



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

Update # 2

5 October–9 October 2015

(with updates to 11 October, as appropriate)

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Highlights 5 October–9 October 2015

New arrivals: size and patterns

- In Austria, around 7,000 persons arrive daily with numbers increasing over the weekend to around 9,000 entering at Nickelsdorf. Arrivals include many people from Syria, Afghanistan and Iraq, with fewer but a rising number of Pakistanis - as observed by the Red Cross. Also, a growing number of families arrive.
- Nearly 46,000 people arrive in Hungary, mainly through the border with Croatia. Only 181 cross the Serbian-Hungarian border. The physical closure of the Hungarian-Croatian borders is expected to take place on 15 October 2015. The majority of new arrivals do not apply for asylum and they are not registered at the border. The authorities transport those not seeking asylum in Hungary to the Austrian border by train and by bus.
- Around 50,000 people enter Croatia during the reporting period, which constitutes a clear increase compared to the previous week (30,000 arrivals). The Ministry of Interior estimates that there are 20 % women among new arrivals and 15 % children. There are no asylum applications during the reporting week.
- Around 36,500 people arrive by sea in Greece.
- The majority of new arrivals do not apply for asylum on the Greek islands.
- On 8 October 2015, the largest number of people (8,000) cross the land border between Greece and the Former Yugoslav Republic of Macedonia at Idomeni.
- Almost 4,000 people are rescued in multiple operations off the coasts of Southern Italy. Around 2,300 apply for asylum. Morocco is considered a safe third country.
- There is an increase in the number of new arrivals in Bulgaria, but this remains relatively low.

Initial registration

- Initial registration in Germany can take weeks or months, as reported from Berlin. Accommodation is often not provided until then.
- In Croatia, all arrivals are registered, but without fingerprinting. The police do not initiate criminal proceedings. There are no asylum applications.
- In Bulgaria, asylum seekers continue to complain that the officials do not insert their names correctly in the documents and that interpreters do not interpret in full what has been said during interviews.
- On the Greek islands, Syrian nationals and vulnerable groups together with other third-country nationalities are given priority in the registration procedure.
- Serious gaps are reported concerning the registration and referral procedure of all vulnerable groups in Greece. Regardless of the high inflows, there are empty bed spaces both in reception facilities for asylum

seekers and for unaccompanied children. Moreover, new arrivals are not informed about the existence and availability of accommodation facilities, open day centres and polyclinics in mainland Greece. As a result, they do not know whom to address for assistance when they reach mainland Greece.

- At the hotspot in Lampedusa, Italy, a group of 50 Eritreans break out from the reception centre in a public protest against compulsory fingerprinting. The protest ends after the intervention of the police and mediation by the mayor, who convinces them to return to the center.

Reception conditions

- In Austria, accommodation is insufficiently available as federal facilities are not relieved by the provinces. The number of homeless asylum seekers is increasing despite the availability of accommodation at provincial level as interviews for new asylum seekers are delayed, according to Caritas.
- In Bulgaria, overcrowding of reception facilities remains the main challenge. In Busmantsi, in the Special Home for Temporary Placement of Foreigners, some people sleep in the corridors on the floor, having only a blanket. In addition, while families with children are accommodated in family rooms, unaccompanied children stay in the common rooms with adults.
- Provision of food supplies is still an issue in Bulgaria. New arrivals are held in the State Agency for Refugees' Registration and Reception centre in Harmanli, without food for at least 24 hours. Food is provided once a day.
- In Greece, on 6 October 2015, in the First Reception Centre of Moria (Lesvos), a protest breaks out due to too many people waiting for their registration procedure to be completed in an overcrowded facility. The police use force, tear gas and rubber bullets to enforce order.
- New arrivals in Germany are usually registered in reception centres. Nearly all apply for asylum. While waiting for registration, accommodation is often not provided. New arrivals have to sleep outside. In some overcrowded reception facilities conflicts occur among asylum seekers about access to sanitary facilities, alleged theft of personal belongings, or while queuing for food.
- In Croatia, people are temporarily accommodated in the camp Opatovac; mostly in tents, except for vulnerable groups, until the newly arrived persons are transferred further to the Hungarian border. In most of the cases, the newly arrived persons are transferred to the Hungarian border by trains after 12 to 24 hours. The camp is overcrowded. Due to heavy rain, people sleep in tents in the mud as the ground remains bare. Work on making the tent camp winter proof is ongoing. Babies, children, pregnant women and people with disabilities have priority in registration, accommodation, provision of aid and transport to the Hungarian border.
- No returns from Croatia to a safe third country take place.
- In Hungary, reception conditions are adequate and authorities are able to provide sufficient care to people.

Criminal proceedings for irregular border crossing or facilitation

- In Hungary, criminal proceedings are initiated against 113 people on charges of unauthorised border crossing. 112 criminal trials are held before the Metropolitan Court of Szeged (*Szegedi Járásbíróság*). In 110 cases, the Court finds the defendants guilty of illegal border crossing. Sixty-six people receive a one-year entry ban; 43 receive a two-year entry ban. Defendants do not appeal.

Social responses

- In Austria, the *Identitäre Bewegung Österreichs (IPÖ)* continues its anti-asylum agitation via the website www.grenzhelfer.in and via Facebook, calling the public for help to protect the Austrian borders.
- In Austria, asylum is a big issue during the elections in the city of Vienna, particularly in the campaign by the Austrian Freedom Party (*Freiheitliche Partei Österreichs*).
- Hostile demonstrations against refugees take place in a number of German and mostly eastern German cities. The biggest of them, with 8,000 participants, take place in Erfurt, Thuringia, on 7 October. The second biggest demonstration with 2,000 participants take place on the same day in Einsiedel, Saxony.
- In Croatia, general public opinion and media support a humanitarian approach and the efforts by the government to support refugees upon arrival.
- In Hungary, humanitarian assistance is most significant in the area close to the cities of Beremend and Zákány. These are the last open territories in the Croatian-Hungarian borderline where fences are not ready yet.

Legal and policy changes

- A new asylum law is being discussed in Austria, introducing asylum for a limited period of time as well as changing the laws on family reunification.
- The Austrian Government will inform the EU and Member States about an extension of internal border controls.
- In Germany, the Federal Chancellery, and no longer the Federal Ministry of the Interior, is responsible for the overall coordination of the asylum policy.
- In Hungary, a government decision authorising the deployment of foreign armed forces to support border control tasks is adopted on 7 October. It will allow for a maximum of 1,000 foreign soldiers to join the action 'Joint Will' (*Közös Akarat*) to support the Hungarian Army to protect the borders of Hungary until 15 March 2016.

Austria

Stakeholders contacted

Interviews took place by phone on 12 October 2015 with the following stakeholders:

- Federal Ministry of the Interior, Department III/9 (Bundesministerium für Inneres, Abteilung III/9 Grundversorgung und Bundesbetreuung)
- Federal Agency for State Protection and Counter Terrorism (Bundesamt für Verfassungsschutz und Terrorismusbekämpfung, BVT)
- Federal Ministry of the Interior/Police (Bundesministerium für Inneres/Polizei):
- Caritas Austria (Caritas Österreich)
- Red Cross Austria (Rotes Kreuz Österreich)
- Worker's Samaritan Federation (Arbeiter-Samariterbund)

Relevant information found in the UNHCR Update #5 on Europe's Refugee Emergency Response was also included.

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

Authorities estimate 7,000 new arrivals per day on average.¹ The numbers increased during the weekend with around 8,000 to 9,000 arrivals on Sunday at the border at Nickelsdorf in Burgenland, according to the Red Cross. At Nickelsdorf, which is the most affected border sector, people cross the border walking, are then guided to the initial reception stations and brought to emergency shelters or to train stations to move on.² Some persons arrived also at Heiligenkreuz, Bad Radkersburg and Spielfeld.³ Based on the number of asylum applications, it is estimated that 50 % of the new arrivals are men, one third are women, and the rest are children.⁴

Around 2,200 persons applied for asylum, mostly from Afghanistan, Syria and Iraq; less from Iran, Nigeria, Somalia, India, Georgia and Pakistan,⁵ although the Red Cross observed a rising number of Pakistanis. The number of families arriving rose during the reference period in comparison to the previous week; their state of health is deteriorating, also due to weather conditions.⁶

¹ Federal Ministry of the Interior, Department II/2.

² Federal Ministry of the Interior, Department II/2.

³ Red Cross Austria.

⁴ Federal Ministry of the Interior, Department II/2.

⁵ Federal Ministry of the Interior, Department II/2 and III/9.

⁶ Red Cross Austria.

As of 12 October 2015, about 2,100 unaccompanied children refugees are taken care of in establishments of the Federal State. Compared to the previous week, this is a decrease of about 100 unaccompanied children refugees.⁷

The UNHCR Update #5 on Europe's Refugee Emergency Response reported that "approximately 24,050 persons crossed the border between 1 and 8 October. Almost all arrived from Hungary and have been transferred to emergency shelters all over Austria to decongest the border area. The majority has moved on to Germany."⁸

Due to capacity shortages, not all newly arriving persons can be registered according to regular procedures. The humanitarian aspect has priority, expulsion is neither allowed nor practiced, nobody is placed in detention.⁹ The authorities do not apply criminal proceedings.¹⁰

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report. The arriving persons are cooperative.¹¹

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

Lack of housing and increase of homelessness

The provision of accommodation continues to be a key challenge in addition to transportation (from the borders) and the capacities and resources of volunteers.¹² The number of places available for new arrivals is still insufficient. Usually, the provinces have to take over a considerable share of the asylum seekers from the Federal State. However, as of 12 October 2015, the provinces have not yet taken over around 3,000 asylum seekers who should no longer stay in the federal reception facilities. As a consequence, there is a reduced number of accommodation places available for the newly arriving asylum seekers in "federal" facilities.¹³ As persons having applied for asylum could not be provided with housing and thus stayed in transit places, the new arrivals who are staying for only a couple of hours are mixed with those persons, who are already in the asylum procedure.¹⁴

The increasing number of homeless asylum seekers constitutes a challenge. It was reported that there are around 150 homeless persons in Salzburg, 250 in Linz and 250 in Graz.¹⁵ Housing seems to be available at the provincial level, but

⁷ Federal Ministry of the Interior, Department III/9.

⁸ United Nations High Commissioner for Refugees (UNHCR), Update #5 on *Europe's Refugee Emergency Response*, 2 – 8 October 2015.

⁹ Federal Ministry of the Interior, Department II/2.

¹⁰ Federal Ministry of the Interior, Department II/2.

¹¹ Federal Ministry of the Interior, Department II/2.

¹² Federal Ministry of the Interior, Department II/2.

¹³ Federal Ministry of the Interior, Department III/9.

¹⁴ Caritas Austria.

¹⁵ Those numbers are estimations made by Caritas Austria based on their perceptions on-site.

the Federal Agency for Alien Matters and Asylum (*Bundesamt für Fremdenwesen und Asyl*) cannot always keep up the pace with interviewing new asylum seekers and sending them to the provincial facilities.¹⁶

Persons applying for asylum who are not provided with housing are only given an information sheet.¹⁷

Information provided to asylum seekers

The information sheets handed out to registered asylum seekers have changed during the reporting period and now sometimes only include the address of the relevant asylum authority. In some cases, information sheets were addressed directly to the asylum seeker by name if they could not be provided with housing.¹⁸

Healthcare

Many persons who applied for asylum are not brought to the health check immediately after registration, but only some time later. Persons are sometimes transferred to the competence of the provinces, although no initial health check has been conducted yet.¹⁹

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

Positive reactions

The positive reactions by civil society continued during the reporting period. Reactions also take the form of solidarity events.²⁰ Many private persons continue to offer accommodation via the hotline established by the Federal Ministry of the Interior.²¹ A positive reception climate prevails.²²

Negative reactions

While there are no indications for anti-asylum actions by organised right-wing extremist groups in Austria,²³ the *Identitäre Bewegung Österreichs (IPÖ)* continued its anti-asylum agitation via the website www.grenzhelfer.in and via Facebook, calling on the public to help to protect the Austrian borders.²⁴ On 10 October, 14 persons – likely with links to the *IPÖ* – set up a symbolic fence and formed a human chain in Heiligenkreuz and called this an art event.²⁵

¹⁶ Caritas Austria.

