



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

Update # 4

19 October – 23 October 2015

(with updates to 27 October, as appropriate)

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Highlights: 19 October–23 October 2015

New arrivals

- Arrivals through the Western Balkans continue to remain high. Over 60,000 people enter Croatia. Uncoordinated onward movements to Slovenia lead to people having to wait in the cold and expose them to other risks. They are mainly from Syria, Afghanistan and Iraq; 15% of them are children.
- Around 55,000 people arrive in Greece by sea; 6500 more than the previous reporting week. In Chios the number of daily arrivals almost doubled.
- At least five rescue operations take place in Italy, saving over 1500 lives, including many children. New arrivals originate mainly from Nigeria. In Greece, two major shipwrecks occur: over 70 people are rescued, 13 people die, including two children, and 20 go missing.
- Asylum seekers fear an imminent closure of the Greek border with FYROM.
- Problems in communication and coordination among concerned countries lead to incidents at borders. For example: due to misinformation, people ended up wading across the Sotla River at the Slovenian/Croatian border, while a bridge was 100 metres away. Very small children were among those who had to cross the river in freezing conditions.

Initial registration and processing

- Family separations are a critical issue in Croatia.
- Very few apply for asylum in Greece, Croatia, Hungary and Slovenia. Around 70 asylum seekers (Eritreans and Syrians) are relocated from Italy to Sweden and Finland.
- For several weeks, around 400 people have been held in penal institutions and detention centres in Hungary waiting for their expulsion to be executed.
- NGOs raise the risk of expulsion of potential asylum seekers from the hotspot in Italy. NGOs challenge the lack of transparency in the procedure followed at the hotspot.

Reception conditions

- Worsening weather conditions deteriorate the reception conditions on the Greek islands. Heavy rain in Samos destroyed all tents hosting new arrivals, in Lesbos more than 1,000 people were waiting outside the registration site of Moria without proper shelter, food and water in dire conditions. In Slovenia and Croatia, reception centres are overburdened.
- Provision of healthcare remains a challenge. For example, in Croatia there is a continuous lack of mobile medical teams in camps, with very limited access to healthcare at night.

- Healthcare is mostly needed for skin diseases, scabies, diarrhoea, flu, cold and respiratory infections. Asylum seekers often hesitate to ask for medical assistance, unless in severe need.
- A teenage boy from Syria was beaten by his roommates in Bulgaria. He was staying in a room with seven adults.

Legal, social and policy response

- Slovenia will ask the Army to support the work undertaken by the police.
- In Hungary, 50 Slovakian police officers are assisting border patrols at the Hungarian/Serbian borders.
- In Germany, parts of the new legislation entered into force on 24 October 2015, one week earlier than expected. New measures are currently being discussed. Concerns have been raised as the new law will reduce the social benefits for asylum seekers.

Incidents

- In Germany, between January and September 2015, more than 500 attacks on accommodation facilities have reportedly been registered by the Federal Criminal Police.

Austria

Stakeholders contacted

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

- Caritas Austria (Caritas Österreich);
- Caritas Styria (Caritas Steiermark);
- Worker's Samaritan Federation (Arbeiter-Samariterbund);
- Anti-Discrimination Bureau Styria (Antidiskriminierungsstelle Steiermark);
- Red Cross Austria (Rotes Kreuz Österreich);
- 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).

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

Numbers and patterns of new arrivals

Arrivals in the south of Austria continue to be very high.¹ On 23 October 2015, 6,500 people crossed the border with Austria and 7,500 were expected the next day. These figures were considered steady for the following days, with a tendency to a slight increase.²

The main point of arrival is Spielfeld in Styria. On 26 October 2015, around 10,000 people arrived in Spielfeld from Slovenia.³ On that day at 18:00 CET, 2,600 people were still waiting at the border, with further 3,200 people expected to arrive.⁴

Bus transports to Germany continue.⁵ Additional trains have been made available to facilitate the transport within Austria.⁶

UNHCR reported that "*smaller numbers of refugees and migrants are entering Austria from Hungary with no arrivals since 18 October. Instead, some 20,600 persons entered Austria from Slovenia. Austria has given indications that it is limiting the number of arrivals per day, due to the overcrowded reception centres. An average of about 450 asylum claims have been lodged in Austria per day.*"⁷

¹ Federal Ministry of the Interior, Department III/9.

² Worker's Samaritan Federation.

³ Red Cross Austria.

⁴ Red Cross Austria.

⁵ Caritas Styria.

⁶ Red Cross Austria.

⁷ UNHCR Update #7 Europe's Refugee Emergency Response, 16 to 22 October 2015.

People arriving are mainly from Syria, Afghanistan and Iraq,⁸ as well as Pakistan.⁹ Many families are arriving in Austria. The majority of new arrivals, however, are still men.¹⁰

Asylum applications and registration

From 19 October to 25 October 2015, nearly 2,500 asylum applications have been filed in Austria. Compared to the previous week, this is an increase of more than 100 asylum applications.¹¹

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.

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

Reception conditions and capacity

The provision of shelter appropriate for the cold weather constitutes a challenge.¹² The capacities in Spielfeld do not suffice in this respect¹³ and new shelters have to be found.¹⁴

As some provinces do not comply with their duty to accommodate asylum seekers, the reception centres under federal competence are still over-charged. About 3,200 persons in reception centres under federal competence would have to be transferred to the competences of the provinces.¹⁵

The huge number of persons arriving at once is a further challenge. There have been delays in timely provision of food.¹⁶ The number of busses available was insufficient at the beginning of the influx of new arrivals in Spielfeld.¹⁷

Child protection

As of 27 October 2015, almost 2,300 unaccompanied children are taken care of in establishments of the Federal State.¹⁸

⁸ Caritas Styria.

⁹ Red Cross Austria.

¹⁰ Caritas Styria; Red Cross Austria.

¹¹ Website of the Federal Ministry of the Interior, available at:

www.bmi.gv.at/cms/bmi/_news/bmi.aspx?id=7154304249694A51416F553D&page=0&view=1

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

¹³ Red Cross Austria; Caritas Styria.

¹⁴ Caritas Styria.

¹⁵ Federal Ministry of the Interior, Department III/9.

¹⁶ Caritas Styria.

¹⁷ Caritas Styria.

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

Healthcare

Due to the weather conditions people generally arrive in unhealthier conditions.¹⁹ The health status of the new arrivals is worse (flu and bad cold infections) compared to the last two / three weeks.²⁰

Initial health checks for asylum seekers remain a challenge for the authorities, slowing down their reallocation to the provinces. Asylum seekers are still not taken over by the provinces without a health check.²¹

In Spielfeld, the Red Cross is able to handle the situation of new arrivals well. Many doctors and paramedics are working on site. Some people have been transferred to the local hospital.²²

Other challenges

During the weekend of the reporting period, many people (exact numbers could not be provided) continued their journey from Spielfeld by foot.²³ On 23 October 2015, about 100 to 150 taxis were present in Spielfeld, each taking up to four new arrivals to Germany.²⁴ Generally, taxi drivers from Styria are allowed to offer their service as long as they do not cross the borders. However, there have been taxi drivers from other provinces of Austria picking up new arrivals, which is unlawful. A representative of the Chamber of Commerce criticised the lump sums claimed by taxi drivers from other provinces.²⁵

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

Rallies and incidents

The reaction against refugees and asylum seekers has particularly increased in Styria. During the month of October, the Anti-Discrimination Bureau Styria noted an increase of 27 % of xenophobic statements and attacks, in particular hate crimes.²⁶

Several demonstrations were held across Austria. On 24 October 2015, 20 persons of the *Identitäre Bewegung Österreichs (IPÖ)* held an unannounced meeting at the reception centre in Spielfeld. They ignited fireworks and were holding a banner saying "No way. You will not make Europe your home." The meeting was then dissolved.²⁷ On 26 October 2015, the Austrian National Day, the traditional swearing-in ceremony of new recruits of the Austrian Armed Forces

¹⁹ Caritas Austria.

²⁰ Red Cross Austria; Worker's Samaritan Federation.

²¹ Caritas Austria.

²² Caritas Styria.

²³ Red Cross Austria.

²⁴ Worker's Samaritan Federation.

²⁵ ORF, *Flüchtlinge: Anzeigen wegen illegaler Taxifahrten*, 24 October 2015, available at: <http://steiermark.orf.at/news/stories/2738502/>.

²⁶ Anti-Discrimination Bureau Styria.

