number of more than 1,000 newly arrived immigrants have been registered by Italian authorities. Most of them are asylum seekers coming from sub-Saharan African countries.

On the 4 October, the "Aviere" ship of the Italian Navy rescued around 240 people in the Sicily channel.

On the 2 October, the "Cigala Fulgosi" ship of the Italian Navy rescued nearly 130 people – 28 children – in the Sicily Channel. They were then transferred to the MSF "Dignity I" ship and disembarked in Pozzallo (Sicily) on 3 October.

On 29 September, the "Cigala Fulgosi" ship of the Italian Navy rescued, in two different search and rescue operations, over 100 people - including 30 women and 5 children – and around 120 people (mostly men).

On the 28 September, the "Driade" ship of the Italian Navy rescued 200 people in the Sicily channel which were then transferred to the coastguard ships CP 302 and CP 310. On the same day, the Navy ship "Bersagliere" rescued nearly 100 more people arriving at the Italian coast.

According to the Ministry of Interior, 350 asylum seekers have been registered by the Ministry of Interior on 1 October 2015. There is not much information about this circumstance: the newly-arrived people were mostly from Africa and disembarked from the "Bourbon Argos" ship (a boat which is under the responsibility of Medici Senza Frontiere- MSF) in the Reggio Calabria port. There were around 260 men, 85 women (one pregnant) and three children. They have been distributed in several reception centres scattered throughout Italy (in Emilia

Romagna, Lombardia, Lazio, Puglia and Veneto), respecting the instructions given by the Ministry of Interior.

According to the International Coalition of Sans Papiers, at least 200 more people have been registered on 30 September 2015 in Catania (Sicily): they all originated from African countries (i.e. Gambia, Senegal, Mali, Togo, Ivory Coast). Police authorities, the International Organisation for Migration, UNHCR, Save the Children were all at the port during disembarkation. About 30 people, coming mainly from the Ivory Coast, were separated from the group of 200 immigrants upon disembarkation and received an expulsion order from the police authorities. It is unclear whether they were given the opportunity to apply for international protection.

According to the International Coalition of Sans Papiers another arrival had taken place on 29 September in Rapallo (Ragusa – Sicily) where they were registered by local Police authorities: 450 persons disembarked in Sicily and 350 of them have been moved on the same day to reception centres situated in other regions. Police authorities do not clarify the origins of the newly-arrived immigrants. The other 100 persons were brought to the local CPSA (*centro di primo soccorso e accoglienza* – first aid and reception centre) for the registration procedure. Two of the newly-arrived were arrested on 30 September by the police as facilitators. UNHCR clarified that the Praesidium project has been replaced by a new AMIF-funded project, “Access”, and that UNHCR staff are still present at the borders.

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

No fundamental rights issues were reported. The International Coalition of Sans Papiers said that the 450 persons disembarked in Pozzallo were registered by police authorities in the CPSA before being moved to the other reception centres, in order to issue, if necessary, expulsion orders or to register international protection applications.

As a background, local level officers (e.g. the police authority at the border, on the ships, etc.) can only take the fingerprints and insert them in the national AFIS system. Then, the national access point (the Forensic Police in Rome) or its 14 branches at local level (but these branches do not have people on duty at night, so during the night the check is carried out by the office in Rome) check the quality of the data to be inserted in Eurodac. Once the quality of fingerprints is checked, only the national access point in Rome will insert the data in Eurodac, receive the answer, and send the information to the office where the fingerprints were taken.

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

Reception centres are often overcrowded and this situation can undermine the respect of reception and assistance standards in these centres as established by law.

Basic health assistance is provided at the moment of arrival on Italian soil: if the immigrants are rescued by or transferred to MSF ships health assistance starts

even before disembarkation. Most of the time, since the save and rescue operations are accomplished by police authorities with the cooperation of Frontex, health assistance is provided upon arrival in Italian ports. It is not clear whether within Frontex operations health assistance is still provided on ships. In effect, MSF professionals provide healthcare assistance in most of the disembarkation ports in Southern Italy, especially in the Sicilian cities of Augusta, Pozzallo, Catania, Palermo, Lampedusa, Agrigento and Messina.

Generally speaking, newly arrived asylum seekers are provided with a TBC check and other controls related with basic health needs (i.e. pregnancies, diabetes etc.). These more in-depth healthcare checks usually take place at the reception centres where the newly-arrived asylum seekers are moved.