¹⁷ Red Cross Austria.

¹⁸ Caritas Austria.

¹⁹ Caritas Austria.

²⁰ Federal Agency for State Protection and Counter Terrorism; Red Cross; Worker's Samaritan Federation.

²¹ Federal Ministry of the Interior, Department III/9.

²² Federal Ministry of the Interior, Department II/2.

²³ Federal Agency for State Protection and Counter Terrorism.

²⁴ Federal Agency for State Protection and Counter Terrorism.

²⁵ Federal Agency for State Protection and Counter Terrorism.

Emotional and heated discussion can be observed in online forums.²⁶ The willingness of social media users to report criminal behaviour on the internet decreased during the reporting period.²⁷

Verbal aggression by individuals against persons participating in support activities for new arrivals and asylum seekers continued during the reference period.²⁸ On 8 October 2015, two persons were protesting in Nickelsdorf with a self-made banner.²⁹ However, nobody has been injured in the context of anti-asylum and xenophobic agitations.³⁰

Stakeholders in the Federal Ministry of the Interior regularly receive messages from individual persons expressing their discomfort with the work of the Ministry.³¹ Also Caritas reported that it receives negative e-mails and telephone calls regarding its work.³²

Asylum was a big issue during the elections in the city of Vienna, particularly in the campaign by the Austrian Freedom Party (*Freiheitliche Partei Österreichs*).

Legal and policy responses, including any changes to the law

A new asylum law is discussed at the moment, introducing asylum for a limited period of time as well as changing the laws on family reunification.³³

The Austrian Government will inform the EU and Member States about an extension of internal border controls during this week.³⁴

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

"A group of refugees was hit while walking on a street to reach the German border on 5 October 2015, one refugee died. Three were seriously injured and one is still in critical condition."³⁵ Apparently, this report refers to a traffic accident that was also reported in the Austrian media.³⁶ According to media reports, a woman from Afghanistan died, and three persons were injured.

²⁶ Federal Agency for State Protection and Counter Terrorism.

²⁷ Federal Agency for State Protection and Counter Terrorism.

²⁸ Federal Agency for State Protection and Counter Terrorism.

²⁹ Federal Agency for State Protection and Counter Terrorism.

³⁰ Federal Agency for State Protection and Counter Terrorism.

³¹ Federal Ministry of the Interior, Department III/9.

³² Caritas Austria.

³³ Caritas Austria; Austria, Federal Ministry for Science, Research and Economy (*Bundesministerium für Wissenschaft, Forschung und Wirtschaft*) (2015), 'Systemumkehr mit "Asyl auf Zeit" und Verschärfung beim Familiennachzug', press release 6 October 2015, available at www.bmwf.wg.at/Presse/AktuellePresseMeldungen/Seiten/Mitterlehner-Systemumkehr-mit-Asyl-auf-Zeit-und-Verschaerfungen-beim-Familiennachzug.aspx.

³⁴ Federal Ministry of the Interior, Department II/2.

³⁵ United Nations High Commissioner for Refugees (UNHCR), Update #5 on *Europe's Refugee Emergency Response*, referring to the period from 1 to 8 October 2015.

³⁶ Der Standard (2015), *Eine Tote bei Unfall vor Flüchtlingsquartier im Innviertel*, 3 October 2015, available at: <http://derstandard.at/2000023165212/Toedlicher-Unfall-vor-Fluechtlingsquartier-im-Innviertel>.

Bulgaria

Stakeholders contacted

Interviews took place mainly via phone and email from 9 October to 12 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*) – not available for an interview during the reporting period due to instruction from the UNHCR headquarters; UNHCR will communicate directly with FRA
- Bulgarian Red Cross (BRC) (*Български червен кръст, БЧК*)
- Refugee Support Group (RSG)
- Caritas Bulgaria (*Каритас България*) – not available for an interview during the reporting period
- Bulgarian Lawyers for Human Rights (BLHR) (*Български адвокати за правата на човека, БАПЧ*)

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

Both the number of new arrivals and the number of asylum applicants increased during the reporting period. Their profile in terms of gender, age and nationality remained the same.

During the reporting period, the number of new arrivals increased but still remained relatively low. Around 250 persons were apprehended, all of them at the border with Turkey. Most were men; there were also 35 women and 49 children. In terms of nationality, the majority were from Syria (around 150 persons), followed by Afghanistan, Iraq, Pakistan, Turkey and Iran.³⁷

The number of applicants for asylum also increased during the reporting period. Almost 1,000 persons applied for international protection, of which around 800 were men (including around 70 children up to 14 years of age and 130 children in the age group 14-18 years) and 130 women (including around 40 children up to 14 years of age and nine children in the age group 14 -18 years). Regarding nationality, the majority were from Iraq (about 500 persons), followed by

³⁷ Ministry of the Interior, Directorate General Border Police.

Afghanistan, Syria, Pakistan, Algeria, Iran, and Mali. Five people had no citizenship.³⁸

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

The majority of new arrivals usually leave the reception centres before they are registered and fingerprinted.³⁹

The fourth floor of the State Agency for Refugees' Registration and Reception centre in Harmanli has been allegedly used to hold newly arrived asylum seekers and migrants. Under detention for irregularly crossing the border, a group of new arrivals was transferred to the centre from the Ministry of Interior's Distribution Centre in Elhovo. They were detained without food for at least 24 hours. Food was then provided once a day. A former inhabitant of the Harmanli camp, who was accused of human smuggling, threatened a group of asylum seekers accommodated in the centre, who were trying to help those locked on the fourth floor. It seems that he was selling overpriced food to the detained persons, e.g. asking for €50 for a grilled chicken.⁴⁰

There are still complains from people, who are not from Iraq, Afghanistan or Syria, that the authorities do not consider them a priority⁴¹

Challenges and developments concerning reception conditions of new arrivals

The main challenge is overcrowding of reception facilities. There are also problems with the food supply.

Reception conditions

Overcrowding continues to be the main challenge concerning reception conditions of new arrivals. In the Special Home for Temporary Placement of Foreigners in Lyubimets, overcrowding during the reporting week increased to 43 %.⁴² In the Special Home for Temporary Placement of Foreigners in Busmantsi there are people sleeping on the floors of the corridors only on blankets.⁴³

Families with children are accommodated in family rooms. Unaccompanied children stay in the common rooms with adults. NGOs, such as Caritas Bulgaria (*Каритас България*), and volunteers offer art sessions and language courses.⁴⁴

The public procurement procedure for the supply of food in the State Agency for Refugees facilities in Sofia – Ovcha kupel (*Овча купел*), Vrazhdebna (*Враждебна*), Voenna Rampa (*Военна рампа*), Banya (*Баня*), Harmanli (*Харманли*) and Pastrogor (*Пъстрогор*) is on hold. The Commission for Protection

³⁸ State Agency for Refugees.

³⁹ Bulgarian Red Cross.

⁴⁰ Refugee Support Group.

⁴¹ Refugee Support Group.

⁴² Special Home for Temporary Placement of Foreigners – Lyubimets.

⁴³ Refugee Support Group.

⁴⁴ Refugee Support Group.

of Competition (CPC) (*Комисията за защита на конкуренцията, КЗК*). Found some flaws in the procurement procedure. Presently, food supply comes from the reserves of the State Agency for Refugees which, however, does not provide for a diversified diet. For instance, fresh fruits and vegetables are not available.⁴⁵

Translation and interpretation

Asylum seekers continue to complain that the officials do not insert their names correctly in the documents and that interpreters do not interpret in full what has been said during interviews.⁴⁶

Access to information

The Bulgarian Red Cross continued Bulgarian language training courses and decoupage classes. During the reporting week, the language courses (reference levels A1 and A2) were attended by about 20 persons. The awareness campaign to inform asylum seekers about their housing rights and programme also continued. Still, the number of candidates is significantly less than the available resources. The Bulgarian Red Cross also continued to provide emergency support (food and medicine) to irregular migrants who have been apprehended. During the reporting week, there was one such case in the city of Burgas. A group of more than 70 migrants were apprehended by the police.⁴⁷

Healthcare

In the special homes for temporary accommodation of new arrivals,⁴⁸ the provision of healthcare is the responsibility of the Ministry of the Interior. The services, provided in cooperation with the Medical Institute of the Ministry of the Interior, are timely and of adequate quality.⁴⁹ The Bulgarian Red Cross also supports the provision of healthcare, particularly in the most severe cases. During the reporting period, the Bulgarian Red Cross carried out brain surgery on one person and eye surgery on two people.⁵⁰

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

Social responses vary from provision of food and medicine to organisation of trainings and special activities for children.

The volunteer group Friends of the Refugees (*Приятели на бежанците*) together with the United Church of God "Future and Hope" (*Обединена Божия Църква „Бъдеще и надежда“*)⁵¹ initiated a campaign for donation of male winter clothes

⁴⁵ Refugee Support Group.

⁴⁶ Refugee Support Group.

⁴⁷ Bulgarian Red Cross.

⁴⁸ These are closed facilities of the Ministry of Interior. All undocumented people apprehended by the police whether at the border, or inland, are taken there. Those who decide to apply for asylum are transferred to the open facilities of the State Agency for Refugees where they are registered. Those who do not apply for international protection are sent back.

⁴⁹ Bulgarian Red Cross.

⁵⁰ Bulgarian Red Cross.

⁵¹ For more information, see: <http://obc-futureandhope.com/>.

and shoes for the people accommodated in the special homes for temporary accommodation of foreigners in Busmantsi and Lyubimets.⁵²

The Association for Development of Arab-Bulgarian Initiatives and Collaboration (ARABIS) (*Асоциация за развитие на арабо-български инициативи и сътрудничество*, АРАБИС)⁵³ initiated a volunteer recruitment campaign to assist its art sessions for children under 14 years in the Voenna Rampa camp in Sofia.⁵⁴ The art sessions are scheduled to start on 20 October 2015.

The Harmanli Refugee Camp Play School, a volunteers-run play based learning and play therapy initiative, launched a donation campaign to collect funds and winter clothing.⁵⁵

Legal and policy responses, including any changes to the law

Nothing new to report.

⁵² Refugee Support Group.

⁵³ For more information, see: www.en.arabis-bg.org/.

⁵⁴ Refugee Support Group.

⁵⁵ For more information, see: www.gofundme.com/pt3vnzas.

Croatia

Stakeholders contacted

Interviews took place via phone and email with the following stakeholders between 9 and 12 October:

- UNICEF, Country office, based in Zagreb
- Ministry of Interior Head of department for illegal migration (*Ministarstvo unutarnjih poslova, Voditelj Službe za nezakonite migracije*)
- Ministry of the Social Policy and Youth, Minister's cabinet (*Ministarstvo socijalne politike i mladih, Kabinet Ministrice*)
- People's Ombudsman's Office, National Preventive Mechanism (*Ured Pučke pravobraniteljice, Nacionalni preventivni mehanizam*)
- Ombudsperson for Children of the Republic of Croatia (*Pravobraniteljica za djecu*)
- Croatian Legal Centre (*Hrvatski pravni centar*), NGO based in Zagreb
- Croatian Red Cross
- Centre for Peace Studies (*Centar za mirovne studije*), coordinator, reports from camp Opatovac
- Welcome Initiative (*Inicijativa Dobrodošli*)

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

Figures of new arrivals

During the reporting week, around 50,000 people entered Croatia, almost 20,000 more than the preceding week.⁵⁶ Of these, more than 3,000 persons were accommodated in the temporary reception camp Opatovac as of the last reporting day. The approximate distribution of new arrivals per days is as follows: 5 October – 6,600, 6 October. – 6,800, 7 October. – 5,000, 8 October – 8,400, 9 October – 8,200, 10 October – 8,000, 11 October – 6,800. There was a distinct increase in numbers compared to the previous reporting period (28 September – 4 October) when nearly 30,400 persons arrived.