²⁷ Federal Agency for State Protection and Counter Terrorism.

was held at the Heldenplatz in Vienna. The *Identitäre Bewegung Österreichs (IPÖ)* planned a flash mob, but was hindered by three citizens. An affray was prevented by the police.²⁸ On 26 October 2015, 100 persons coming from local municipalities held an unannounced meeting about 200 metres close to the border on the road (B67) leading to the border in Spielfeld. They were protesting against the Austrian refugee policy and were waving Austrian and Styrian flags. The meeting ended after about 90 minutes.²⁹

Some negative reactions were observed in relation to the new legislation that will allow the Federal Government to establish accommodation facilities in the municipalities (*Durchgriffsrecht*). Whilst mayors continue offering cooperation to the Ministry of the Interior, many citizens complained about the new legislation.³⁰

An incident occurred on 25 October 2015: unknown people sabotaged the cut-off of the water system in an accommodation for refugees in Rainsberg (Carinthia).³¹

Voluntary initiatives

There is still solidarity towards new arrivals, but the overall atmosphere is no longer as positive as before (*“Die Stimmung ist nicht mehr so lustig”*).³² The volunteers as well as the full-time staff working in the field are increasingly exhausted.³³ Caritas Austria received fewer offers for help from volunteers during the reporting period.

Legal and policy responses, including any changes to the law

Nothing new to report.

²⁸ Federal Agency for State Protection and Counter Terrorism.

²⁹ Federal Agency for State Protection and Counter Terrorism.

³⁰ Federal Ministry of the Interior, Department III/9.

³¹ Federal Agency for State Protection and Counter Terrorism.

³² Caritas Styria.

³³ Worker’s Samaritan Federation.

Bulgaria

Stakeholders contacted

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

- Ministry of the Interior, Directorate General Border Police (MoI – DGBP) (*Министерство на вътрешните работи, Главна дирекция „Гранична полиция“, МВР – ГДГП*);
- Ministry of the Interior, Directorate General Criminal Police (MoI – DGCP) (*Министерство на вътрешните работи, Главна дирекция „Криминална полиция“, МВР – ГДКП*);
- Special Home for Temporary Placement of Foreigners – Lyubimets (SHTPF – Lyubimets) (*Специален дом за временно настаняване на чужденци – Любимец, СДВНЧ – Любимец*);
- State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*);
- Bulgarian Red Cross (BRC) (*Български червен кръст, БЧК*);
- Caritas Bulgaria (*Каритас България*);
- Bulgarian Lawyers for Human Rights (BLHR) (*Български адвокати за правата на човека, БАПЧ*).

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

Numbers and patterns of new arrivals

During the reporting period, the number of new arrivals decreased significantly. Less than 200 persons were apprehended, including around 30 children. In terms of nationality, the majority were from Syria, Iraq and Afghanistan. There were also four persons with unidentified nationality.³⁴

Nearly 500 arrivals were reported in Dimitrovgrad crossing into Serbia from Bulgaria.³⁵

NGOs observed that during the reporting week the number of single men coming from Afghanistan and Pakistan increased, while the number of families decreased.³⁶

Asylum applications and registration

The number of applicants for asylum also decreased during the reporting period. Around 700 persons applied for international protection, of which the majority were men and almost 200 were children. In terms of nationality, the majority were

³⁴ Ministry of the Interior, Directorate General Border Police.

³⁶ Bulgarian Red Cross.

from Iraq, Afghanistan and Syria. The other applicants were from Pakistan, Iran and Ukraine.³⁷

The cases of asylum seekers leaving the reception centres of the State Agency for Refugees before they are registered and fingerprinted continued. During the reporting week, 161 persons left the Ovcha Kupel reception centre in Sofia.³⁸

Unaccompanied and separated children

During the reporting week, the majority of newly arrived unaccompanied children were between 15 and 17 years old. They were accommodated predominantly in the Voenna rampa reception centre in Sofia. NGOs continued to insist that children should be accommodated separately from adults. Most of the children do not remain in the registration and reception centres because, similarly to adults, they leave the centres and, later, the country.³⁹

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.

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

Reception conditions and capacity

Overcrowding continues to be a major problem for the accommodation of new arrivals in the special homes for temporary accommodation of foreigners. In these special homes, new arrivals are accommodated before their transfer either to the reception and registration centres for asylum seekers or to their country of origin.

During the reporting week, in the Special Home for Temporary Placement of Foreigners in Lyubimets, 282 new persons were accommodated, 230 persons were released, and the overcrowding was 40 % above the occupancy rate.⁴⁰

In contrast, the capacity of the reception and registration centres of the State Agency for Refugees is underused. The Bulgarian Red Cross estimated that during the reporting week about 40 % of the capacity of these centres was occupied. The Ovcha Kupel reception centre in Sofia, which is the oldest one and offers better living conditions (for example, each room has a bathroom, while in other centres there is one shared bathroom on each floor), is without water and central heating at least since 23 October 2015. Asylum seekers complain about vermin, such as bedbugs and lice. However, due to its better conditions, the Ovcha Kupel centre is used for accommodating vulnerable asylum seekers, mostly persons with health problems.⁴¹

³⁷ State Agency for Refugees.

³⁸ State Agency for Refugees.

³⁹ Bulgarian Red Cross.

⁴⁰ Special Home for Temporary Placement of Foreigners – Lyubimets.

⁴¹ Bulgarian Red Cross.

There are new developments related to the previously reported case of turning the fourth floor of the registration and reception centre in Harmanli into a detention facility. NGOs reported that community leaders, who facilitated the communication between officials and asylum seekers in the centre, obtained permission to use a certain number of rooms at the fourth floor. Instead of using these rooms for free, these persons rented them to new arrivals at very high prices and also sold them food. NGOs notified the State Agency for Refugees, which opened an investigation

Child protection

Most of the newly arriving children are accommodated in the Voenna Rampa reception centre in Sofia. Caritas Bulgaria and the Bulgarian Red Cross continue to hold art and language classes for the children in Sofia. Volunteers are holding similar classes for the children in Harmanli.⁴²

The Bulgarian Red Cross received a complaint that a 13 year old boy was beaten by his roommates. The unaccompanied boy was accommodated in a room with seven adults in the Voenna Rampa reception centre in Sofia.⁴³

Healthcare

During the reporting week, there were no problems with the availability of medicines. The Bulgarian Red Cross and the Council of Refugee Women in Bulgaria (CRWB) (*Съветът на жените бежанки в България, СЖББ*) provide medications to asylum seekers who are in need of such.⁴⁴

During the reporting period, the number of reported serious respiratory infections was not high. In the majority of cases, healthcare was needed for skin diseases, predominantly scabies. However, asylum seekers in need of treatment often hesitate to ask for medical assistance and usually turn to the doctors in the centres only after their medical situation is severe.⁴⁵

One person with hypertonia was successfully treated by medical staff of one of the reception centres of the State Agency for Refugees.⁴⁶

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

Rallies and incidents

There is no new official information in relation to the incident with the Afghan asylum seeker who was shot by a border police officer in the night of 15 to 16 October 2015. Representatives of the Bulgarian Helsinki Committee (BHC) (*Български хелзинкски комитет, БХК*) met with 20 people involved in this

⁴² Bulgarian Red Cross.

⁴³ Bulgarian Red Cross.

⁴⁴ Bulgarian Red Cross.

⁴⁵ Bulgarian Red Cross.

⁴⁶ State Agency for Refugees.

incident, who identified the victim as a young man from Afghanistan. The asylum seekers told the Bulgarian Helsinki Committee that their group was met by four or five policemen, not three as was the official information. The group dissolved trying to run away and did not render any physical resistance against the police officers. Interviewed asylum seekers also argued that two of the police officers used their guns producing two shots each, while according to the official information only one shot was fired.⁴⁷

After the incident, on 20 October 2015, one of the Deputy Ministers of the Interior announced in a public statement that the financial resources of the Ministry of the Interior were not sufficient to maintain the integrated border protection system.⁴⁸ The same system detected the entry of the group through the green border.