Reception centres' supervisors might provide police authorities with filled-in forms concerning asylum seekers who might constitute a danger to the centre's security. These forms often lead to the expulsion of these asylum seekers who are often brought to other countries rather than their own countries of origin. This procedure can produce a situation of vulnerability in these subjects' lives, leaving them without identity documents and without shelter if they are not immediately expelled.

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

Available information show that religious and other voluntary associations have been active, for example, in attending the basic needs of the newly arrived persons who were disembarked in Reggio Calabria.

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

There has been a major development in Italian legislation concerning the registration and assistance of newly arrived asylum seekers: Legislative Decree 18th August 2015, No. 142 ([www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2015-08-18;142!](http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2015-08-18;142!)). The decree still needs application decrees to be approved in order to be fully operative. The above-mentioned Legislative Decree, which implements the 2013/32/EU and 2013/33/EU Directives, introduces in Italian legislation a relevant reform of the asylum seekers reception policies, regulates detention of asylum seekers, and has new provisions concerning the procedure for recognition of international protection status.

Concerning policy developments, the Italian Government has introduced the "hotspot system" which consists in the creation of some five centres, in the south of Italy near the sea borders. Hotspots will aim at the identification of newly arrived migrants, the fingerprinting, and the channelling into appropriate procedures. Asylum seekers will be sent to assistance centres; all others would be moved to Centres of Identification and Expulsion (CIE). The hotspots, which should be situated in Trapani (Sicily), Lampedusa (Sicily), Porto Empedocle (Sicily), Pozzallo (Sicily), Augusta (Sicily) and Taranto (Apulia) will operate within already existing structures, such as CIEs and CPSA mentioned above. In the

hotspots, the identification and first assistance activities will be carried out with the support of Frontex and EASO.

# Slovenia

## Stakeholders contacted

Interviews took place mainly via phone and email in the week of 28 September to 2 October 2015 with the following stakeholders:

- Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (ACPDR) (*Uprava Republike Slovenije za zaščito in reševanje, URSZR*), that is responsible for reception conditions of new arrivals (care and accommodation);
- Legal Information Centre of NGOs (*Pravnoinformacijski center nevladnih organizacij - PIC*) which is the UNCHR implementation partner in Slovenia;
- Amnesty International Slovenia (*Amnesty International Slovenija*);
- Red Cross Slovenia (*Rdeči Križ Slovenije*);
- Caritas Slovenia (*Slovenska Karitas*);
- Slovenian philanthropy (*Slovenska filantropija*);
- Aliens Centre Postojna (*Center za tujce Postojna*), a detention centre for foreigners;
- Advocate for Equal Opportunities (*Zagovornik načela enakosti*);
- Hotline for reporting hate speech and child sexual abuse images on the internet "Web eye" (*Spletno oko*).

Information was also gathered at the weekly meeting of the NGO Platform for Development Cooperation and Humanitarian Aid (SLOGA), gathering NGOs dealing with the migrant and refugee crisis.

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

During the first large wave of arrivals (from 17 to 24 September), *Policija* - a body within the Ministry of the Interior (*Ministrstvo za notranje zadeve, MNZ*), published on its website<sup>115</sup> daily statistical information on new arrivals (number of persons by nationality, gender, country of entry, desirable country of final destination, type of transportation, number of children, number of asylum seekers, and which facility these people were taken to).<sup>116</sup>

Between 25 and 30 September 2015, *Policija* published daily documents titled 'Information on occupancy of accommodation facilities for foreigners.' These

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<sup>115</sup> English version available at: [www.policija.si/eng/index.php/component/content/article/13-news/1729-a-new-webpage-on-police-activities-re-current-migration-flows-set-up-available-informations](http://www.policija.si/eng/index.php/component/content/article/13-news/1729-a-new-webpage-on-police-activities-re-current-migration-flows-set-up-available-informations). More information is available on the page in the Slovenian language: [www.policija.si/index.php/component/content/article/190-mejne-zadeve-in-tujci/79439-aktivnosti-policije-v-zvezi-z-aktualnimi-migracijskimi-tokovi](http://www.policija.si/index.php/component/content/article/190-mejne-zadeve-in-tujci/79439-aktivnosti-policije-v-zvezi-z-aktualnimi-migracijskimi-tokovi).