On average, 7,100 people arrived daily, almost 3,000 persons more than during the preceding reporting period (4338 per day). The nationality pattern of the new arrivals is as follows: Syria 56 %, Afghanistan 20 %, Iraq 18%, Iran 3 %, Pakistan 3 %, others less than 1 %. The MoI estimates that there are 20 % women among new arrivals and 15 % children. There were no asylum applications during the reporting week.

Initial registration

⁵⁶ Ministry of Interior, Head of Department of Illegal Migration.

All new arrivals have been registered, but without fingerprinting: The MoI copies refugees' travel documents (if available) or takes their first names, family name, age, nationality and photo. Although there were illegal border crossings, the police did not initiate criminal proceedings against the persons concerned.⁵⁷

Initial accommodation and returns

All new arrivals, upon registration, are temporarily accommodated in the camp; mostly in tents- except for vulnerable groups (families with children who are accommodated in heated containers). Temporary accommodation in the tents is provided until the newly arrived persons are transferred further to the Hungarian border; in most of the cases, the newly arrived persons are transferred to the Hungarian border by trains within 12 to 24 hours.

There were no returns to a safe third country or actions which could potentially constitute a breach of the *non refoulement* principle.

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

According to the Ministry of Interior, there were no cases of forceful fingerprinting and most of the newly arrived persons refuse to provide their fingerprints due to the potential application of the Dublin regulation.

Newly arrived persons are being registered upon arrival at the camps where the Ministry of Interior checks and copies their travel documents (in case the person has one).⁵⁸ If persons lack travel documents, the Ministry of Interior takes their name, surname and photo. The Ministry of Interior is not taking fingerprints for Eurodac.⁵⁹

The People's Ombudsman office did not express any concerns in relation to fundamental rights of refugees and stated that police and volunteers in the camp are treating refugees with respect, especially having in mind the very difficult circumstances in the camp.

Challenges and developments concerning reception conditions of new arrivals

Reception capacities

The reception is organised in 122 tents in camp Opatovac, but not all are in use due to the regular disinfection performed after each group leaves.⁶⁰ The Ministry of Interior and Red Cross Croatia estimate that the camp can accommodate around 5,000 people at a time. Compared with the period from 28 September to 4 October the number of daily arrivals is on average much higher, with more

⁵⁷ Ministry of Interior, Head of Department of Illegal Migration.

⁵⁸ People's Ombudsman office.

⁵⁹ Ministry of Interior, Head of Department of Illegal Migration.

⁶⁰ Initiative Welcome, weekly reports from Camp Opatovac.

than 5,000 people arriving daily, which results in overcrowding in the camp at some periods of the day depending on the schedules for arrival and departure.⁶¹

The camp in Opatovac is divided into four sectors: red sector, yellow, green and blue, which is not in use.⁶² In addition, there are tents in which the headquarters of the Ministry of Internal Affairs, the Croatian Red Cross, Headquarters of National protection and rescue directorate are situated, tents for international agencies, NGO tents and kitchen, and some tents that are used for medical triage.⁶³ IOM has announced to install an additional 20 containers in the yellow and red sectors.

Reception conditions

Reception conditions worsened by the end of the reporting period due to heavy rain and cold weather.⁶⁴ The Ministry of Interior and other government departments are undertaking measures to mitigate such circumstances. There are extensive works on putting gravel on the ground to prevent accumulation of water and creation of mud. Wooden and waterproof pallets and water sheeting are being placed inside tents, and there are 14 heated containers placed inside camps for vulnerable groups.

However, due to heavy rain there were cases when people were sleeping literally in the mud. Preparations to make the camp fit for winter conditions are not yet completed; the MoI announced that the camp will be transferred to Slavonski Brod where the state has facilities which have all the necessary basic infrastructure; in addition, through these facilities (which were previously used by a large oil and gas company, INA) two rail tracks pass which will facilitate arrivals and the transportation of refugees to accommodation facilities.⁶⁵

The main paths in the camp are covered by concrete, however, the paths between tents remain uncovered. Most of the tents have nylon tarpaulins, but the ground remains bare. A small number of tents placed at the entrance to the camp contain mobile beds.

Sanitary conditions in the tent camp may vary depending on the influx and departure of people. Camp personnel cannot always clean the sectors (tents, ground) before the arrival of new people. Cleaning of toilets also may lag behind the needs of people. The army closes shower facilities around 18:00 CET because of an order to prevent that people get sick showering during the night time due to low temperatures.⁶⁶ Refugees often choose not to shower for fear of missing the bus to leave the camp. Instead, they undertake basic cleaning at the drinking water tanks. The camp has a sufficient number of blankets, around 40 thousand. They are mainly disposed of after use.⁶⁷

Arrangements for special groups

⁶¹ Initiative Welcome, weekly reports from Camp Opatovac.

⁶² Colours of the sectors are used only for separation of the sectors without defining specific purpose of the sector.

⁶³ Initiative Welcome, weekly reports from Camp Opatovac.

⁶⁴ Initiative Welcome, UNICEF.

⁶⁵ Initiative Welcome, weekly reports from Camp Opatovac.

⁶⁶ Initiative Welcome, weekly reports from Camp Opatovac.

⁶⁷ Ombudsman Office, report of the visit on 6th October 2015.

Babies, children, pregnant women and people with disabilities have priority in registration, accommodation, provision of aid and transportation to the Hungarian border. During the reporting week, 14 heated containers were set up for vulnerable groups. Families with babies, children and pregnant women have been accommodated in these containers.

The Ministry of Social Policy and Youth organised a training for social workers in the affected areas on identification of children at risk. The training will take place on 16 October.

None of the stakeholders have reported any specific protocol or provisions for victims of gender based and sexual violence.

Transportation

The distance between the border crossing and the buses awaiting to take people further is around 500 m, the distance which refugees take by foot, chaperoned by the police. There are a few tents placed in that area. Refugees have access to drinking water, tea, food, fruit and clothes. From there they are all taken by buses to the camp in Opatovac.

According to the police officers, after staying in the camp in Opatovac, all the refugees are taken to the train station in Opatovac by buses. The buses stop around 50 m from the train platform. Having left the buses, refugees stand in line waiting to be formed into little groups of 10 to 15 people and taken by train to Hungary. The whole process is running smoothly. There are water and fruit stands at the train platforms run by the Red Cross.⁶⁸

Healthcare

Initiative Welcome reports an insufficient number of health workers, doctors and technicians (especially translators) in the camp. Ministry of Health officials are present in two tents, but there seems to be no cooperation with Doctors Without Borders staff. Doctors Without Borders from Spain will leave the camp on 13 October, and Initiative Welcome has already invited Doctors without borders from the Netherlands.⁶⁹

According to a report published by the Ministry of Health⁷⁰ on activities and measures taken for health protection of migrants from 5 October to 11 October, there were around 100 emergency medical interventions, out of which four people were referred for further treatment. 23 medical teams were present on the ground. There were in total around 1,200 interventions of family medical teams out of which 16 people were referred to further treatment. Some 30 migrants were treated in hospitals out of which six were hospitalised. Three of them were released after treatment.

There are positive developments regarding the coordination of organisations in the camp in the future.⁷¹ The Ministry of Social Policy and Youth has initiated coordination meetings of all agencies and NGOs dealing with vulnerable groups

⁶⁸ Ombudsman Office, report of the visit in 6th October 2015.

⁶⁹ United Nations High Commissioner for Refugees (UNHCR), *Europe's Refugee Emergency Response-Update N. 5*.

⁷⁰ Ministry of health, Report on provided health services, available at: www.zdravlje.hr/novosti/migrantska_krizabroj_pruzenih_zdravstvenih_usluga.

⁷¹ United Nations Children's Fund (UNICEF).

and health issues inside the camp. The first weekly coordination meeting will take place on 13 October.

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

According to data provided by the MoI and the People's Ombudsman office, there is no record of organised rallies or other types of public protests against refugees; general public opinion and media support a humanitarian approach and the government's efforts that refugees get proper assistance upon arrival.

There are no reports or proceedings initiated because of any kind of racist or xenophobic incidents.⁷²

Humanitarian assistance (collection, management and distribution) is coordinated by the Croatian Red Cross (CRC). The CRC is holding coordinating meetings with the Ministry of Interior and volunteer organisations working in the camps on a daily basis resulting in improved responses to the needs of refugees, better coordination and distribution of resources. Nevertheless, the CRC, Initiative Welcome and other NGOs working in the camp are reporting a lack of warm winter clothes and shoes, including for babies.⁷³

Civil society organisations participating in Initiative Welcome have declared a lack of volunteers in the camp and resources for financing volunteers' trips to the camp and accommodation.⁷⁴

Many citizens offer to provide accommodation for refugees addressing NGOs or directly the Ministry of Social Policy and Youth; unfortunately in order to provide shelter to refugees, citizens have to undergo lengthy procedures. Therefore, until now there are no known cases of private persons providing accommodation to refugees (except in case of families/relatives).⁷⁵

Legal and policy responses, including any changes to the law

The Ministry of Health issued a decision on 17 September on the state of preparedness in relation to areas where migrants are situated.⁷⁶ The decision was later amended concerning the areas where a state of preparedness was declared, referring to two counties where migrants are situated.⁷⁷

⁷² Ministry of Interior, Department of Illegal Migration.

⁷³ Initiative Welcome, weekly reports from Camp Opatovac.

⁷⁴ Initiative Welcome, weekly reports from Camp Opatovac.

⁷⁵ Initiative Welcome, weekly reports from Camp Opatovac.

⁷⁶ Decision Ministry of Health, available at www.zdravlje.hr/novosti/migrantska_kriza/odluka_ministra_zdravlja_o_pripravnosti_zdravstv_enih_ustanova.

⁷⁷ Decision of Ministry of Health, available at www.zdravlje.hr/novosti/migrantska_kriza/pripravnost_samo_na_pogodenom_podrucju.

Germany

Stakeholders contacted

Interviews took place by phone on 12 October 2015 with the following stakeholders:⁷⁸

- UNHCR Office Berlin
- Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*, BAMF)
- Federal Border Police (*Bundespolizei, BPOL*)
- Federal Criminal Police Office (*Bundeskriminalamt, BKA*)
- Federal Ministry of the Interior (*BMI*)
- Bavarian State Ministry of the Interior
- Bavarian Refugee Council (*Flüchtlingsrat Bayern*)
- Schleswig-Holstein Refugee Council (*Flüchtlingsrat Schleswig Holstein*)
- Caritas Germany (*Caritas Deutschland e. V.*)
- Pro Asyl
- Moabit hilft e. V. (local volunteer initiative in Berlin, supporting new arrivals waiting for registration at the central Berlin authority LAGESO, located in the district Moabit)

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

Size and patterns

Around 164,000 persons in need of international protection were registered in September 2015. From January till September 2015, around 577,000 new arrivals were registered.⁷⁹ These numbers do not represent the total amount of new arrivals due to the fact that it can take weeks or months before the registration takes place after crossing the border.

Over 40,000 people have applied for asylum in September 2015. Most of the applicants are from Syria (around 16,500), Albania (around 6,600), Afghanistan (around 2,700), Iraq (around 2,500) and Serbia (around 1,200).⁸⁰ The huge difference between the numbers of registrations and applications results from the waiting period before an application can be submitted to the Federal Office for Migration and Refugees. The most affected border sectors are in the surrounding of Passau and Freilassing in Bavaria. Thousands of people arrive

⁷⁸ The following text does not make reference to individual interviews.

⁷⁹ Federal Ministry of the Interior, press release, available at: www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2015/10/asylantraege-september-2015.html

⁸⁰ Federal Office for Migration and Refugees, *Aktuelle Zahlen zu Asyl*, Ausgabe September 2015, available at: www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/Asyl/statistik-anlage-teil-4-aktuelle-zahlen-zu-asyl.pdf?__blob=publicationFile .

here every day by train or by foot. The newspaper "Donaukurier" reports that around 32,500 new arrivals reached Passau last week.⁸¹

Application and registration

New arrivals are registered, which usually takes place in reception centres, which are not necessarily located directly at the border. Nearly all of the newly arrived persons apply for asylum. During the application procedure fingerprints and photographs are taken from applicants.