NGO humanitarian activities

Several companies contacted the Bulgarian Red Cross with offers to donate – Nestle Bulgaria donated cereals for the children, Maleeva Tennis Club (*Тенис клуб Малееви*) donated clothes for children, blankets, utensils and dishes collected in a campaign, etc. However, donations are often rejected because many asylum seekers leave the centres soon after their arrival and the donated items remain unused.⁴⁹

Legal and policy responses, including any changes to the law

The Bulgarian Prime Minister is reported to have stated during a meeting in Brussels that Bulgaria, Serbia and Romania are ready to close their borders if Germany, Austria and other states do the same. He said that the three countries would not serve as buffer zones and be subjected to the “devastating pressure of refugee waves”.⁵⁰

⁴⁷ Bulgarian Helsinki Committee, ВНК found significant inconsistencies in the version of the Ministry of the Interior regarding the murder of the Afghan citizen (*БХК установи съществени несъответствия във версията на МВР относно убийството на афганистанския гражданин*), press release, 20 October 2015, available at: www.bghelsinki.org/bg/novini/press/single/bhk-ustanovi-shestveni-nesotvetstviya-vv-versiyata-na-mvr-otnosno-ubijstvoto-na-afganistanskiya-grazhdanin/. For the official information, see Ministry of the Interior, In the incident near Sredetz there were three police officers against 54 illegal immigrants (*Гл. комисар Георги Костов: При инцидента край Средец съотношението е било трима служители на МВР срещу 54 незаконни имигранти*), press release, 16 October 2015, available at: https://press.mvr.bg/NEWS/news151016_05.htm.

⁴⁸ Capital weekly online, Ministry of the Interior lacks funds for maintaining the border control systems (*МВР няма средства да поддържа системите по границата*), 20 October 2015, available at: www.capital.bg/politika_i_ikonomika/bulgaria/2015/10/20/2632354_mvr_niama_sredstva_da_poddurja_sistemite_po_granicata/.

⁴⁹ Caritas Bulgaria.

⁵⁰ Mediapool Online, Bulgaria, Serbia and Romania will not be a buffer zone for refugees (*България, Сърбия и Румъния няма да са буферна зона за бежанците*), 24 October 2015, available at: www.mediapool.bg/bulgaria-sarbiya-i-rumaniya-nyama-da-sa-buferna-zona-za-bezhantsite-news240907.html.

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

On 17 October 2015, a group of hunters was reported to have apprehended about 50 migrants near the Turkish border.⁵¹ According to the hunters, the people were presumably of Afghan origin. They were 20-30 years of age, but 'did not look like refugees'. The hunters detained the migrants and called the border police. In relation to this incident, the police have instructed hunters in border areas to be especially careful not to accidentally hit migrants.⁵²

⁵¹ Vesti.bg Online, A hunting party caught 50 illegal migrants (*Ловна дружинка хвана 50 нелегални мигранти*), 19 October 2015, available at: www.vesti.bg/bulgaria/incidenti/lovna-druzhinka-hvana-50-nelegalni-migranti-6044049.

⁵² BgNes Online, Police instructs hunters to be careful not to hit migrants (*Полицията инструктира ловците да внимават да не уцелят имигранти*), 22 October 2015, available at: <http://bgnes.com/bylgaria/obshchestvo/4380234/>. For more information, see also Novinite.com Online, Bulgaria's border police instructs hunters on dealing with refugees, 22 October 2015, available at: www.novinite.com/articles/171443/Bulgaria%27s+Border+Police+Instructs+Hunters+on+Dealing+with+Refugees.

Croatia

Stakeholders contacted

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

- Ministry of Interior, Department for illegal migration, (Ministarstvo unutarnjih poslova, Služba za nezakonite migracije, MUP);
- Ministry of the Social Policy and Youth, Minister's cabinet (Ministarstvo socijalne politike i mladih, Kabinet ministrice, MSPM);
- Ombudsman's Office, National Preventive Mechanism, (Ured Pučke pravobraniteljice, Nacionalni preventivni mehanizam);
- Ombudsperson for Children of the Republic of Croatia (Pravobraniteljica za djecu);
- Croatian Red Cross, (Hrvatski crveni križ, HCK);
- Welcome Initiative, (Inicijativa Dobrodošli).

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

Numbers and patterns of new arrivals

Since the beginning of the refugee crisis, around 260,000 people have entered Croatia. During the reporting period, almost 60,000 people crossed the border into Croatia.⁵³ Asylum seekers are entering the country from the Serbian-Croatian border on a daily basis. The average number of new arrivals is 8411 per day.⁵⁴ The majority are Syrian nationals 51%, followed by Afghan 29 % and Iraqi 14 % nationals. The remaining new arrivals in the reported period are of the following nationalities: Iran (3 %), Pakistan (2 %) and others (1 %).⁵⁵ Among new arrivals, 15 % are children.

The border sectors most affected are Bapska, where most new arrivals cross the border, and Tovarnik (both Croatian-Serbian border crossings).⁵⁶

Asylum applications and registration

Almost no new arrival has sought asylum in Croatia; only two people expressed the intention to apply for asylum in the reporting period.⁵⁷

Criminal proceedings against irregular border crossing

⁵³ Ministry of the Interior, Department for illegal migration.

⁵⁴ Ministry of the Interior, Daily reports on migration crisis, available at www.mup.hr.

⁵⁵ Ministry of the Interior.

⁵⁶ Ministry of the Interior.

⁵⁷ Ministry of the Interior.

All new arrivals are treated as persons potentially in need of international protection and not punished if they cross the 'green border' in an irregular manner.⁵⁸

Returns

There were no returns based on the third safe country rule.⁵⁹

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

All new arrivals have been registered: officers of the Ministry of the Interior usually make a copy of the refugees' travel documents (if available) or take their first name, family name, age, nationality and a photo.⁶⁰ Welcome Initiative volunteers periodically observed the registration process during the reporting week.⁶¹

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

Reception conditions and capacity

The key problems with the transport of new arrivals is the lack of communication and coordination among countries concerned to organise the flow of asylum seekers and refugees along the Balkan route. Information is lacking on reception capacities on route to accommodate refugees for more than 24 hours.⁶² This resulted in holding people at border crossings without appropriate protection from weather conditions and with insufficient amounts of food, water and basic health assistance during the period.⁶³

On 19 and 20 October 2015, people were no longer transported from Bapska at the Serbian border to the Opatovac camp⁶⁴ due to the high number of new arrivals. New arrivals had to walk almost 15 km.⁶⁵ A lot of them were completely wet because of the rain. Arrivals were then transported to the border with Slovenian border by trains directly to the border crossing Ključ Brdovečki or by buses.⁶⁶

On 19 October 2015, there were around 2,000 people in the Opatovac camp. The maximum time one spent at the Opatovac camp was 24 hours. Due to weather condition, raincoats were made available at the camp entrance, while the Croatian Red Cross tent had disposable thermal blankets. Water and food were also available. The lack of volunteers and the lack of dry and warm clothes is a constant problem. Certain tents had wooden pallets on the floor, but most of them only had

⁵⁸ Ministry of the Interior, Department of Illegal Migration.

⁵⁹ Ministry of the Interior, Department of Illegal Migration.

⁶⁰ Ministry of the Interior.

⁶¹ Welcome Initiative.

⁶² Welcome Initiative.

⁶³ Welcome Initiative.

⁶⁴ Welcome Initiative.

⁶⁵ Welcome Initiative.

⁶⁶ Welcome Initiative.

plastic coversheets and people had to sit on a damp floor all night. There were not enough volunteers during the night to help with identifying vulnerable groups and to bring them to the heated tents.⁶⁷ A 25 days old baby was found by volunteers in a normal, non-heated tent.⁶⁸ The interpretation service available in the camp was failing to meet the increasing need for interpreters in the reporting period.⁶⁹

Amnesty International reported: "*An Amnesty International research team on the scene interviewed multiple refugees who described how Croatian police had ushered around 1,800 people on a 12km trudge from Čakovec train station to the border crossing at Trnovec at around 2:30am, after Slovenian authorities had blocked the train from entering Slovenia. Hundreds of children including babies as young as a month old were among the group, who walked or were carried in the rain. They reached the border crossing around two hours later, only to find it blocked by a fence and Slovenian police. Croatian police promptly erected a temporary fence behind the group, effectively trapping them between the two countries with no shelter or humanitarian assistance.*"⁷⁰

Preparations for a new camp in Slavonski Brod were continuously in progress in the reporting period. It is expected that the camp will be moved from Opatovac to Slavonski Brod around 2 November.⁷¹

Child protection

Family separation is a serious concern. Families were separated either at the Bapska border crossing whilst entering buses, or in the Opatovac camp following registration. In order to address this issue, UNHCR convened a meeting with stakeholders. The Croatian Red Cross alerted the Ministry of the Interior about the problem, which in turn agreed to give priority to the issue.