<sup>116</sup> Police, document of 18 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/statistika\\_migranti/Angl\\_podatki\\_migracije\\_18.9.2015.pdf](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/statistika_migranti/Angl_podatki_migracije_18.9.2015.pdf); Police, document of 24 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/statistika\\_migranti/Angl\\_podatki\\_migracije\\_24.9.2015\\_zdruzeno.pdf](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/statistika_migranti/Angl_podatki_migracije_24.9.2015_zdruzeno.pdf).

documents contained information on the number of people undergoing registration at reception centres (*Sprejemni centri*) and the occupancy of accommodation centres (*Nastanitveni centri*); the Aliens Centre Postojna<sup>117</sup> (also called the Centre for Foreigners (*Center za tujce Postojna*)) and the Asylum home (*Azilni dom*) from which the number of new arrivals and asylum seekers may be calculated.

No information was published or provided by Policija concerning the period from 1 to 4 October 2015. Presumably, no information was published due to a lack of new developments.

Drawing on the documents released by Policija, it can be concluded that no migrants underwent registration at reception facilities on 28 September 2015;<sup>118</sup> 29 September 2015<sup>119</sup> and 30 September 2015.<sup>120</sup> It can also be observed that in the same period, over 80 persons requested asylum (on 28 September 2015, six persons were accommodated in the Asylum home in Ljubljana,<sup>121</sup> the same number on 29 September 2015,<sup>122</sup> while on 30 September 2015 the Asylum home housed 90 persons.<sup>123</sup>

Between 28 September and 4 October, around 30 persons (mostly Syrians; including 8 children) were detained in the Aliens Centre Postojna (*Center za tujce Postojna*) awaiting deportation.<sup>124</sup>

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

No issues concerning the initial registration and fingerprinting to be reported.

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<sup>117</sup> Information in English available at: [www.policija.si/eng/index.php/areasofwork/bordermattersandforeigners/81-centre-for-foreigners](http://www.policija.si/eng/index.php/areasofwork/bordermattersandforeigners/81-centre-for-foreigners).

<sup>118</sup> Police, *Information on occupancy of accommodation facilities for foreigners*, 28 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska\\_besedila/28092015\\_Information\\_occupancy\\_of\\_accommodation\\_facilities\\_for\\_foreigners.doc](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/28092015_Information_occupancy_of_accommodation_facilities_for_foreigners.doc).

<sup>119</sup> Police, *Information on occupancy of accommodation facilities for foreigners*, 29 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska\\_besedila/29092015\\_Information\\_occupancy\\_of\\_accommodation\\_facilities\\_for\\_foreigners.doc](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/29092015_Information_occupancy_of_accommodation_facilities_for_foreigners.doc).

<sup>120</sup> Police, *Information on occupancy of accommodation facilities for foreigners*, 30 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska\\_besedila/29092015\\_1800\\_Information\\_occupancy\\_of\\_accommodation\\_facilities\\_for\\_foreigners.doc](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/29092015_1800_Information_occupancy_of_accommodation_facilities_for_foreigners.doc).

<sup>121</sup> Police, *Information on occupancy of accommodation facilities for foreigners*, 28 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska\\_besedila/28092015\\_Information\\_occupancy\\_of\\_accommodation\\_facilities\\_for\\_foreigners.doc](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/28092015_Information_occupancy_of_accommodation_facilities_for_foreigners.doc).

<sup>122</sup> Police, *Information on occupancy of accommodation facilities for foreigners*, 29 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska\\_besedila/29092015\\_Information\\_occupancy\\_of\\_accommodation\\_facilities\\_for\\_foreigners.doc](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/29092015_Information_occupancy_of_accommodation_facilities_for_foreigners.doc).

<sup>123</sup> Police, *Information on occupancy of accommodation facilities for foreigners*, 30 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska\\_besedila/29092015\\_1800\\_Information\\_occupancy\\_of\\_accommodation\\_facilities\\_for\\_foreigners.doc](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/29092015_1800_Information_occupancy_of_accommodation_facilities_for_foreigners.doc).

<sup>124</sup> Police, Aliens Centre Postojna. Although requested, the Centre did not provide information on the reason (legal basis) for detention and deportation of migrants.

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

As a large influx of persons in need of international protection arrived in Slovenia from 17 to 21 September,<sup>125</sup> a special system was established: new arrivals first went through reception centres (*Sprejemni centri*) where they were registered and the identification process was conducted. After that, they were transferred with buses to accommodation centres (*Nastanitveni centri*) that are set up in old schools, empty buildings, tents, etc.<sup>126</sup> These centres are places where registered people may rest, but are free to continue their journey when they wish to do so.<sup>127</sup> In the week of 28 September to 4 October due to a diminished number of arrivals,<sup>128</sup> reception centres as well as accommodation centres have been empty.<sup>129</sup>