Criminal proceedings

On 11 October 2015, the Federal Border Police (BPOL) initiated more than 7,800 proceedings for unauthorised entry and about 100 proceedings for unauthorised residence. Data covering the period from 5 till 10 October 2015 could not be provided.

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Some of the new arrivals want to move on to Sweden. These persons do not want to be registered in Germany. However, no fundamental rights issue, in particular in regard to forced fingerprinting, is known. The police does not prevent these persons from leaving the country.

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

In Berlin, it can take weeks or months before arriving persons are registered. While waiting for the registration, accommodation facilities are usually not provided. New arrivals have to sleep outside. The situation is life-threatening as winter comes.

In Berlin even women with advanced pregnancies, ill people and children have been left untreated. No money, food and medical support was provided. Moreover, no information was given to new arrivals. They were waiting up to 57 days until registration. Due to this situation, violent conflicts among individual persons waiting to be registered took place, particularly when more people wanted to be registered than possible on a single new arrivals day.⁸²

In general, in some overcrowded reception facilities violent conflicts occurred among asylum seekers during the reporting week and the week preceding the reporting week, sometimes involving a high number of persons.⁸³ Causes of

⁸¹ Donaukurier (2015), *Flüchtlinge in Passau – Der Montag startet etwas ruhiger*, 12 October 2015, available at: www.donaukurier.de/nachrichten/bayern/Passau-Fluechtlinge-Fluechtlinge-in-Passau-Der-Montag-startet-etwas-ruhiger;art155371,3132124.

⁸² Moabit hilft e. V. press release, 8 October 2015, available at: <http://moabit-hilft.com/blog/presseerklaerung-berlin-08-10-2015>.

⁸³ Tagesspiegel (2015), *Ausschreitungen bei Protest gegen Flüchtlingsheim in Dresden*, 10 October 2015, available at: www.tagesspiegel.de/politik/fluechtlinge-in-deutschland-ausschreitungen-bei-protest-gegen-fluechtlingsheim-in-dresden/12433344.html.

conflicts are often linked to disputes about access to sanitary facilities, alleged theft of personal belongings, or while queuing for food.

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

During the reporting week, hostile demonstrations against refugees took place in a number of German and mostly eastern German cities. The biggest of them with 8,000 participants took place in Erfurt, Thuringia, on 7 October 2015. The second biggest demonstration with 2,000 participants took place on the same day in Einsiedel, Saxony. At a similar demonstration in Dresden, the protesters violently attacked policemen that were trying to prevent them from entering a building that was scheduled for the accommodation of refugees. In Cottbus, policemen prevented around 400 protestors from entering an accommodation centre where a welcome celebration for refugees was taking place at the time.⁸⁴

The Minister of the Interior complained about the massive increase of violence against accommodation centres (more than 490 offences in 2015).⁸⁵ The BKA confirmed these figures.

According to a “who is right” survey of the German tabloid “Bild”, only 10 % of the participants support the position of Chancellor Angela Merkel (“we can make it”). 90 % of the participants support the position of the Bavarian Prime Minister Horst Seehofer (“more is not possible”). As per Bild, more than 330,000 took part in the survey.⁸⁶

Nevertheless, plenty of volunteers host refugees at their home and offer support. Caritas reports difficulties in integrating volunteers in their workflows as most of them have not been trained enough.

Legal and policy responses, including any changes to the law

On 6 October 2015, the cabinet decided that from now on the Federal Chancellery and no longer the Federal Ministry of the Interior will be responsible for the overall coordination of the asylum policy.⁸⁷

On 7 October 2015, during her one-hour TV interview dedicated to the refugee situation, Federal Chancellor Angela Merkel reaffirmed her earlier optimistic

⁸⁴ Tagesspiegel (2015), *Ausschreitungen bei Protest gegen Flüchtlingsheim in Dresden*, 10 October 2015, available at: www.tagesspiegel.de/politik/fluechtlinge-in-deutschland-ausschreitungen-bei-protest-gegen-fluechtlingsheim-in-dresden/12433344.html.

⁸⁵ Tagesspiegel (2015), *Bereits 490 Straftaten gegen Asylbewerberunterkünfte*, 9 October 2015, available at: www.tagesspiegel.de/politik/zahlen-der-bundesregierung-bereits-490-straftaten-gegen-asylbewerberunterkuenfte/12429666.html.

⁸⁶ Bild (2015), *Das sagen BILD-Leser!* 13 October 2015, available at: www.bild.de/politik/inland/fluechtlingskrise/meinung-der-bildleser-42945574.bild.html.

⁸⁷ Die Bundesregierung, *Kanzleramt koordiniert Flüchtlingspolitik*, 7 October 2015, available at: www.bundesregierung.de/Content/DE/Artikel/2015/10/2015-10-07-kabinett-koordinierungskonzept-fluechtlinge.html?nn=434518.

statement “we can make it”.⁸⁸ The Bavarian Prime Minister Horst Seehofer publicly criticised this attitude and demanded immediate measures from the Federal Government to limit the influx of asylum seekers. In particular, he demands a transit zone that enables the rejection of asylum seekers directly at the border. In the case that the Federal Government will not take measures, he threatened with a complaint before the Federal Constitutional court and with “emergency actions”.⁸⁹

The call for transit zones is supported by many high representatives of the Federal Government such as the Minister of the Interior⁹⁰ and the new Coordinator of Asylum Policy in the Federal Chancellery Peter Altmaier.⁹¹

Due to the growing protests against refugees, the Federal Office for the Protection of the Constitution warned of new patterns of collaboration between right-wing radical parties and so-called “anxious citizens” (“*besorgte Bürger*”).⁹²

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

- In Dresden (Saxony), unknown perpetrators threw four Molotow-cocktails at a building, which is planned to be used as a reception centre for new arrivals.⁹³
- In Sellin (Mecklenburg-Western Pomerania), unknown perpetrators spilled malodorous fluids into the dining room of a building, which is planned to be used as a reception centre for new arrivals.⁹⁴
- Two young boys in Rudolstadt, Thuringia, insulted and attacked a Syrian adolescent, who was slightly injured. The two perpetrators belonged to a group of people who have been making racist comments to the Syrian adolescent.⁹⁵

⁸⁸ Tagesschau (2015), “*Ich habe einen Plan*”, 8 October 2015, available at: www.tagesschau.de/inland/merkel-anne-will-103.html.

⁸⁹ Spiegel (2015), *Flüchtlingskrise: Seehofer droht Merkel mit Verfassungsklage*, 9 October 2015, available at: www.spiegel.de/politik/deutschland/horst-seehofer-droht-angela-merkel-mit-verfassungsklage-a-1057085.html.

⁹⁰ Spiegel (2015), *Umstrittene Asyl-Schnellverfahren: Koalition hängt in der Transitzone fest*, 12 October 2015, available at: www.spiegel.de/politik/deutschland/csu-und-cdu-wollen-transitzonen-spd-spricht-von-massnelagern-a-1057347.html.

⁹¹ Frankfurter Allgemeine Zeitung (2015), *Kanzleramtsminister kündigt baldige Entscheidung über Transitzonen an*, 11. October 2015, available at: www.faz.net/agenturmeldungen/dpa/kanzleramtsminister-kuendigt-baldige-entscheidung-ueber-transitzonen-an-13850505.html.

⁹² Deutsche Welle (2015), *Zusammenstöße vor Flüchtlingsheimen*, 10 October 2015, available at: www.dw.com/de/zusammenstoesse-vor-fluechtlingsheimen/a-18774143.

⁹³ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

⁹⁴ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

⁹⁵ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

- Fire broke out in a building in Grimma (Saxony), which is planned to be used as a reception centre. A technical accident can be excluded.⁹⁶
- An asylum seeker from Iran was hit in the face by an unknown perpetrator in Neubrandenburg (Saxony). According to the police, the perpetrator mentioned that he is against foreigners.⁹⁷

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

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

Greece

Stakeholders contacted

Interviews took place mainly via phone and email in the week of 5 October to 11 October 2015 with the following stakeholders:

- Ministry for Migration Policy (Υπουργείο Μεταναστευτικής Πολιτικής)
- Hellenic Police Headquarters (Αρχηγείο Ελληνικής Αστυνομίας)
- Attica Aliens Directorate (Διεύθυνση Αλλοδαπών Αττικής)
- The Hellenic Coastguard (Λιμενικό Σώμα-Ελληνική Ακτοφυλακή)
- Asylum Service Greece (Υπηρεσία Ασύλου)
- United Nations High Commissioner for Refugees (UNHCR) Greece (Υπατη Αρμοστεία του ΟΗΕ για τους Πρόσφυγες, γραφείο Ελλάδας)
- Racist Violence Recording Network (Δίκτυο Καταγραφής Περιστατικών Ρατσιστικής Βίας)
- Medecins Sans Frontieres Greece-MSF Greece (Γιατροί Χωρίς Σύνορα, γραφείο Ελλάδας)
- NGO METAction (ΜΚΟ ΜΕΤΑδρασ)
- NGO PRAKSIS (ΜΚΟ ΠΡΑΚΣΙΣ)

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

Situation of new arrivals

During the period 1 until 9 October 2015, almost 36,500 people arrived by sea in Greece. Lesvos island continues to be the main point of entry (around 21,800), followed by Samos (around 5,300), Chios (around 5,000) and Leros (around 2,000). The main nationalities of sea arrivals were Syrians (around 23,300), followed by Afghani (around 8,000) and Iraqi (around 2,700).⁹⁸ From 1 September to 8 October 2015, the overall number of Syrians crossings the Greek-Turkish borders remained high: there were over 119,000 (76 %) Syrians out of the total number of 157,853 mixed migration flows.⁹⁹ No data were made available regarding the gender and age of the new arrivals.

The number of daily arrivals in Lesvos decreased compared to previous weeks while the number of arrivals on the other islands increased significantly. The reason for this remains unclear. Despite the decrease, the island of Lesvos continues to receive the largest number of new arrivals.¹⁰⁰

⁹⁸ The Hellenic Coastguard provided the data regarding the blue border crossings for the period 1 -9 October.

⁹⁹ The Ministry for Migration Policy.

¹⁰⁰ United Nations High Commissioner for Refugees (UNHCR) Greece.

On 8 October 2015, the largest number of people crossed the land border between Greece and the former Yugoslav Republic of Macedonia at Idomeni. 8,000 people were recorded on that day.¹⁰¹

Asylum procedure

The majority of new arrivals do not apply for asylum on the Greek islands. This is mainly due to the fact that there are only two regional asylum offices on the islands of Lesbos and Rhodes. The total number of asylum applications for the week of 5-9 October 2015 was nearly 300, out of which there were around 70 women and 14 applications from unaccompanied children. The main region of registration was Attica (around 170), followed by Thessaloniki, South and North Evros, Rhodes, Amygdaleza, Patras and Lesbos. The majority of applicants were 18-34 years of age. The countries of origin were mainly Syria, Pakistan, Albania, Iraq, Afghanistan as well as Bangladesh and Georgia.¹⁰²

Return procedure

The total number of forced returns for the week of 5-11 October 2015 was 27. The majority concerned Albanian nationals (15), followed by Bulgarians (3), Georgians (2), Syrians returning to Germany (2)¹⁰³ and Sweden (2), Pakistanis (1), Romanians (1) and Serbians (1).¹⁰⁴

Criminal proceedings against those crossing the borders

No criminal proceedings were initiated against third-country nationals for irregular border crossing.¹⁰⁵ The Greek authorities only proceed to prosecution if they have grounds to believe that the migrants are involved in smuggling.

Unaccompanied and separated children

For the period 1-9 October, the NGO METAction¹⁰⁶ escorted 48 unaccompanied and separated children from the islands to mainland Greece. The majority were Syrian nationals, followed by Afghan and Iraqi nationals. They were between 10 - 17 years of age and two were girls. There has been a considerable increase of Syrian unaccompanied and separated children during the year 2015. In September 2015, for example, 173 unaccompanied and separated children were escorted from the country's entry points to appropriate hosting spaces; compared with 30 during the same timeframe in 2014.¹⁰⁷ That said, the majority of unaccompanied and separated children are adolescent males from Afghanistan. In 2015, there has also been a significant increase of unaccompanied and separated girl-children, aged four to 16, mainly from Afghanistan, Syria and Somalia.¹⁰⁸

¹⁰¹ United Nations High Commissioner for Refugees (UNHCR) Greece.