During that night from 22 to 23 October, 40 families were separated at Opatovac camp. People were not allowed to wait for their families at registration, at the same time there was no screening for vulnerable people. It seems that the Ministry of Interior gave the instruction not to prioritise anyone before entering into a specific sector in the Opatovac camp. Because of the failure to prioritise vulnerable groups, heated tents for children were not fully used. The UNICEF staff emphasised that there was an increased number of families.⁷² The Ministry of Social Policy and Youth reported many interventions for families that were temporarily separated either at the Bapska border crossing or in the Opatovac camp. All the families were reunited in accordance with the *Protocol on the treatment of children separated from their foreign national parents*.⁷³

⁶⁷ Ombudsman's Office, National Preventive Mechanism.

⁶⁸ Welcome Initiative.

⁶⁹ Welcome Initiative; Ombudsman's Office, National Preventive Mechanism.

⁷⁰ Amnesty International, Media Advisory, Hundreds of refugees and asylum seekers stranded in dire conditions overnight on Croatia/Slovenia border, 19 October 2015.

⁷¹ Welcome Initiative.

⁷² Welcome Initiative.

⁷³ Ministry of Social Policy and Youth.

During the reporting week, the Ministry of Social Policy and Youth dealt with several cases of children in which the *Protocol on the treatment of children separated from their foreign national parents* was applied.⁷⁴

Healthcare

On site healthcare was provided by the Ministry of Health emergency teams and the MAGNA Children at Risk paediatricians. There was a continuous lack of mobile medical teams in the camp. There was no organised access to medical tents. People with medical difficulties could only access medical teams if escorted by volunteers.⁷⁵ During the night there was only one volunteer per a thousand people.

At the Bapska border crossing, many people had to wait outside to enter Croatia, many of them with different stages of hypothermia. One person was reanimated by the Croatian Red Cross volunteers.⁷⁶

Hypothermia was a major concern, causing several health problems, particularly among children (vomiting, diarrhoea, flues, etc.).⁷⁷ NGOs shared this concern with the Ministry of Health. Respiratory medical problems also continue to be an issue.⁷⁸

There were about 500 emergency medical interventions, out of which around 70 people were referred to further treatment. Four to five emergency medical teams were present on site on a daily basis.⁷⁹ There were 1,433 family medical team interventions in total, of which about 40 people were referred to further treatment. Around 80 people were treated in hospitals. Two people were released after immediate treatment. From 16 September until 26 October at 06:00 CET, the Ministry of Health provided 13,600 interventions.⁸⁰

Immigration detention

The Ministry of Interior has not reported a single instance of immigration detention.⁸¹

⁷⁴ Ministry of Social Policy and Youth.

⁷⁵ Ombudsman's Office, National Preventive Mechanism.

⁷⁶ Ombudsman's Office, National Preventive Mechanism.

⁷⁷ Welcome Initiative.

⁷⁸ Welcome Initiative.

⁷⁹ Ministry of Health of RoC daily reports stretching from 06:00 until 06:00 CET the following day.

⁸⁰ Available at: www.zdravlje.hr/novosti/migrantska_kriza/broj_pruzenih_zdravstvenih_usluga.

⁸¹ Ministry of Interior, Department for illegal migration.

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

Rallies and incidents

There is no record of organised rallies or other types of public protest against refugees.⁸² The general public opinion and media support the humanitarian approach and the Government's efforts that refugees get proper assistance upon arrival. There are no reports or proceedings initiated on of any kind of racist or xenophobic incidents.⁸³

NGO humanitarian activities

On 25 October 2015, an NGO called Intereuropean Human Aid based in Germany organised a dissemination of lunch packages at the train station in Tovarnik, as the Croatian Red Cross did not have enough volunteers for the task on that day.⁸⁴

Voluntary initiatives

On 24 October 2015, the so-called "Czech team", made up of self-organised volunteers, organised a "relief station" at the Serbian side of the border crossing Bapska – Brkasovo with distribution points and a tea kitchen. There were 600 to 700 people at the border at any given moment during that day. With the permission of the Croatian and the Serbian authorities, the 'Czech team' organised a system enabling 50 to 60 people to smoothly cross the border and enter buses. This system reduced overcrowding at the border.⁸⁵

Legal and policy responses, including any changes to the law

Nothing new to report.

⁸² Ministry of Interior, Department of Illegal Migration; Ombudsman's Office, National Preventive Mechanism.

⁸³ Ministry of Interior, Department of Illegal Migration.

⁸⁴ Welcome Initiative.

⁸⁵ Welcome Initiative.

Germany

Stakeholders contacted

The interviews were conducted by phone with the following stakeholders:⁸⁶

- Caritas Germany (Caritas Deutschland e. V.);
- Bavarian Refugee Council (Flüchtlingsrat Bayern);
- Refugee Council Schleswig Holstein;
- „Der Paritätische“ - Federation of Welfare Associations (Paritätischer Wohlfahrtsverband);
- Federal Working Group of Psychosocial Centres for Refugees and Survivors of Torture (Bundesweite Arbeitsgemeinschaft der psychosozialen Zentren für Flüchtlinge und Folteropfer, BAFF);
- Federal Chamber of Psychotherapists (Bundespsychotherapeutenkammer, BPTK).

In addition, media reports were used to fill in gaps as authorities could not be interviewed.

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

Numbers and patterns of new arrivals

On 24 October 2015, around 6,000 persons in need of international protection crossed the border to Bavaria. In the days before, around 3,000 to 3,500 persons arrived every day.⁸⁷ The most affected border sectors are in the surrounding of Passau and Freilassing in Bavaria.

Asylum applications and registration

The Federal Police is reintroducing the registration of persons in need of international protection directly at the border. On 27 October 2015, 83 rejected asylum seekers were deported to Kosovo under accelerated deportation procedures.⁸⁸

Returns

Nobody was rejected directly at the border.

⁸⁶ The following text does not make reference to individual interviews.

⁸⁷ Süddeutsche Zeitung, *Wir tun alles, damit niemand in der Kälte, im Regen nächtigen muss*, 26 October 2015, available at: www.sueddeutsche.de/bayern/fluechtlinge-an-der-grenze-wir-tun-alles-damit-niemand-in-der-kaelte-im-regen-naechtigen-muss-1.2708433.

⁸⁸ Euronews, *Europe toughens its stance in bid to slow migration surge*, 27 October 2015, available at: www.euronews.com/2015/10/27/europe-toughens-its-stance-in-bid-to-slow-migration-surge/.

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.

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

Reception conditions and capacity

In general, the authorities concerned made great efforts to provide at least shelter to the vast majority of persons in need of international protection. However, due to the waiting time until the registration actually takes place, people had to occasionally sleep outside.

Due to financial reasons, the authorities have a tendency to establish temporary mass accommodation centres. The conditions in those overcrowded mass accommodation centres are dire. The frustration level is high and violent conflicts among persons in need of international protection occurs. In Niederau, Saxony, for instance, a former supermarket is being used for the accommodating around 570 people in need of international protection.⁸⁹ A mass brawl among 100 asylum seekers occurred in this accommodation centre during the reporting week. According to the police, this was triggered by a dispute about prayer times.⁹⁰

Healthcare

The staff available cannot meet the increasing needs of medical healthcare in reception facilities. Medical care is often provided only by volunteers. In particular, it has become almost impossible to receive access to psychosocial care for newly arrived persons in need of international protection. Psychosocial centres are overcrowded and have stopped to take further persons on their waiting lists. While in 2014 some 4 % of affected persons in need of international protection could receive psychosocial care, in 2015 this quota is estimated to fall below 1 % in 2015.⁹¹

Other challenges

Many volunteers are still offering their help to the staff in accommodation centres. This is an important support. On the other hand, it requires capacity to train volunteers, for instance in basics of the asylum procedure, country of origin information and dealing with traumatised persons.

⁸⁹ MDR, Sachsen, *Massenschlägerei unter Asylbewerbern in Niederau*, 25 October 2015, available at: http://www.mdr.de/sachsen/massenschlaegerei-niederau100_zc-f1f179a7_zs-9f2fcd56.html.

⁹⁰ Der Spiegel, *Schlägerei in sächsischer Unterkunft: Flüchtlinge gehen mit Metallstangen aufeinander los*, 25 October 2015, available at: www.spiegel.de/panorama/justiz/niederau-dutzende-fluechtlinge-in-schlaegerei-verwickelt-a-1059507.html.