The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (ACPDR) (*Uprava Republike Slovenije za zaščito in reševanje, URSZR*) is responsible for the reception conditions of new arrivals (care and accommodation) at accommodation centres.<sup>130</sup> The centres are set up in accordance with the Sphere project standards – Humanitarian Charter and Minimum Standards in Humanitarian Response. During the reporting week, the ACPDR was preparing for a new wave of arrivals, by increasing capacities and improving existing centres, setting up a new accommodation centre in Šentilj near the Slovenian-Austrian border and improving the internal organisation system for the effective functioning of these centres.<sup>131</sup>

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<sup>125</sup> Police, Press release, 22 September 2015, explaining that 3,333 foreigners have been registered between 17 and 21 September, [www.policija.si/index.php/component/content/article/105-sporoila-za-javnost/79659-na-obmoju-policijske-uprave-novo-mesto-v-minulih-tirih-dneh-obravnavali-3333-migrantov](http://www.policija.si/index.php/component/content/article/105-sporoila-za-javnost/79659-na-obmoju-policijske-uprave-novo-mesto-v-minulih-tirih-dneh-obravnavali-3333-migrantov).

<sup>126</sup> Ministry of Interior, *Slovenia prepares intensively for the arrival of refugees and migrants*, Press release, 18 September 2015, [www.mnz.gov.si/en/media\\_room/news/article/12137/9360/2e60e2db5f8dd57f5fc8d96d102834d8/](http://www.mnz.gov.si/en/media_room/news/article/12137/9360/2e60e2db5f8dd57f5fc8d96d102834d8/).

<sup>127</sup> National radio television web portal (MMC RTVSLO), *Cerar je varuh schengenske meje*, article published on 19 September 2015 in which the State Secretary of the MNZ, Mr Boštjan Šefic, is quoted stating that migrants accommodated in accommodation centres are free to leave when they wish: [www.rtvsllo.si/slovenija/cerar-slovenija-je-varuh-schengenske-meje/374419](http://www.rtvsllo.si/slovenija/cerar-slovenija-je-varuh-schengenske-meje/374419).

<sup>128</sup> Police, *Information on occupancy of accommodation facilities for foreigners*, 28 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska\\_besedila/28092015\\_Information\\_occupancy\\_of\\_accommodation\\_facilities\\_for\\_foreigners.doc](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/28092015_Information_occupancy_of_accommodation_facilities_for_foreigners.doc); Police, *Information on occupancy of accommodation facilities for foreigners*, 29 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska\\_besedila/29092015\\_Information\\_occupancy\\_of\\_accommodation\\_facilities\\_for\\_foreigners.doc](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/29092015_Information_occupancy_of_accommodation_facilities_for_foreigners.doc); Police, *Information on occupancy of accommodation facilities for foreigners*, 30 September 2015, [www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska\\_besedila/29092015\\_1800\\_Information\\_occupancy\\_of\\_accommodation\\_facilities\\_for\\_foreigners.doc](http://www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/29092015_1800_Information_occupancy_of_accommodation_facilities_for_foreigners.doc).

<sup>129</sup> No information was published on the website of the Police concerning the timeframe from 1 to 4 October 2015, also no NGO or media reported larger arrivals during the reporting period – Thus, it can be concluded that Reception and Accommodation centres were empty from 1 to 4 October 2015.

<sup>130</sup> On 20 September 2015, the Government issued a decision stating that the Civil Protection (*Civilna zaščita*) - a unit of the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief- is now responsible for the logistics of managing accommodation centres. See: [www.sos112.si/slo/clanek.php?catid=27&id=7682](http://www.sos112.si/slo/clanek.php?catid=27&id=7682) and: [www.mnz.gov.si/si/novinarsko\\_sredisce/novica/article/12137/9365/39402e0d536bffb8250daa58d0641266/](http://www.mnz.gov.si/si/novinarsko_sredisce/novica/article/12137/9365/39402e0d536bffb8250daa58d0641266/).

<sup>131</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

In the reporting week, the accommodation centres have about 5,300 places (beds), additionally 2,000 are being prepared in Šentilj.<sup>132</sup> Out of 13 accommodation centres, three, including the largest in preparation in Šentilj, provide accommodation only in tents. Although radiators for heating have been bought, due to lowering temperatures this will most likely present a problem in the following weeks.<sup>133</sup>

Concerning healthcare, Red Cross Slovenia offered first aid assistance (dehydration, simple injuries, etc.) in the reception and accommodation centres. A small number of volunteer students of medicine were present at some of the reception centres. In the accommodation centres a local doctor or a telephone number of a local doctor was available if a more serious health issue was to occur. A doctor that would be present at all times has not been appointed yet by the Ministry of Health (*Ministrstvo za zdravje*). One will be appointed if the situation exacerbates and a larger number of migrants arrive.<sup>134</sup>

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

The social response in Slovenia has been twofold.