¹⁰² The Asylum Service.

¹⁰³ In this respect, no further details provided on whether the Syrians concerned were part of the Dublin procedure.

¹⁰⁴ Attica Aliens Directorate.

¹⁰⁵ Hellenic Police Headquarters.

¹⁰⁶ METAction is a Greek NGO and implementing partner of UNHCR Greece. Their main activities are the training and certification of the interpreters and the escorting of unaccompanied and separated children to the reception facilities.

¹⁰⁷ METAction.

¹⁰⁸ METAction.

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.

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

Reception conditions at Idomeni (a village at the border with the former Yugoslav Republic of Macedonia)

During the reporting period, the NGO PRAKSIS began operating at all times, providing primary healthcare and distributing water and dry food to people transiting the area. From 24 September to 9 October 2015, the NGO ran 897 medical consultations. Among the people receiving medical assistance, 75 % were men from Syria, Afghanistan and Iraq; while 25 % were children under 14 years of age. Most cases suffered from respiratory tract infections, headaches and skin infections.

Reception conditions at sea borders

On 8 October 2015, the authorities decided to close down Kara Tepe camp on Lesbos island. Since then all new arrivals are taken to the first reception centre in Moria where all procedures for registration, including fingerprinting through the Eurodac machines, are completed. As a consequence, the reception centre is overcrowded. In the First Reception Centre, Syrian nationals and vulnerable groups with other third-country nationals are given priority in the registration procedure. Non-Syrian asylum seekers or migrants are placed in other facilities available in Moria.¹⁰⁹

In Moria's First Reception Centre, the NGO PRAKSIS began operating providing arts and crafts recreational activities for children.

During the reporting period, the provision of food in the reception centres on the islands of Lesbos and Samos stopped because of money owed to the contracted catering company. These used to be the only centres where food was provided by the state. Centres are not closed on any island and- even before registration is completed - migrants can leave the centre to purchase or look for food.¹¹⁰

Due to the high inflows in Chios, the Mayor is now looking for another place to accommodate new arrivals instead of the Mersinidi screening centre.¹¹¹

During the weekend of 10-11 October 2015, in Kos (where there is no reception infrastructure), the tents –located next to the main port- were all destroyed, due to bad weather. MSF Greece erected additional big tents.¹¹²

Serious gaps exist concerning the registration and referral procedure of all vulnerable groups. Regardless of the high inflows, there are empty bed spaces

¹⁰⁹ United Nations High Commissioner for Refugees (UNHCR) Greece.

¹¹⁰ Médecins Sans Frontières (MSF) Greece.

¹¹¹ UNHCR Greece.

¹¹² Médecins sans Frontières Greece.

both in reception facilities for asylum seekers and for unaccompanied children. Moreover, new arrivals are not informed by the authorities about the existence and availability of accommodation facilities, open day centres and polyclinics in mainland Greece. As a result, they do not know whom to address for assistance when they reach mainland Greece.¹¹³

UNHCR Greece chairs humanitarian coordination meetings on the islands that face high inflows (Lesvos, Samos, Chios, Leros and Kos). UNHCR Greece also provides training to volunteers on refugee protection.¹¹⁴

Reception centers in the Attica region

The Ministry for Migration Policy, in cooperation with the Secretary General for Communications, set up two designated bus lines for the transfer of third-country nationals from Victoria's Square in Athens¹¹⁵ to the existing temporary emergency shelters in Elliniko and Galatsi on a daily basis.¹¹⁶ The Hellenic police placed some law enforcement officers to guard the area of Victoria square and other central locations. Law enforcement officers do not allow third-country nationals to camp there.¹¹⁷

The Ministry for Migration Policy reported that food in the Hockey field in Elliniko and the stadium in Galatsi¹¹⁸ is mainly provided by the Hellenic Air Force and the Hellenic Navy (lunch and dinner). Volunteers, churches of different denominations and the Municipality of Athens also provide food every day. Healthcare is provided by the Hellenic Centre for Disease Control and Prevention (*ΚΕΕΛΠΝΟ-Κέντρο Ελέγχου και Πρόληψης Νοσημάτων*) and MDM-Greece.

Immigration detention

The current capacity of pre-removal centres in Greece is almost 5,200. On 11 October 2015 the total number of detainees was around 700 people, including around 120 asylum seekers. The total capacity for all pre-removal centres, screening centres and the First Reception Centre (Orestiada) is about 5,900. At present, there are around 2,400 people in detention, which means a 41 % occupancy rate.¹¹⁹

On 9 October 2015, four children were detained in a special facility for children in the pre-removal Centre of Amygdaleza. The authorities detain children until places in the reception facilities become available.

There are no special facilities for asylum seekers and as a result asylum seekers are placed together with irregular migrants. Alternatives to detention are not implemented. Detainees are not allowed to exit the pre-removal centres.

On 2 October 2015, the NGO PRAKSIS, in cooperation with the Greek Council for Refugees and ARSIS started to operate in the pre-removal centre of Korinthos,

¹¹³ NGO PRAKSIS.

¹¹⁴ UNHCR Greece.

¹¹⁵ Victoria's square is located in the center of Athens, Greece.

¹¹⁶ Ministry for Migration Policy.

¹¹⁷ Hellenic Police Headquarters.

¹¹⁸ The Hockey field in Elliniko and the stadium in Galatsi are two temporary emergency shelters with capacity to accommodate 1,500 people.

¹¹⁹ Irregular Migration Division.

providing healthcare, mental health support and legal aid to migrants detained there. The NGO PRAKSIS stated that this initiative may be expanded to other pre-removal centres across the country.¹²⁰

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

On 4 October 2015, the initiative “Refugees Welcome - Greece”¹²¹ launched its activities on social networks. According to its official website, it is a voluntary initiative aiming at the creation of a new culture of welcome and community living to be realised for, and together with, refugees in Greece. *“The goal is to ensure appropriate housing for refugees through the promotion of cohabitation and flat-sharing.”* On 9 October 2015, the initiative made its first open meeting in a hall at the premises of the Municipality of Athens.

Legal and policy responses, including any changes to the law

Nothing new to report.

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

On 6 October 2015, at the First Reception Centre of Moria (Lesvos), instances of police violence took place. A protest broke out due to too many people waiting for their registration procedure to be completed in an overcrowded facility. The police used tear gas and rubber bullets to enforce order.¹²² However, the incident has not been recorded officially and information is available via the media.¹²³

¹²⁰ NGO PRAKSIS.

¹²¹ Refugees Welcome - Greece, available at: <http://refugees-welcome.gr/>.

¹²² Médecins Sans Frontières Greece-MSF-Greece.

¹²³ Lesvosnews, 8 October 2015, available at: www.lesvosnews.net/articles/news-categories/koinonia/astynomikos-mpatsos-klostaei-prosfyges-sti-moria-lesvoy-fotografia; Tanea, 8 October 2015, available at: www.tanea.gr/news/greece/article/5300753/ede-gia-ton-astynomiko-poy-klwtshse-metanasth-sth-mytilhnh/; TVXS, 7 October 2015, available at: <http://tvxs.gr/news/ellada/nees-eikones-ntropis-astynomikos-klotsaei-prosfyges-sti-lesbo-fotografies>.

Hungary

Stakeholders contacted

Interviews took place mainly via phone and email in the week of 5 October to 11 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*);
- Amnesty International Hungary, based in Budapest;
- Ministry of Internal Affairs (*Belügyminisztérium*);
- 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 reporting period, more than 45,600 people arrived: most through the border with Croatia and only around 180 through Serbia.¹²⁴

Since 15 September 2015 (when fences closed the Serbian-Hungarian border), the majority of people have been entering the country from the Croatian border.¹²⁵ People arrived from Croatia every day. Friday, Saturday and Sunday were the busiest days at the border with Croatia with over 22,900 people arriving during these three days (almost half of the total weekly number of new arrivals). It should be noted that the physical closure of the Hungarian-Croatian borders is expected to take place on 15 October 2015.¹²⁶ This might have an impact on the number of new arrivals in Hungary.

New arrivals are mainly Syrian, Afghan and Iraqi nationals. 78 % of new arrivals were men, 22 % women. With respect to age, 10 % of them were under 14 years old, 16 % were between 14-17 years old, 54 % were between 18-34 years old, 18 % were between 35-64 years old and 1 % were over 65 years old.¹²⁷

¹²⁴ National Police Headquarters, Press Department.

¹²⁵ National Police Headquarters, Press Department.

¹²⁶ Index (online newspaper) (2015), 'Ezer külföldi katona jöhet a magyar-horvát határra', available at: http://index.hu/belfold/2015/10/08/oktober_15-ig_nem_zarjak_le_a_magyar-horvat_hatart/.

¹²⁷ Office for Immigration and Nationality.

Mostly, new arrivals wish to continue their journey to Western Europe and consider Hungary only as a transit country. Therefore, the majority of them do not apply for asylum or protection in Hungary and they are not registered at the border. From 5-11 October, 147 migrants applied for asylum in Hungary.¹²⁸ The total number of applications filed in 2015, up to 11 October, was over 176,300. The Hungarian authorities transport those not seeking asylum in Hungary to the Austrian border by train and by bus.¹²⁹

At present, around 400 asylum seekers are waiting for the decision of the Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal; Office*). From 5-11 October, 17 positive decisions (accepting the asylum claim) and 152 negative decisions (rejecting the claim) were made. In nearly 6,300 cases the Office terminated the process, as the applicants had left the country.¹³⁰

Criminal proceedings against irregular border crossing

Criminal proceedings were initiated against 113 people during the reporting period on charges of unauthorised border crossing (*határzár tiltott átlépése*).¹³¹ Criminal cases follow the same pattern: people are being prosecuted for crossing the fences at the Serbian-Hungarian borderline. The number of 113 cases is a significant decrease compared to the previous reporting period (307 cases in the week of 28 September – 4 October).

There was no case registered in the reporting period where the police had caught a person damaging the fences. It seems that more and more migrants and asylum seekers are aware of the fact that Hungary criminalises the behaviour of climbing over the fences on the Serbian-Hungarian border, and thus most of them make a detour to enter Hungary from the Croatian side, where there are no fences yet.

During the reporting period, the prosecutor pressed charges against 113 people committing the crime of illegal border crossing in Csongrad. 112 criminal trials were then held against people before the Metropolitan Court of Szeged (*Szegedi Járásbíróság*). In 110 cases, the court found the defendants guilty of illegal border crossing. Sixty-six people received a one-year entry ban; 43 received a two-year entry ban. One case was postponed, and in one case the Court terminated the criminal procedure as the defendant went missing. None of the defendants appealed against the decisions, therefore the judgments became enforceable right after their promulgation.¹³² All of the defendants made a statement right after the verdict that they would waive their right to appeal.

¹²⁸ Office for Immigration and Nationality.

¹²⁹ National Police Headquarters, Press Department.

¹³⁰ Office for Immigration and Nationality.

¹³¹ The provision of illegal border crossing as offence is set out in Article 352/A of Act C of 2012 in the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről; Criminal Code*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=152383.297990#foot_121_place. The provision was introduced in the Criminal Code by Act CXL of 2015 on the amendment of certain laws as a result of the migrant situation (*2015. évi CXL. törvény egyes törvényeknek a tömeges bevándorlás kezelésével összefüggő módosításáról; Act CXL of 2015*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=177552.298006. Act CXL of 2015 entered into force on 15 September 2015.

¹³² County Court of Szeged, Press Department.

Defendants were mostly Syrian, Afghan and Iraqi nationals, but some were from Kosovo, Serbia and Albania.¹³³ Defendants arrived in the country climbing over the fences.¹³⁴ The police caught them on-site, therefore they could not apply for asylum in Hungary and only the criminal procedure was initiated and conducted against them.