⁹¹ Federal Chamber of Psychotherapists, *Standpunkt* September 2015, p. 11, available at: www.bptk.de/uploads/media/20150916_BPtK-Standpunkt_psychische_Erkrankungen_bei_Fluechtlingen.pdf.

As a consequence of the fewer ferry connections from Schleswig Holstein to Sweden,⁹² the number of persons in need of international protection stranded in Northern Germany on their way to Sweden again increased dramatically in Schleswig Holstein. However, nobody is being prevented from departing to Sweden. The waiting time becomes longer and, therefore, the number of persons in need of an accommodation increased.

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

Rallies and incidents

During the reporting week, three hostile demonstrations against refugees took place. In Thuringia, about 2,000 and in Mecklenburg-Western Pomerania 400 persons participated. The biggest demonstration took place in Dresden on 19 October 2015. More than 15,000 participants gathered to celebrate the one-year-existence of the right wing movement "Patriot Europeans against the Islamisation of the West" (*Patriotische Europäer gegen die Islamisierung des Abendlandes, PEGIDA*). At the same time, a counter demonstration using the motto "Heart instead of agitation against foreigners" ("*Herz statt Hetze*"), with about 15,000 to 19,000 participants, took place. One supporter of PEGIDA was badly injured by unknown perpetrators during the demonstration.⁹³

In relation to the current crisis, the Federal Criminal Police warned of violent hate crimes which may occur against persons in need of international protection, staff members of accommodation facilities, politicians and people who appear to like asylum seekers. The right-wing scene, which is in general heterogeneous, finds an ideological consensus as regards the asylum policy. The Federal Criminal Police is also worried about new forms of violence such as blockades to prevent persons in need of international protection to arrive and receive protection.⁹⁴ Between January and September 2015, more than 500 attacks on accommodation facilities have reportedly been registered by the Federal Criminal Police. Most of the attacks can be attributed to the right-wing extremist scene.⁹⁵

Other activities

The Consortium of public broadcasters in Germany (*Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland, ARD*) established a website and an app containing information about the living and the culture in Germany such as "Managing daily life", "10 things to know when you come to Germany", "Public transport" and "School registration". This service is

⁹² This issue has already been reported in the week preceding the reporting week.

⁹³ Tagesschau, *Dresden zwischen Herz und "Pagida"*, 19 October 2015, available at: www.tagesschau.de/inland/pegida-dresden-119.html.

⁹⁴ Tagesschau, *Jung, polizeibekannt und von nebenan*, 21 October 2015, available at: www.tagesschau.de/inland/bka-fluechtlingsunterkuenfte-101.html.

⁹⁵ Die Zeit, *Gabriel bezeichnet AfD als rechtsradikal*, 23 October 2015, available at: <http://www.zeit.de/politik/deutschland/2015-10/afd-rechtsradikal-gabriel>.

provided in German, English and Arabic language and is directly addressed to persons in need of international protection.⁹⁶

According to a survey commissioned by the German tabloid *Bild*, the vast majority of Germans (88 %) demanded the deleting of xenophobic statements in social media (Facebook). Furthermore, 80 % of the participants demanded that the government should have the possibility to force Facebook to delete such contents (if necessary). Finally, 89 % demanded aggravated punishment for racist posts on Facebook.⁹⁷

Legal and policy responses, including any changes to the law

On 24 October 2015, one week earlier than expected, the “asylum procedure acceleration act” (*Asylverfahrensbeschleunigungsgesetz*)⁹⁸ entered partly into force.⁹⁹ The “Conference of Legal Advisors” (*Rechtsberaterkonferenz*), an association of specialised lawyers in the field of aliens law, publicly criticised the new law: According to a representative of the association, the law does not even contain a single regulation which will speed up the asylum procedure. Instead, the law purposes deterrence and is unconstitutional concerning the reduction of social benefits for asylum seekers.¹⁰⁰

The Federal Government reportedly discussed a package of measures to speed up the asylum procedure and the deportation of rejected asylum applicants.¹⁰¹ This package allegedly contains the plan to negotiate with countries of origin the return of rejected applicants. Deportations would be carried out using German Army (Bundeswehr) airplanes, in addition to regular flights. Rejected asylum applicants will not be informed about the day of deportation anymore in order to avoid the “hiding” from deportation.¹⁰² In particular, according to the newspaper “Frankfurter Allgemeine Sonntagszeitung”, the Federal Government intends to implement a stricter assessment and a faster return of applicants from

⁹⁶ Website available at: http://www.ard.de/home/ard/Guide_for_refugees/2214428/index.html.

⁹⁷ Bild, Umfrage: Große Mehrheit der Deutschen befürwortet das Löschen von rassistischen und pornografischen Inhalten auf Facebook, 25 October 2015, available at: <http://vorab.bams.de/uumfrage-grosse-mehrheit-der-deutschen-befuerwortet-das-loeschen-von-rassistischen-und-pornografischen-inhalten-auf-facebook/>.

⁹⁸ The law has already been mentioned below (Week from 28 September to 4 October 2015 and the week preceding the reporting week).

⁹⁹ Bayerischer Rundfunk, *Was sich für Flüchtlinge ändert*, 23 October 2015, available at: www.br.de/nachrichten/verschaeftes-asylrecht-100.html.

¹⁰⁰ Katholische Nachrichtenagentur, 25 October 2015, available at: <http://page2rss.com/204344598e53b683a3276f6bd0384d7a>.

¹⁰¹ SWR, *Zurück mit Bundeswehrmaschinen*, 21 October 2015, available at: www.swr.de/international/massnahmenpaket-zu-abschiebung/-/id=233334/did=16347040/nid=233334/15wn2dd/index.html.

¹⁰² Epoch Times, *Bund will schnellere Abschiebungen*, 21 October 2015, available at: www.epochtimes.de/politik/deutschland/bund-will-schnellere-abschiebungen-a1277888.html; Welt, *Regierung will abgelehnte Asylbewerber verstärkt abschieben*, 21 October 2015, available at: www.welt.de/newsticker/news1/article147859597/Regierung-will-abgelehnte-Asylbewerber-verstaerkt-abschieben.html.

Afghanistan.¹⁰³ Finally, any general ban on deporting rejected applicants during the winter would be rescinded.¹⁰⁴

A draft bill from the Ministry of the Interior (“Draft law on the Implementation of the Common European Asylum System”) has been discussed in the Federal Government.¹⁰⁵ The draft law contains implementation measures for the recast directives, especially the Reception Conditions Directive. It also envisages the establishment of a fast procedure at land borders for those applicants who obviously do not meet the criteria for a protection status. This refers to the preceding weeks’ political discussion on the establishment of “transit zones” at the German land borders, even if the word “transit zones” was avoided in public statements on the draft law. Parts of the Federal Government, in particular the Minister of Justice, Heiko Maas, publicly clearly spoke out against “transit zones”.¹⁰⁶ The draft law is not officially released yet.

The Family Benefits Department (Familienkasse) of the Federal Agency of Employment (Bundesagentur für Arbeit) has provided a Flyer containing information on the requirements for persons in need of international protection and refugees to receive child benefit (Kindergeld). The Flyer can be downloaded from the website of the Federal Agency of Employment and is available in different languages, including Arabic.¹⁰⁷

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

- On 19 October 2015, a telephone bomb threat (in Freiberg, Saxony) reached an accommodation centre inhabited by hundreds of person in need of international protection. According to the police, the perpetrator was found.¹⁰⁸
- On 20 October 2015, fire broke out in a building next to an accommodation centre (Remseck am Neckar. Baden-Wuerttemberg). The fire was extinguished before it could spread over to the accommodation centre. The police assumes arson.¹⁰⁹

¹⁰³ Frankfurter Allgemeine, *Afghanen sollen abgeschoben werden*, 25 October 2015, available at: www.faz.net/aktuell/politik/kanzleramt-macht-druck-afghanen-sollen-abgeschoben-werden-13874407.html.

¹⁰⁴ SWR, *Zurück mit Bundeswehrmaschinen?*, 21 October 2015, available at: <http://www.swr.de/international/massnahmenpaket-zu-abschiebung/-/id=233334/did=16347040/nid=233334/15wn2dd/index.html>.

¹⁰⁵ Migrationsrecht.Net, *Neuer Entwurf zur Umsetzung der Richtlinien zum Asylrecht*, available at: www.migrationsrecht.net/nachrichten-auslaenderrecht-politik-gesetzgebung/gesetzentwurf-richtlinien-asylg-2015.html.