On the one hand it has been positive. A number of humanitarian organisations (the main ones being: Red Cross Slovenia (*Rdeči Križ Slovenije*)<sup>135</sup>, Caritas Slovenia (*Slovenska Karitas*)<sup>136</sup>, Adra Slovenia<sup>137</sup>, Odnos Society (*Društvo Odnos*),<sup>138</sup> Krog (*Zavod Krog*)<sup>139</sup> have been collecting humanitarian aid in the form of financial transactions as well as food, sanitary products, tents, warm clothes, etc. Volunteers from the Slovenian Philanthropy (*Slovenska filantropija*)<sup>140</sup>, Red Cross Slovenia<sup>141</sup> and Caritas Slovenia<sup>142</sup> are on stand by and prepared to step in if a larger number of migrants were to arrive. Red Cross Slovenia has food and other essentials stored in warehouses close to the relevant border crossings.<sup>143</sup> The Slovenian Philanthropy has been training volunteers that applied to help refugees.<sup>144</sup> Amnesty International Slovenia launched an online campaign

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<sup>132</sup> List of accommodation locations if a substantial number of migrants arrive, *Seznam lokacij za nastanitev v primeru prihoda večjega števila migrantov*, 2 September 2015, [www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/SOJ/word/2015/Kapacitete\\_29092015.xls](http://www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/SOJ/word/2015/Kapacitete_29092015.xls)

<sup>133</sup> Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (ACPDR).

<sup>134</sup> SLOGA Platform; Amnesty International Slovenia; Slovenian Philanthropy; Antiracist Front.

<sup>135</sup> Website available at: [www.rks.si/sl/Zbiramo\\_pomoc/](http://www.rks.si/sl/Zbiramo_pomoc/).

<sup>136</sup> Website available at: [www.karitas.si/karitas-zacenjja-z-zbiranjem-denarne-pomoci-za-migrante-in-begunce/](http://www.karitas.si/karitas-zacenjja-z-zbiranjem-denarne-pomoci-za-migrante-in-begunce/).

<sup>137</sup> Website available at: [www.adra.si/zbiranje-pomoci-za-begunce/](http://www.adra.si/zbiranje-pomoci-za-begunce/).

<sup>138</sup> Website available at: [http://odnos.si/kako\\_nam\\_lahko\\_pomagate/](http://odnos.si/kako_nam_lahko_pomagate/).

<sup>139</sup> Website available at: [www.zavod-krog.si/#ldoniraj/cx8g](http://www.zavod-krog.si/#ldoniraj/cx8g).

<sup>140</sup> Slovenian Philanthropy.

<sup>141</sup> Red Cross Slovenia.

<sup>142</sup> Caritas Slovenia.

<sup>143</sup> Red Cross Slovenia.

<sup>144</sup> Slovenian Philanthropy.

encouraging people to sign a petition that urges the EU to renew the asylum system.<sup>145</sup>

No major rallies took place in the reporting period. However, on the 25 September 2015, two rallies took place: one called "Protecting our borders" and another one welcoming refugees. The second one was part of a whole day festival with concerts and lectures. More people attended the second one as opposed to the first one.

On the other hand, this response was accompanied by increased expressions of hatred towards migrants on the internet, e.g. social media and comments to online news. The central Slovenian hotline for reporting hate speech incidents on the internet "Web eye" (*Spletno oko*)<sup>146</sup> detected a sharp increase of reported hate speech incidents. Reports for the reporting period have not yet been analysed (week 40 of the year), but the organisation has detected a significant increase in the last few weeks. While the average rate of reported hate speech incidents was 26 per week in 2014, this rate increased to 40 incidents per week in September. The seriousness of reports also increased: on average the hotline handles 3 % of all reported incidents to Policija – this rose to 8 % in week 39.<sup>147</sup> The amplification of intolerant and hateful communication online towards the Muslim population was confirmed by the Advocate of the Principle of Equality (*Zagovornik načela enakosti*).<sup>148</sup>

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

Updates as appropriate will be reported as of next week.

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<sup>145</sup> Amnesty International Slovenia.

<sup>146</sup> Website available at: <http://safe.si/spletno-oko>.

<sup>147</sup> Hotline "*Spletno oko*".