In these procedures, the defendant must have access to a lawyer (legal representation is mandatory) and an interpreter must also be present at all stages of the criminal procedure.¹³⁵ In the reporting period, it was found that authorities (police, prosecutor) and the court respected the defendants' rights.¹³⁶

According to the law, oral translation of the verdict on trial is mandatory, while defendants are only entitled to the translated hard copy of the judgement upon request. It is common that that defendants and their lawyers do not request the court to provide a translated version of the document containing the verdict.¹³⁷

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.¹³⁸

Since 15 September 2015, nine review claims were brought to the Administrative and Labour Court of Szeged (*Szegedi Közigazgatási és Munkaügyi Bíróság*) against the decisions of the Office of Immigration and Nationality. All claims were rejected and the office's decisions were upheld.

From 5-11 October 2015, the court upheld the decisions of the Office of Immigration and Nationality with respect to two cases involving Bangladeshi nationals. In both cases, the claimants challenged the decisions of the Office of Immigration and Nationality as it rejected their claims for asylum on the grounds of the 'safe third country rule'. The court found that the claimants could not show evidence why Serbia would not fall into the category of a safe country. Both claimants requested translations of the hard copies of the decisions.¹³⁹ It should be noted that the claimants were heard through closed circuit video systems established in the transit zone of Röszke (city at the Serbian border). The judge and the interpreter were in the courthouse in Szeged.

In Röszke, to execute the court's expulsion decisions, 80 migrants (all adults) were put into immigration detention during the reporting period.¹⁴⁰

Execution is very difficult in relation to entry ban orders in criminal cases and the return orders in administrative cases. Serbia only accepts expelled migrants

¹³³ County Court of Szeged, Press Department.

¹³⁴ Article 352/A of the Criminal Code.

¹³⁵ Article 542/M of Act XIX of 1998 on the criminal procedure (*1998. évi XIX. törvény a büntetőeljárásról*), available at: net.jogtar.hu/jr/gen/getdoc2.cgi?docid=99800019.TV.

¹³⁶ General Attorney's Office.

¹³⁷ Article 9 paragraph 4 of Act XIX of 1998 on the criminal procedure (*1998. évi XIX. Törvény a büntetőeljárásról*), available at: <http://net.jogtar.hu/jr/gen/getdoc2.cgi?docid=99800019.TV>

¹³⁸ Office for Immigration and Nationality; National Police Headquarters; General Attorney's Office; Helsinki Committee.

¹³⁹ County Court of Szeged, Press Department.

¹⁴⁰ Office for Immigration and Nationality.

if they hold a valid passport, which had also been the passport held when they originally entered Serbia. During the reporting period, the General Attorney's Office monitored the return process in only one case and experienced no resistance from the returned person.¹⁴¹

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report. Generally, authorities experienced cooperation from new arrivals during the registration and fingerprinting process.¹⁴²

Challenges and developments concerning reception conditions of new arrivals

Reception conditions

In the reporting period, fewer than 600 asylum seekers¹⁴³ were accommodated in Hungary in refugee camps and transit zones established at the border. The number is within the maximum capacity of such institutions (total occupancy is around 2,500). As very few seek asylum in Hungary, authorities do not experience a significant workload in the transit zones. Therefore, reception conditions are adequate and authorities are able to provide sufficient care to people. UNHCR Hungary ensures that staff members of Hungarian authorities working in the transit zones treat people humanely and their attitude is professional and correct.¹⁴⁴

Authorities accommodate children in institutions specialised in taking care of children in the cities of Fót and Hódmezővásárhely.¹⁴⁵ As many of the children arrive in Hungary without identification documents, it is often a challenge to identify them. In such cases, authorities can only rely on the information the person gives to them.¹⁴⁶

Amnesty International Hungary disclosed a study called 'Fenced Out – Hungary's Violations of the Rights of Refugees and Migrants' (*Elkerítve – Magyarország jogsértései a menekültekkel és a migránsokkal szemben*)¹⁴⁷ on 8 October 2015. Among other topics, the study analyses the events of the past few months focusing on the peak of the crisis in August and early September. While the study contains harsh criticism against the reception conditions in Hungary (lack

¹⁴¹ General Attorney's Office.

¹⁴² Office for Immigration and Nationality.

¹⁴³ The number refers to all people who are waiting for the decision on their asylum claims.

¹⁴⁴ United Nations High Commissioner for Refugees (UNHCR) Hungary. A short summary of their findings are available under the title "Migrants' portions are cut-back" (*Megvágják a menekültek fejadagját*), available at: www.hirado.hu/2015/10/07/megvagtak-a-menekultek-fejadagjat/.

¹⁴⁵ United Nations High Commissioner for Refugees (UNHCR) Hungary.

¹⁴⁶ National Police Headquarters.

¹⁴⁷ Amnesty International Hungary (2015), *Fenced Out – Hungary's Violations of the Rights of Refugees and Migrants*, available at: www.amnesty.hu/data/file/1792-hungary-briefing-final-embargo-081015.pdf?version=1415642342.

of proper medical care, lack of interpretation, some violent acts of the police, etc.), these observations reflect past events and not today's situation.¹⁴⁸

Access to healthcare

Hospitals close to the Croatian borders receive some 30-50 migrant patients a day, while at least one medical doctor is on duty at the border crossings close to Beremend and Zákány (Croatian border) to provide on-site assistance. The number of migrants requesting on-site medical assistance is limited as they rather prefer to continue their journey than spending time on receiving medical care.¹⁴⁹

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

Humanitarian assistance is most significant in the area close to the cities of Beremend and Zákány. These are the last open territories at the Croatian-Hungarian border where fences are not ready yet. The Hungarian Association for Migrants (*Menedék Migránsokat Segítő Egyesület*) and volunteers are helping new arrivals on a daily basis providing them with warm clothes, food and blankets.¹⁵⁰

Migration Aid volunteers (a group of volunteers organised on Facebook in June 2015 to help migrants) are helping asylum seekers and migrants in two sites: Zákány (Croatian border) and Hegyeshalom (Austrian border). Every day they post a donation list on their Facebook site listing the most useful items (mainly food, winter shoes, scarves and hats).¹⁵¹

On 8 October 2015, representatives of a group of NGOs -the Hungarian Red Cross (*Magyarországi Vöröskereszt*), Migration Aid, the Civil Liberties Union (*Társaság a Szabadságjogokért*), Migrant Mission of the Reformed Church (*Református Menekültmisszió*), the Hungarian Helsinki Committee (*Magyar Helsinki Bizottság*), the Hungarian Association for Migrants, Help the Refugees Together Group (*Segítsünk együtt a menekülteknek csoport*), Tessa Artemission Foundation (*Tessza Artemisszió Alapítvány*)- organised a discussion table on the Hungarian refugee situation at the European Point¹⁵² (*Európa Pont*) in Budapest. The organisations analysed the events of the past few months and critically scrutinised the actions of the Government. NGO representatives said that donations from Hungarian individuals are significantly less than those provided in August and early September. At the same time, more and more volunteers are willing to help from foreign countries. The participating civil society

¹⁴⁸ Statements is based on expert's personal observation in the period between 5 and 11 October 2015.

¹⁴⁹ Hungarian Association for Migrants.

¹⁵⁰ Hungarian Association for Migrants.

¹⁵¹ Migration Aid Facebook page, www.facebook.com/migrationaidhungary?fref=ts.

¹⁵² The European Point is an information and cultural centre of the Information Office of the European Parliament in Hungary and the Hungarian Representation to the European Commission. More information on about the European Point is available at: http://ec.europa.eu/hungary/services/eps/index_hu.htm.

organisations now collect donations for those irregular migrants who are waiting for the execution of the return order in Hungarian prisons. The Helsinki Committee supports them with leaflets and information about their rights.¹⁵³

In the reporting period, there were no racist or related incidents against migrants from either authorities or citizens. Racist comments, however, can still be found on the internet where people comment on articles and Facebook pages reporting on the situation.¹⁵⁴

According to a news poll¹⁵⁵ published on 5 October 2015, Hungarians have become more xenophobic in the past few months. While in November 2014, 66 % of the respondents wanted the government to be less tolerant towards migrants,¹⁵⁶ today this ratio is 79 %. 58 % of the respondents see migrants as violent people. While a significant majority of the respondents believe that migrants deserve fair and human treatment, there is no consensus about who (the government, civil societies, the EU, etc.) should bear the costs. 34 % of the respondents believe that all borders should be protected ('hermetically sealed') with fences.

The Prosecutor's Office in Győr pressed charges against two Hungarian nationals who robbed four Afghan migrants in the summer. Defendants used a meat chopper to force the victims to hand over money. The investigation has not disclosed racist motives yet.¹⁵⁷

Legal and policy responses, including any changes to the law

Act CXLVI of 2015 on the jurisdiction of courts in certain civil and criminal law matters (*2015. évi CXLVI. törvény az egyes polgári és büntető ügyekben eljáró bíróságok illetékességéről*) entered into force on 8 October 2015.¹⁵⁸

This new law grants jurisdiction over cases related to the crimes of illegal border crossing,¹⁵⁹ damaging instalments that protect the border¹⁶⁰ and obstructing the construction of border closure instalments.¹⁶¹ Jurisdiction has been given to the Courts close to the Croatian-Hungarian border: in Zala and Somogy counties, to the Metropolitan Court of Zalaegerszeg (*Zalaegerszegi Járásbíróság*) (entry level jurisdiction) and to the County Court of Zalaegerszeg (*Zalagerszegi*

¹⁵³ A report about the meeting is available under the title 'We are glad the European Commission is awake' (*Örülünk, hogy az Európai Bizottság felébredt*), available at: http://index.hu/belfold/2015/10/08/orulunk_hogy_az_europai_bizottsag_felebredt/.

¹⁵⁴ Information is based on expert's personal observation in the period of 5 - 11 October 2015.

¹⁵⁵ Héti Világgazdaság (news magazine) (2015), 'Median: A third of the Hungarians would seal the borders' (*Medián: a magyarok harmada hermetikusan lezárná a határokat*), 7 October 2015, available at: hvg.hu/itthon/20151007_Median_a_magyarok_harmada_hermetikusan_le.

¹⁵⁶ This is the term used in the document, capturing asylum seekers, refugees, economic migrants and those illegally crossing the borders.

¹⁵⁷ General Attorney's Office. A short press release about the case can be found under the title 'They used a meat chopper to rob migrants' (*Húsvágó bárdal fenyegetve raboltak ki migránsokat*), available at: <http://mklu.hu/hnlp14/?p=22701>.

¹⁵⁸ Act CXLVI of 2015 on the jurisdiction of Courts in certain civil and criminal law matters (*2015. évi CXLVI. törvény az egyes polgári és büntető ügyekben eljáró bíróságok illetékességéről*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=191483.312585.

¹⁵⁹ Article 352/A of the Criminal Code.

¹⁶⁰ Article 352/B of the Criminal Code.

¹⁶¹ Article 352/C of the Criminal Code.

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 decide on the review procedures against the decisions of the Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal*) in the cases of asylum seekers. The new law is expected to decrease the workload of the Administrative and Labour Court of Szeged (*Szegedi Közigazgatási és Munkaügyi Bíróság*) that previously had exclusive jurisdiction over such cases.

Government Decision no. 1723/2015. (X. 7.) on authorising the deployment of foreign armed forces to support border control tasks (*1723/2015. (X. 7.) Korm. határozat a külföldi fegyveres erőknek a határrendészeti feladatok támogatásában való részvételének engedélyezéséről*)¹⁶² was adopted on 7 October 2015. The Decision allows for a maximum of 1,000 foreign soldiers to join the action 'Joint Will' (*Közös Akarat*) to support the Hungarian army to protect its borders until 15 March 2016. The Government Decision foresees the future participation of military personnel from other Visegrád countries (e.g. Poland, Czech Republic) to help the Hungarian military and police guard the borders.

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

A Syrian male asylum seeker arriving in the train station of Szombathely attempted to run away from the police. The police apprehended him and took him back to the train station to board the train. During the boarding process, he kicked one of the policemen in his chest. The court found him guilty of the crime of violence against a public official. The court sentenced him to one year and six months of imprisonment, but the sentence was suspended for two years. The defendant was also sentenced to a two year entry ban. The judgment is final.¹⁶³

¹⁶² Government Decision no. 1723/2015. (X. 7.) on authorising foreign armed forces to support border protection tasks (*1723/2015. (X. 7.) Korm. határozat külföldi fegyveres erőknek a határrendészeti feladatok támogatásában való részvételének engedélyezéséről*), available at: magyarokozlony.hu/dokumentumok/217825da702a1a0ad8b44004f2ae5e2bafa95511/megtekintes.