¹⁰⁶ Süddeutsche Zeitung, *Auf dem Weg zur Transitzone*, 23 October 2015, available at: www.sueddeutsche.de/politik/bundesregierung-auf-dem-weg-zur-transitzone-1.2705759.

¹⁰⁷ Bundesagentur für Arbeit, Flyer available at: www.arbeitsagentur.de/web/content/DE/BuergerinnenUndBuerger/FamilieundKinder/KindergeldKinderzuschlag/index.htm.

¹⁰⁸ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

¹⁰⁹ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

- On 22 October 2015 (in Dresden, Saxony), the police cleared a sit-in blockade which was made by a group of right-wing people trying to prevent persons in need of international protection from moving into an accommodation centre.¹¹⁰
- The police (Ludwigshafen, Rhineland-Palatinate) is investigating an attempted arson attack against a building which is currently being rebuilt for the accommodation of refugees.¹¹¹
- Between 15 and 19 October 2015, unknown perpetrators (in Landscheid, Rhineland-Palatinate) destroyed the furnishing and smeared swastikas against walls of a former hotel to be used as an accommodation centre. They also caused a fire in the building.¹¹²
- On 25 October 2015, a 42 year old man threw firecrackers at an accommodation centre.¹¹³
- In Hagen-Hohenlimburg (North Rhine-Westphalia), an arson attack against an accommodation centre occurred. 14 persons in need of international protection had to be treated. No one had to be brought to the hospital.¹¹⁴

¹¹⁰ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

¹¹¹ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

¹¹² Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

¹¹³ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

¹¹⁴ Amadeu Antonio Stiftung and Pro Asyl, *Chronik flüchtlingsfeindlicher Vorfälle 2015*, available at: <http://mut-gegen-rechte-gewalt.de/service/chronik-vorfaelle>.

Greece

Stakeholders contacted

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

- Ministry for Migration Policy (Υπουργείο Μεταναστευτικής Πολιτικής);
- Ministry of Health (Υπουργείο Υγείας);
- Hellenic Police Headquarters (Αρχηγείο Ελληνικής Αστυνομίας);
- Attica Aliens Directorate (Διεύθυνση Αλλοδαπών Αττικής);
- The Hellenic Coastguard (Λιμενικό Σώμα-Ελληνική Ακτοφυλακή);
- Asylum Service Greece (Υπηρεσία Ασύλου);
- Racist Violence Recording Network (Δίκτυο Καταγραφής Περιστατικών Ρατσιστικής Βίας);
- Medecins Du Monde Greece-MDM Greece (Γιατροί του Κόσμου, γραφείο Ελλάδας);
- Doctor without Borders (Medecins Sans Frontieres) Greece-MSF Greece (Γιατροί Χωρίς Σύνορα, γραφείο Ελλάδας);
- NGO METAction (ΜΚΟ ΜΕΤΑδραση).

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

Numbers and patterns of new arrivals

In the period from the 17 to 23 October 2015, over 55,000 people arrived in Greece by sea, almost 6,500 more than the previous reporting period.

Lesvos island continues to be the main point of entry, followed by Chios, Samos, Leros, Kos, Kalymnos, Rhodes, Symi and Patmos. New arrivals include mostly Syrians, followed by Afghan and Iraqi nationals.¹¹⁵ The number of daily arrivals in Lesvos and in Chios increased. Especially in Chios the number of daily arrivals is almost double (10,203) compared to the previous week (5975).¹¹⁶

On 19 and 20 October 2015, the majority of people arriving on the islands stated that they feared the closure of the border with FYROM. They had been told that this would happen in the coming days, which could explain the increasing numbers of arrivals.¹¹⁷

In Idomeni at the border with FYROM, people arrive on a daily basis by buses straight from the port of Piraeus.¹¹⁸ The highest number of people transiting the area is recorded between 15:00 to 08:00 CET. A significant number of third-

¹¹⁵ Hellenic Coastguard.

¹¹⁶ Hellenic Coastguard.

¹¹⁷ NGO PRAKSIS.

¹¹⁸ The port of Piraeus is the largest Greek seaport.

country nationals transiting the area of Idomeni spoke fluently the Greek language, which means that they were not newcomers.¹¹⁹

Asylum applications and registration

The total number of asylum applications for the week of 19-23 October 2015 was 238¹²⁰, including seven unaccompanied children. The main region of registration was Attica, followed by Thessaloniki, South and North Evros, Rhodes, Amygdaleza, Lesbos and Patras.

The majority of applicants were 18-34 years of age. They originated from Albania (42), Pakistan (42), Syria (40), Afghanistan (25), Georgia (15), Iraq (13), Bangladesh (12), Egypt (12), Nigeria (5), China (3), Senegal (3), Eritrea (3), Russian Federation (2), Moldova (2), Ukraine (2), Somalia (2), India (2), Togo (2), Armenia (2), Gabon (1), Ghana (1), Guinea (1), Ethiopia (1), Sudan (1), Turkey (1), Sierra Leone (1), Tanzania (1), Zimbabwe (1).¹²¹

The main countries of origin are Syria with a 100 % recognition rate at first instance, followed by Afghanistan with 63 % and Pakistan with 3 % recognition rate.¹²²

EASO started to support the relocation process through the deployment of experts to Athens and the islands.¹²³

In view of the beginning of the relocation procedure, the Asylum Service is distributing a leaflet in English, Greek and Arabic, providing information on how the relocation procedure is going to work. The leaflet will be ready in early November and will be distributed by civil society and NGOs.¹²⁴

Criminal proceedings against irregular border crossing

No criminal proceedings were initiated against third-country nationals for irregular border crossing. The Greek authorities proceeded to prosecute only cases of suspects involved in smuggling.¹²⁵

Returns

The total number of forced returns for the week of 19-25 October 2015 was 31. The majority concerned Albanian nationals, followed by Georgian, Moldavian and Serbian.¹²⁶

¹¹⁹ NGO PRAKSIS.

¹²⁰ The Asylum Service did not provide information on whether the asylum seekers were new arrivals.

¹²¹ Asylum Service.

¹²² Asylum Service. The Asylum Service provided the recognition rate statistics, based on data from decisions (at first instance) until 30 September 2015.

¹²³ UNHCR Update #7 Europe's Refugee Emergency Response, 16 to 22 October 2015.

¹²⁴ Asylum Service.

¹²⁵ Hellenic Police Headquarters.

¹²⁶ Attica Aliens Directorate.

Unaccompanied and separated children

The majority of unaccompanied children arriving to the Greek islands stated that they were adults, in order to complete the registration procedure faster and avoid referral to reception facilities.¹²⁷

The children accommodated in reception facilities continued to abscond even within a day from their referral.¹²⁸

Between 19 and 25 October 2015, the NGO METAction escorted 54 unaccompanied and separated children from the country's entry points to accommodation centres in mainland Greece. The majority of children were Syrian nationals, followed by Afghan nationals. Their average age was 10 to 15 years and three were girls.¹²⁹

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

The registration procedure on the islands with the highest number of arrivals keeps changing.¹³⁰ Generally, Syrian nationals and vulnerable groups of third country nationals are given priority in the registration procedure. However, due to the high number of arrivals serious gaps continue to exist in the identification and referral of vulnerable groups. More specifically, the separation of nationalities in reception facilities in Lesvos changes on a daily basis. From 19 to 20 October 2015 the registration procedure was conducted only in Moria camp. Syrian nationals were registered in the First Reception Centre and other nationalities in the area of the pre-removal centre. On 20 October 2015, the authorities (re)opened the Kara Tepe camp only for the registration of Syrian families with children because of the high number of arrivals. However, on the same day authorities started to register adult men in that location as well. On 23 October 2015 there were no Syrian nationals for registration in the First Reception Centre and the authorities allowed Afghan nationals to be registered. The authorities later prohibited their registration so that only Syrian nationals could be prioritised. Afghan nationals continued their registration procedure in the area of the pre-removal centre.¹³¹

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

Reception conditions and capacity

On 23 October 2015, 600 people were hosted at the temporary accommodation centres at Galatsi stadium; 450 people were hosted in the accommodation facility in Elaionas; none were hosted in the hockey field in Elliniko. The fact that the hockey field in Elliniko was empty is attributed to its distance from the city centre. On 25 October 2015, worsening weather conditions and the high number of new

¹²⁷ NGO PRAKSIS.