¹⁶³ General Attorney's Office. A short press release about the case can be found under the title 'Prosecuting migrant who hurt police' (*Intézkedő rendőrt bántalmazó migráns bíróság elé állításáról*), available at: <http://mklu.hu/hnlp14/?p=22733>.

Italy

Stakeholders contacted

Interviews took place in the week from 8 October to 12 October 2015 with the stakeholders listed below. Some of them could not provide information but referred to updates available on their webpages. Other stakeholders contacted could not contribute due to different reasons.

- Immigration and civil liberties Department (Dipartimento per le libertà civili e l'immigrazione del Ministero dell'Interno), Ministry of Interior
- Italian Navy – Command in Chief of the Italian Navy
- MSF Italy
- Save the Children Italy

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

Situation of new arrivals

In the reporting period, almost 4,000 people were rescued in multiple operations off the coast of Southern Italy. Around 2,300 applied for asylum.¹⁶⁴ According to other sources, however, the overall number of arrivals is around 2,800.

On 5 October 2015, over 400 people (including some children) arrived in Lampedusa as they were rescued by the Italian Coast Guard and the Financial Police. Among them, there were many Syrian families, Somalians and Eritreans. They all were transferred to the local reception center in Contrada Imbriacola.¹⁶⁵

On the same day, the ship "Aviere" transferred 239 rescued people (mostly Eritreans) to the Norwegian boat "Siem Pilot". Among them, there were 173 men, 37 women and 30 children. They were disembarked in Messina (Sicily) on 6 October 2015.¹⁶⁶

On 6 October 2015, the British ship "Enterprise" docked in the port of Catania (Sicily) with more than 600 rescued Eritrean refugees on board.¹⁶⁷

¹⁶⁴ Ministry of Interior, Immigration and civil liberties Department.

¹⁶⁵ Corriere del Mezzogiorno (2015), *Migranti, in 402 a Lampedusa, sbarcati molti siriani*, 7 October 2015, available at:

http://corrieredelmezzogiorno.corriere.it/palermo/cronaca/15_ottobre_07/migranti-402-lampedusa-sbarcati-molti-siriani-7d65fd34-6cdd-11e5-896b-37c3dd8d295d.shtml.

¹⁶⁶ Twitter, Italian Navy; Blog Paola Casoli, *Migranti, mare sicuro: in 239 soccorsi da nave aviere dalla marina militare*, 5 October 2015, available at: www.paolacasoli.com/2015/10/migranti-mare-sicuro-in-239-soccorsi-da-nave-aviere-della-marina-militare/.

¹⁶⁷ La Sicilia, *Migranti sbarcano a Catania, da nave militare britannica*, 6 October 2015, available at: www.lasicilia.it/articolo/migranti-sbarcano-catania-da-nave-militare-britannica; Catania Today, *Sbarco di migranti, 639 profughi giunti al porto: molte le donne e i bambini*, 7 October 2015, available at www.cataniatoday.it/cronaca/sbarco-migranti-porto-catania-07-ottobre-2015.html.

On the same day, over 700 people arrived in Reggio Calabria (Calabria region) with the Italian Coast Guard ship "Dattilo". Among them, there were more than 500 men, 164 women and 20 children coming from different countries: Egypt, Iraq, Ethiopia, Sudan, Eritrea, Somalia, Syria and Palestine.¹⁶⁸ New arrivals were received by police authorities (*Polizia di Stato, Carabinieri, Guardia di Finanza*) and by the President of the Authority for Childhood and Adolescence (*Autorità Garante per l'infanzia e l'adolescenza*).¹⁶⁹

On 7 October 2015, around 470 people (including 75 women and four children) were registered in Vibo Valentia (Calabria region) on the Irish military boat "Samuel Beckett": most were rescued directly by the Irish ship, whereas around 130 had been transferred from the ship "Bettica" of the Italian Navy.¹⁷⁰

On the same day, 530 persons (395 men, 131 women and four children) were rescued by the Spanish military ship "Rio Secura." They came from Sub-Saharan African countries. They were brought to Pozzallo (Sicily). Most of them have been transferred to reception centers in Northern Italy.¹⁷¹

On 10 October 2015, over 130 people were disembarked in the Port of Catania. They were rescued by the Croatian military ship "Andrija Mohorovicic".¹⁷²

On 11 October 2015, nearly 240 people disembarked in the Sicilian Port of Augusta, rescued by the Italian ship "Durand de la Penne".¹⁷³

On 9 October 2015, the EU Relocation scheme officially started: the first group of 19 asylum seekers (14 men, five women) has been transferred to Sweden; where they have accepted to go to. They are all Eritreans who applied for international protection: they had arrived by sea to Sicily and were received in the "hotspot" of Lampedusa.¹⁷⁴

Criminal proceedings against those crossing the borders

There are no criminal proceedings against people crossing borders irregularly. Italian authorities are mostly concerned to apprehend people smugglers. During the reporting week, police authorities arrested and accused a 31 year old Tunisian

¹⁶⁸ Ministero dell'Interno, Prefettura -Office of Reggio Calabria, available at: www.prefettura.it/reggiocalabria/news/48872.htm.

¹⁶⁹ Autorità Garante per l'Infanzia e l'Adolescenza, *A Reggio Calabria per l'arrivo di una nave con 717 migranti*, available at: www.garanteinfanzia.org/news/reggio-calabria-%E2%80%99arrivo-di-una-nave-con-717-migranti.

¹⁷⁰ Twitter, Italian Navy and Irish Navy; Irish Examiner, *New Irish vessel rescues 430*, 6 October 2015, available at www.irishexaminer.com/ireland/new-irish-vessel-rescues-430-357745.html.

¹⁷¹ MSF; Corriere di Ragusa, *Nuovo sbarco di 530 migranti al porto di Pozzallo*, 7 October 2015, available at www.corrierediragusa.it/articoli/cronache/pozzallo/32158-nuovo-sbarco-di-530-migranti-al-porto-di-pozzallo.html.

¹⁷² La Repubblica, *Sbarchi a Catania e Augusta, fermata nove scafisti*, 12 October 2015, available at: http://palermo.repubblica.it/cronaca/2015/10/12/news/sbarchi_a_catania_e_augusta_fermati_nove_scafisti-124890882/.

¹⁷³ Account twitter Italian Navy; La Repubblica, *Sbarchi a Catania e Augusta, fermata nove scafisti*, 12 October 2015, available at: http://palermo.repubblica.it/cronaca/2015/10/12/news/sbarchi_a_catania_e_augusta_fermati_nove_scafisti-124890882/.

¹⁷⁴ United Nations High Commissioner for Refugees (UNHCR) (2015), *Al via il programma europeo di ricollocamento: 19 richiedenti asilo in partenza dall'Italia per la Svezia*, 9 October 2015, available at: www.unhcr.it/news/al-via-il-programma-europeo-di-ricollocamento-19-richiedenti-asilo-in-partenza-dallitalia-per-la-svezia.

citizen for “aiding and abetting of non-EU citizens’ illegal entry into the national territory” (art. 12 of Legislative Decree no. 286 of 25 July 1998 – Immigration Law). On 9 October 2015, in the preliminary hearing in front of the Ordinary Court of Reggio Calabria, the Public Prosecutor ordered that the suspect should be placed in custody.¹⁷⁵

Number of third-country nationals returned to third country

On 7 October 2015, 474 people arrived in Vibo Valentia (Calabria region). 215 were immediately returned to Morocco, where they came from. Morocco is considered a safe third country.¹⁷⁶

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

During the reporting week, no issues were officially raised in the newly established hotspots. Nonetheless, this new system has generated some dissatisfaction among asylum seekers and irregular migrants in Lampedusa who protested publically against compulsory fingerprinting.¹⁷⁷ A group of 50 Eritreans escaped from the reception center and protested in the main square. The protest ended after the intervention of the police and mediation by the mayor who convinced them to return to the center.¹⁷⁸

Challenges and developments concerning reception conditions of new arrivals

Access to information upon arrival

Upon arrival, UNHCR and IOM provide persons with information on asylum and return procedures under the project ‘Access’ of the Ministry of Interior. Save the Children is also present, immediately following arrivals.¹⁷⁹ The organisation provides legal information on the rights of the child and his/her best interests. Save the Children operates in teams consisting of a cultural mediator and a legal officer. Additional staff can join, according to the needs. An interpreter also supports the work of the team to ensure understanding of the legal information

¹⁷⁵ Strettoweb news Sicilia and Calabria, *Reggio: sbarco di 717 migranti del 6 ottobre scorso, arrestato scafista tunisino*, 10 October 2015, available at: www.strettoweb.com/2015/10/reggio-sbarco-di-717-migranti-del-6-ottobre-scorso-arrestato-scafista-tunisino/332650/.

¹⁷⁶ AGI, *Migranti: 474 sbarcati a Vibo, rimpatri in Marocco per 215*, 7 October 2015, available at: www.agi.it/catanzaro/notizie/migranti_474_sbarcati_a_vibo_rimpatrio_in_marocco_per_215-201510071351-cro-rcz1027.

¹⁷⁷ Open Democracy, *Dublin is over: the rise of Europe’s new migrant prisons*, 11 October 2015, available at: www.opendemocracy.net/can-europe-make-it/richard-b/dublin-is-over-rise-of-europes-new-migrant-prisons.

¹⁷⁸ Meridionews (2015), *Lampedusa, falsa partenza nell’ hotspot Eritrei in piazza contro l’ identificazione*, 7 October 2015, available at: <http://meridionews.it/articolo/37141/lampedusa-falsa-partenza-nellhotspot-eritrei-in-piazza-contro-lidentificazione/>.

¹⁷⁹ Save the Children Italy.

provided. A recreational activity for children under 10 years old has been developed, involving one educator and one cultural mediator.¹⁸⁰

Reception capacity

New arrivals are generally located in reception centres upon availability. Centres are not always a dedicated establishment for reception, such as a *Centro di Soccorso e Prima Accoglienza* (Rescued and First Assistance Centre). For example, in Vibo Valentia the people rescued were located in the city's sport centre.

Shortly after, new arrivals are distributed among different reception centres all over Italy, according to the instructions provided by the Ministry of Interior.

Healthcare

Upon arrival, different organisations provide healthcare in partnership with the local health services. In Pozzallo (Sicily), MSF provides health care assistance at disembarkation.

Some incidents occurred during the reporting period.

On 5 October 2015, two newly arrived children in the ship which docked in Lampedusa had to be hospitalised. Their health conditions are under control at present.

On 7 October 2015, the majority of new arrivals reaching Pozzallo were exhausted and many wounded due to the journey. They received basic healthcare assistance upon disembarkation by the MSF team. A pregnant woman and a man had to be hospitalised.

On 6 October 2015, the Italian Red Cross provided primary healthcare to new arrivals in Messina at the docks. One was brought unconscious to the public hospital.¹⁸¹

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

Prefectures (the local branch of the Ministry of Interior present in 111 Italian Provinces) are in charge of the reception of migrants and asylum seekers in the local provinces.¹⁸² Some promising practices have been developed.

In different parts of Italy, families and religious communities, such as the *Comunità Valdese* in Turin, offered support and help to asylum seekers and new arrivals. There are, however, legal obstacles to private support. For example, the

¹⁸⁰ Save the Children Italy.

¹⁸¹ MSF Italy.

¹⁸² Measure (3924/2011) on operational procedures on the management of first reception of migrants, *Ordinanza 3924/2011 Procedure operative per la gestione della prima accoglienza dei migranti*, available at: www.regione.toscana.it/documents/10180/71328/allegato%20al%20Decreto%20n%203343/be306edd-3792-49f9-9360-7b6ad12dfd25.

Italian Law does not allow to provide monetary support directly to a hosting family, as only organisations -that can participate in a public bidding- can receive grants. In Asti (Piedmont region), an agreement was found whereby organisations, which are authorised to host migrants and asylum seekers, support private families. Thus, the organisation holds liability for the asylum seeker and new arrival vis a vis the public authority (Prefecture). Other Provinces such as Genoa and Turin are considering to apply the same approach.¹⁸³

In Tuscany, the Prefecture of the city of Florence (representing all Prefectures in the Region), the Region of Tuscany and the local representative of the Association of Italian Municipalities (ANCI) signed an agreement to give the opportunity to the people hosted in reception centres to undertake voluntary work. The Italian law does not allow that an asylum seeker works while waiting for the answer on his/her asylum application (at least in the first six months). Thus, the agreement attempts to overcome this legal requirement as voluntary work is not paid. The issue has been highly debated. On the one hand, this practice allows for asylum seekers to be actively engaged in society, while waiting for the asylum decision to be taken– which may take considerable time. On the other hand, concerns have been raised that impression should not be given that asylum seekers have to pay off their stay in one country.¹⁸⁴

Legal and policy responses, including any changes to the law

On 7 October 2015, the Ministry of Interior launched the official call for funding targeting of local authorities with the aim of increasing reception given the increase of expected new arrivals. The beneficiaries are local institutions that wish to improve the reception system or set up new ones. The goal is to increase reception capacity by 10,000 places.¹⁸⁵

The Prefecture of Reggio Calabria is in the process of developing a common strategy to face the increasing number of arrivals off the coasts of Calabria and to improve the reception system before the winter season. On 8 October 2015, a roundtable took place to address reception conditions and mainly the dire situation of the *San Ferdinando* informal encampment, where the high number of new arrivals compromises basic health conditions. A working group has been set up involving local authorities, police authorities, health services institutions, trade unions, education authorities, associations, religious members of local churches and University members.¹⁸⁶

¹⁸³ Recreational and Cultural Italian Association (*Associazione Ricreativa e Culturale Italiana - ARCI*) Genoa.

¹⁸⁴ La Repubblica, *In Toscana i migrant potranno fare volontariato*, 6 October 2015, available at: http://firenze.repubblica.it/cronaca/2015/10/06/news/in_toscana_i_migranti_potranno_fare_volontariato-124484432/?ref=search.

¹⁸⁵ Ministero dell'Interno (2015), *Sprar, si ampliano di 10.000 I posti per l'accoglienza. Avviso pubblico per gli enti locali*, 7 October 2015, available at: www.interno.gov.it/it/notizie/sprar-ampliano-10000-i-posti-laccoglienza-avviso-pubblico-enti-locali.

¹⁸⁶ Ministero dell'Interno, *Le misure della prefettura di Reggio Calabria per l'accoglienza migrant*, 8 October 2015, available at: www.interno.gov.it/it/notizie/misure-prefettura-reggio-calabria-laccoglienza-migranti.

Slovenia

Stakeholders contacted

- Refugees division, Karitas Slovenia (*Slovenska Karitas*), a charity organisation of the Slovenian Roman Catholic Church
- Human rights division, the Legal Information Centre of NGOs (*Pravnoinformacijski center nevladnih organizacij- PIC*), the UNCHR implementation partner in Slovenia
- Campaigns division, Amnesty International Slovenije (*Amnesty International Slovenia*)
- Advocacy division, SLOGA, a platform for non-profit NGOs
- Information acquired at the weekly meeting of NGOs dealing with the migrant crisis, at SLOGA headquarters
- Editor-in-chief of the news portal 24 ur.com (television web portal) (*24ur.com*)
- Editor-in-chief of the news portal MMC RTVSLO (National radio television web portal) (*MMC RTVSLO*)
- Hotline for reporting hate speech and child sexual abuse images on the internet "Web eye" (*Spletno oko*)
- Exchange of emails and meeting on 9 October at 09:00-09:30 CET, Director General of the Police (*Policija*) a constituent body of the Ministry of the Interior (*Ministrstvo za notranje zadeve, MNZ*) and Deputy Director General of the Police. At this meeting they promised that the information we had agreed upon would be sent to us each Monday, by the end of the work day. Information was sent at 10:30 CET on Tuesday, 13 October.
- The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (ACPD) (*Uprava Republike Slovenije za zaščito in reševanje, URSZR*), responsible for reception conditions of new arrivals
- The Office of the State Prosecutor General of the Republic of Slovenia (*Vrhovno državno tožilstvo Republike Slovenije*)
- The Aliens Centre Postojna (*Center za tujce Postojna*), a detention centre for foreigners
- Accommodation Centre Zagrebška, Maribor

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

11 people arrived this week (eight male, one female, two children). Nationality: two from Syria, two from Afghanistan, two from Iraq, five from other countries. All persons were registered by the police.¹⁸⁷ The police issued 10 fines to migrants for misdemeanours related to crossing the border.¹⁸⁸

¹⁸⁷ Police, Ministry of Interior.

¹⁸⁸ Police, Ministry of Interior.

Six people sought asylum during the reporting period: one man from Kosovo, one man from Syria and one family from Iran (two men, two women).¹⁸⁹

Nine persons (all male, no children; one from Ukraine, one from Algeria, two from Afghanistan, two from Iraq, three from Syria) were detained in the Aliens Centre Postojna (*Center za tujce Postojna*).¹⁹⁰ Seven of them were accommodated in the centre for the purpose of carrying out the removal procedure or for establishing their identity and two for the purpose of following the procedure of return on the basis of a bilateral agreement.¹⁹¹

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.

Challenges and developments concerning reception conditions of new arrivals

Accommodation centres (*Namestitveni centri*) and Reception centres (*Sprejemni centri*) are on standby and prepared for the arrival of a larger number of migrants. During the reporting week, the number of available beds rose from 7,115 to 7,214.¹⁹² Three out of the 13 accommodation centres, including the largest one in Šentilj (housing up to 2,000 people), provide accommodation only in the form of tents. Asylum seekers as well as migrants who have not (yet) applied for asylum are accommodated in the accommodation centres.¹⁹³

During the reporting week, Civil Protection (*Civilna zaščita*) coordinated activities such as: setting up additional tents, fixing humidity issues in the accommodation centres by arranging heating, transporting food and other necessities to the centres, fixing electricity issues in some of the facilities, setting up adequate spaces for medical treatment (heated space with running water and sufficient privacy) and so forth.¹⁹⁴

Only 14 migrants have been accommodated in the accommodation centres¹⁹⁵ in the week of 5 October to 11 October 2015.¹⁹⁶ These 14 migrants arrived to the accommodation centre *Zagrebška* in Maribor on 8 October 2015¹⁹⁷ and left on

¹⁸⁹ Police, Ministry of Interior.

¹⁹⁰ Aliens Centre Postojna.

¹⁹¹ Police, Ministry of Interior.

¹⁹² The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 5 October 2015.

¹⁹³ The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

¹⁹⁴ The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 5 October 2015.

¹⁹⁵ With the exception of the migrants staying in the Asylum home and the Asylum Centre.

¹⁹⁶ The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 5 - 11 October 2015.

¹⁹⁷ The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 8 October 2015.

10 October 2015.¹⁹⁸ On 10 October, they were offered transportation out of the centre, but they refused and continued their journey on foot.¹⁹⁹ There are currently no migrants at the centres.²⁰⁰ Red Cross Slovenia was notified about their arrival and provided cans of food in the centre.

At the centre *Zagrebška*, a doctor can be called if necessary.²⁰¹

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

NGOs activities

NGOs that deal with migrants have been meeting every week and analysing the shortcomings that occurred when the first larger group of individuals arrived in Slovenia around the weekend of 18 September. Their intention is not to repeat the mistakes made at the time due to poor communication.²⁰² The Legal Information Centre of NGOs (*Pravnoinformacijski center nevladnih organizacij, PIC*), UNCHR's implementation partner in Slovenia, is setting up information points for migrants on all relevant border crossings: Obrežje, Lendava, Ormož as a priority, also in Gruškovje and Rogatec.²⁰³ Civil Protection (*Civilna zaščita*) acknowledged the Slovenian Philanthropy (*Slovenska filantropija*) as the body that will be coordinating all volunteers at Accommodation Centres, except those affiliated with Red Cross Slovenia (*Rdeči križ Slovenije*) or Caritas Slovenia (*Slovenska Karitas*).²⁰⁴ The NGOs that meet on a weekly basis established an email where all experiences and lessons learned in previous dealings with a larger influx of migrants are being compiled. The information such as, for example, the need to label cans of food with a translation in Arabic or what type of tea migrants prefer might seem trivial, but is useful in the field.²⁰⁵

UNHCR is in the process of establishing a Refugee Coordination Mechanism in Slovenia; and has already established a Refugee Protection working group. Members are UNHCR, UNICEF, IOM, the Legal-informational centre for nongovernmental organisations (PiC), Peace Institute, Amnesty International, Slovene Philanthropy, the Institute of African Studies, Jesuit Refugee Service, and the Migration Office. The Slovene authorities have invited UNHCR to participate in two coordination meetings; one coordinated by the Ministry of Interior and one by the Ministry of Foreign Affairs.²⁰⁶

¹⁹⁸ The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 10 October 2015.

¹⁹⁹ The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 10 October 2015.

²⁰⁰ The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 11 October 2015.

²⁰¹ Accommodation Centre Zagrebška, Maribor.

²⁰² SLOGA Platform; Amnesty International Slovenia; Slovenian Philanthropy; Antiracist Front.

²⁰³ Legal Information Centre of NGOs.

²⁰⁴ Slovenian Philanthropy.

²⁰⁵ SLOGA Platform; Amnesty International Slovenia; Slovenian Philanthropy; Antiracist Front.

²⁰⁶ United Nations High Commissioner for Refugees (UNHCR), *Europe's refugee emergency response- update#5*, 2 October- 8 October 2015.

Occurrence of hate speech online

The central Slovenian hotline for reporting hate speech incidents on the internet “*Spletno oko*” detected a decrease of reported hate speech incidents. They have now analysed the reports from the first reporting period (week 40), but not yet reports from this reporting period (week 41). The rate decreased to nine incidents per week, while the average rate of the reported hate speech incidents was 26 per week in 2014. None of the incidents were referred to the police.²⁰⁷

An increasing hostility towards migrants was, however, reflected in comments to news websites. The most frequently visited news website in Slovenia www.24ur.com turned off the possibility to post comments to news related to migrants. They employ only one moderator for the whole website, but in the previous weeks (September) they needed three moderators to perform the job.

The other difference relates to anonymous comments that increased from 10 % to about 40 %.²⁰⁸ Similarly, the National radio television web portal MMC RTVSLO (www.rtvsl.si) limited the possibility to post comments to news articles related to migrants. They claim the decision is a consequence of increased anonymous defamatory comments or “inappropriate speech” posted online, e.g. there were more than 4,000 posts published for one migration-related news article per day, while on average they receive from 3,000 to 4,000 comments for all news. However, in the reporting period (week 41) the news on migrants decreased and they are now considering enabling comments to all news articles again.²⁰⁹ The websites’ editor-in-chiefs stated such a policy was not in any way the result of the European Court of Human Rights (ECtHR) judgement *Delfi AS v. Estonia* from 16 June 2015 holding news sites liable for defamatory comments posted online.²¹⁰

An extraordinary session of the Municipal Council of the border town Šentilj was announced on 11 October 2015. The Municipal Council held its public session on 12 October. The town’s inhabitants and opposition party members demand to be more intensively informed about the arrival of refugees as the accommodation centre for 2,000 migrants was established in a town with less than 2,000 inhabitants.²¹¹

Legal and policy responses, including any changes to the law

Nothing new to report.

²⁰⁷ Hotline for reporting hate speech and child sexual abuse images on the internet “Web eye”.

²⁰⁸ News portal 24 ur.com.

²⁰⁹ News portal MMC RTVSLO (National radio television web portal).

²¹⁰ News portal 24 ur.com; News portal MMC RTVSLO (National radio television web portal).

²¹¹ TV SLO1 (national television), video available at:
<http://4d.rtvsl.si/arhiv/dnevnik/174364661>.