¹²⁸ NGO PRAKSIS.

¹²⁹ NGO METAction.

¹³⁰ Medecins Sans Frontieres Greece; NGO PRAKSIS.

¹³¹ Medecins Du Monde Greece.

arrivals put temporary reception capacities under severe strain. On 24 October 2015, more than 5,000 people had arrived from the islands to the Attica region.¹³² More specifically, the Galatsi stadium reached maximum capacity hosting 1000 people; the accommodation facility in Elaionas hosted a number of people (1,000) which is double its current capacity (500) and the hockey field in Elliniko reached its maximum capacity (700).¹³³

The bad weather deteriorated the reception conditions on the islands. The heavy rain in Samos destroyed all tents hosting newcomers placed next to the main port, while in Lesvos more than 1,000 people were waiting outside the registration site of Moria without proper shelter, food and water in dire conditions. To protect newcomers from the bad weather conditions the authorities opened a swimming pool in Lesvos and two closed public gyms in Chios. The swimming pool in Lesvos can accommodate 500 people and the gyms in Chios about 700 people.¹³⁴ These temporary accommodation shelters stayed open from 21-23 October 2015.¹³⁵ The informal temporary shelter in Leros is particularly overcrowded.¹³⁶

UNHCR leads the coordination of humanitarian partners in Kara Tepe in Lesvos, where registration for Syrians was resumed on 20 October 2015.¹³⁷

Child protection

There is still a lack of appropriate shelters for children in almost all sea locations. Children are kept in police custody before being transferred to open reception facilities in the mainland. The transit facility for children in Kos is not operational yet.¹³⁸

Healthcare

The General Secretariat of Public Health undertook the coordination of healthcare provision in Galatsi stadium in cooperation with humanitarian actors.

The General Secretariat of Public Health plans to establish medical cards for new arrivals within the next 15 days. The medical card will be provided to new arrivals at the country's entry points and will allow access to health services and the prescription of medication.¹³⁹

On 22 October 2015, MSF teams treated 53 people in Moria camp. Seven of them suffered symptoms of hypothermia and exhaustion due to the fact that they had to queue for registration for 3 days in the rain, with no access to food, shelter or warm clothes.¹⁴⁰

On 20 October 2015, the NGO PRAKSIS set up a mobile unit providing healthcare services in Samos and has examined more than 150 people since then.¹⁴¹

¹³² Ministry for Migration Policy.

¹³³ Ministry for Migration Policy.

¹³⁴ Medecins Sans Frontieres Greece.

¹³⁵ Medecins Du Monde Greece.

¹³⁶ UNHCR Update #7 Europe's Refugee Emergency Response, 16 to 22 October 2015.

¹³⁷ UNHCR Update #7 Europe's Refugee Emergency Response, 16 to 22 October 2015.

¹³⁸ NGO PRAKSIS.

¹³⁹ Ministry of Health.

¹⁴⁰ Medecins Sans Frontieres Greece.

¹⁴¹ NGO PRAKSIS.

Immigration detention

The current capacity of pre-removal centres in Greece is 5,157. On 25 October 2015, the total number of detainees was 534 people, 115 of whom were asylum seekers. The total capacity for all pre-removal centres, screening centres and the First Reception Centre (Orestiada) is 5,856. At present, there are over 2,200 people in immigration detention, which means 38 % occupancy rate. In Samos the screening centre is still overcrowded with nearly 1300 people accommodated there, when its official capacity is limited to 285. On 23 October 2015, two children were placed in detention in a special facility for children in the pre-removal centre of Amygdaleza.¹⁴² The number of detainees in pre-removal centres has decreased compared to the previous week. On 25 October 2015, only 16 individuals were detained in the pre-removal centre in Korinthos, which has a capacity of 1024 individuals. The reasons for this are a) the difficulties regarding the provision of food in all pre-removal centres across the country and b) the fact that detention is only applied for reasons of public security.¹⁴³

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

Rallies and incidents

On 24 and on 25 October 2015 the “Break the Chain” festival took place in Athens during the European Day against Human Trafficking. The festival aimed at informing and raising public awareness on issues related to trafficking and exploitation of people by people as a part of “Break the Chain” initiative of the National Rapporteur on Trafficking (Ministry of Foreign Affairs) in collaboration with the Municipality of Athens.¹⁴⁴

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 21 October 2015, the Maritime Rescue Coordination Centre (MRCC) of Ankara informed MRCC Greece that a wooden boat, which had sailed from the Turkish coast carrying 30 people, capsized. 14 people were missing at

¹⁴² Hellenic Police Headquarters-Irregular Migration Division.

¹⁴³ NGO PRAKSIS.

¹⁴⁴ Technopolis-City of Athens (Τεχνόπολις-Δήμου Αθηναίων), available at: [http://www.technopolis-athens.com/web/guest/events/~ /eventsbrowser/15656/7227/0/0?p_p_action=1&_bs_events_browser_loadaction=view&_bs_events_browser_eventStartDate=24%2F10%2F2015&_bs_events_browser_eventEndDate=25%2F10%2F2015&_bs_events_browser_redirect=%2Fweb%2Fquest%2Fevents%2F~%2Ftopic%2F7227&](http://www.technopolis-athens.com/web/guest/events/~ /eventsbrowser/15656/7227/0/0?p_p_action=1&_bs_events_browser_loadaction=view&_bs_events_browser_eventStartDate=24%2F10%2F2015&_bs_events_browser_eventEndDate=25%2F10%2F2015&_bs_events_browser_redirect=%2Fweb%2Fquest%2Fevents%2F~%2Ftopic%2F7227&_).

sea. Under the MRCC Greece coordination a search and rescue operation was organised in the sea within the Greek territorial waters. On 22 October 2015, one out of the 14 missing individuals, a 32 year old man, was found unharmed by a passing boat carrying third-country nationals. No further information was available.¹⁴⁵

- On 25 October 2015, the MRCC Greece was informed by Mitelene's Coastguard that a boat carrying 63 people ran into rocks in the sea area of north Lesvos. 53 were rescued, 7 were missing at sea and 3 corpses were recovered (1 woman and 2 children).¹⁴⁶ UNHCR reached out to shipwreck survivors to provide legal support, accommodation, food, transportation and other assistance.¹⁴⁷

¹⁴⁵ Hellenic Coastguard.

¹⁴⁶ Hellenic Coastguard.

¹⁴⁷ UNHCR Update #7 Europe's Refugee Emergency Response, 16 to 22 October 2015.

Hungary

Stakeholders contacted

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

- United Nations' High Commissioner for Refugees (UNHCR) Hungary;
- Hungarian Helsinki Committee (*Magyar Helsinki Bizottság*);
- Hungarian Association for Migrants (*Menedék Migránsokat Segítő Egyesület*);
- Migration Aid, based in Budapest;
- Ministry of Internal Affairs (*Belügyminisztérium*);
- Ministry of Human Capacities (*Emberi Erőforrások Minisztériuma*);
- National Police Headquarters (*Országos Rendőr-főkapitányság*);
- General Attorney's Office (*Legfőbb Ügyészség*);
- Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal*) (headquarters in Budapest);
- County Court of Szeged (*Szegedi Törvényszék*);
- County Court of Zalaegerszeg (*Zalaegerszegi Törvényszék*);
- County Court of Pécs (*Pécsi Törvényszék*).

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

Numbers and patterns of new arrivals

Due to the closure of the Hungarian border with Croatia and Serbia, the number of new arrivals dramatically decreased. Around 200 people crossed the border into Hungary compared to almost 34,000 people the previous week (12-18 October 2015).¹⁴⁸

Since 17 October 2015, when Hungary closed the border with Croatia, only seven people entered the country from the border with Croatia. Mostly, new arrivals (150 people) entered from the Hungarian-Serbian border, some 70 people entered through the Slovenian or Ukrainian borders. Arrivals originated mainly from Afghanistan, Kosovo and Syria. 78 % were men, 22 % were women. With respect to their age, almost 20 % of the new arrivals were under 14 years old, around 14 % were between 14-17 years old, more than 48 % were between 18-34 years old, and 18 % were between 35-64 years old.¹⁴⁹

¹⁴⁸ National Police Headquarters, Press Department.

¹⁴⁹ Office of Immigration and Nationality.

Asylum applications and registration

Between 19 and 25 October 2015, nearly 120 people applied for asylum in Hungary: they majority were from Afghanistan, followed by Kosovo, Syria, Turkey, Pakistan, Iraq, Sri Lanka, Albania, Algeria, Iran, Nigeria and Sudan. For the sake of comparison, the total number of applications filed in 2015 (between 1 January and 25 October) is close to 177,000.¹⁵⁰ There is no information on how many new arrivals sought asylum in Hungary. Among the 120 new asylum applications, there are people who are under criminal proceedings on charges of irregular border crossing.

At present, 454 asylum seekers are in Hungary waiting for the Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal; Office*) to decide on their claims for asylum or protection.¹⁵¹ Between 19 and 25 October 2015, 19 positive decisions (accepting the asylum claim) and 57 negative decisions (rejecting the claim) were made. In 5,244 cases the Office terminated the process, as the applicants had left the country.¹⁵² No data regarding the starting date of these terminated proceedings are available. Most of these proceedings had started prior to the reporting period.

In the reporting period, two appeals were submitted to the Administrative and Labour Court of Szeged (*Szegedi Közigazgatási és Munkaügyi Bíróság*) against the decisions of the Office of Immigration and Nationality. One concerned the asylum decision and the other related to a detention decision.¹⁵³

Criminal proceedings against irregular border crossing and facilitation of irregular migration

Irregular border crossing

Almost half of the new arrivals were apprehended by the police as they were suspected to have committed the crime of unauthorised border crossing when they had climbed over the fences installed at the Serbian-Hungarian and the Croatian-Hungarian borders. Criminal proceedings were initiated by the police against 91 people (out of the 227 new arrivals) during the reporting period on charges of unauthorised border fence crossing (*határzár tiltott átlépése*).¹⁵⁴ This constitutes a slight increase in numbers compared to the previous reporting period (82 criminal procedures were initiated between 12 and 18 October 2015). The prosecutor pressed charges against 79 people. In the period from 15 September

¹⁵⁰ Office of Immigration and Nationality.

¹⁵¹ Ministry of Internal Affairs.

¹⁵² Office of Immigration and Nationality.

¹⁵³ County Court of Szeged, Press Department.

¹⁵⁴ The provision of unauthorised border crossing as offence is set out in Article 352/A of Act C of 2012 on the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről; Criminal Code*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=152383.297990#foot_121_place. The provision was introduced in the Criminal Code by Act CXL of 2015 on the amendment of certain laws as a result of the migrant situation (*2015. évi CXL. törvény egyes törvényeknek a tömeges bevándorlás kezelésével összefüggő módosításáról; Act CXL of 2015*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=177552.298006. Act CXL of 2015 entered into force on 15 September 2015.

to 22 October 2015, UNHCR estimates that 825 criminal proceedings have been launched against people irregularly crossing the Hungarian borders.¹⁵⁵

The District Court of Szeged (*Szegedi Járásbíróság*) held 83 criminal trials in the reporting period. In 82 cases, the Court found the defendants guilty of unauthorised border crossing. Fifty-four persons received a one-year entry ban; 27 persons a two-year entry ban; one person a three-year entry ban. In the majority of cases the Court expelled the defendants to Serbia. Readmission procedures are long as they can take up to 50 days. People wait for their deportation in detention; men are accommodated in penal institutions, women and juveniles are accommodated in detention centres. In one case, the Court sent the case back to the prosecutor for further investigation. None of the defendants appealed against the decisions, therefore the judgments are final. All the defendants made a statement right after the verdict that they would waive their right to appeal. Only one defendant requested the translation of the Court's verdict in writing, the others were satisfied with the oral translation of the judgments. The defendants were nationals of Kosovo, Iraq and Albania.¹⁵⁶

Preparations for trying cases of unauthorised border crossing are ongoing. The District Courts of Pécs and Zalaegerszeg (*Pécsi Járásbíróság*, *Zalaegerszegi Járásbíróság*) in the first instance level and the County Courts of Pécs and Zalaegerszeg (*Pécsi Törvényszék*, *Zalaegerszegi Törvényszék*) in the appellate level made preparations for conducting trials against people suspected of having committed the crime of unauthorised border crossing at the border with Croatia (Zala, Somogy and Baranya counties). The County Court of Zalaegerszeg (*Zalaegerszegi Törvényszék*) assigned four courtrooms to conduct these trials. One courtroom is equipped with closed-circuit video technology in case the defendants would be heard while being in the transit zones (Röszke and Tompa) during the trials. The Court established a separate area to host children accompanying the defendants, and posted English language leaflets and information sheets about the procedural rules and the facilities of the courthouse. Five judges were assigned to trial the cases of unauthorised border crossing and two of them are also on duty during the weekends. The District Court of Pécs assigned seven courtrooms for the trials against irregular migrants. There were no trials held against defendants who committed the crime of unauthorised border crossing in Pécs and Zalaegerszeg in the reporting period.

On 19 October 2015, the Eötvös Károly Institute (*Eötvös Károly Intézet*),¹⁵⁷ an institute established by the Soros Foundation, raised several concerns in relation to the criminal procedures launched against persons having irregularly crossed the Hungarian/Serbian border. Firstly, despite foreseen by law, the defendants do not automatically get translated written versions of the accusation and of the court's decision.¹⁵⁸ Secondly, the Head of the National Judiciary Office (*Országos Bírósági*

¹⁵⁵ UNHCR Update #7 Europe's Refugee Emergency Response, 16 to 22 October 2015.

¹⁵⁶ County Court of Szeged, Press Department.

¹⁵⁷ The Eötvös Károly Institute (*Eötvös Károly Intézet*) was established in January 2003 by the Soros Foundation to provide an institutional framework for shaping democratic public affairs in Hungary. The Institute's website is available at: http://ekint.org/ekint/ekint_angol_head_page?nodeid=27.

¹⁵⁸ Article 9 paragraph 4 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.

Hivatal)¹⁵⁹ has exclusive jurisdiction to appoint judges for those cases.¹⁶⁰ The Law, however, does not indicate the requirements and criteria of the selection. Ten of the appointed judges have been selected from a pool of judges who are currently under an initial probationary contract valid only for a limited period of time.¹⁶¹ Therefore, the Institute believes that their judicial independence can be undermined. Finally, by law, judicial clerks are appointed to try the appeals against the Office of Immigration and Nationality's in decisions rejecting asylum claims.¹⁶² Their appointment might also question their independence concerns as judicial clerks- being under probation- may be more loyal to the Government than judges with an unlimited contract.

The Civil Coalition for Children's Rights (*Gyermekjogi Civil Koalíció*), a forum consisting of 24 Hungarian civil society organisations protecting the rights of children, voiced concerns against the law on criminal procedures with regard to children committing the crime of unauthorised border crossing.¹⁶³ In cases of unauthorised border crossing, the law suspends the special rules of the Hungarian criminal procedural law protecting the interests of those defendants who are 14-18 years old. Therefore, children are treated as adults in these cases. In particular, the courts are not obliged to provide for a legal guardian for these children and the parents cannot exercise the children's rights on their behalf. In addition, the court does not have to ask for documentary evidence to establish the age of the defendant.¹⁶⁴

Civil society organisations also continue to criticise the Hungarian system and law criminalising irregular border crossing. Some organisations also reported that the lawyers appointed by the Court do not do much to defend cases.¹⁶⁵ Appointed lawyers tend not to refer to individual circumstances of the case, instead, they refer to general circumstances that may be applied in most of the criminal cases.¹⁶⁶

In Nagyfa, on 23 October 10 migrants who were found guilty of unauthorised border crossing blocked the doors of their cells in the detention facility where they were waiting for the execution of the court's expulsion decision. The detained migrants damaged the heating system and other items in their cells and did not

¹⁵⁹ Website of the National Judiciary Office (*Országos Bírósági Hivatal*) is available at: <http://birosag.hu/obh>.

¹⁶⁰ Article 542/J 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.

¹⁶¹ Article 23 paragraph 1 of Act CLXII of 2011 on the legal status and remuneration of judges (*2011. évi CLXII. törvény a bírák jogállásáról és javadalmazásáról*) available at: <http://net.jogtar.hu/jr/gen/getdoc2.cgi?dbnum=1&docid=A1100162.TV>.

¹⁶² Article 71/A paragraph 9 of Act LXXX of 2007 on the right to asylum (*2007. évi LXXX. törvény a menedékjogról*) available at: http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0700080.TV.

¹⁶³ The Civil Coalition for Children's Rights is worried (*Aggódik a Gyermekjogi Civil Koalíció*), available at: <http://unicef.hu/aggodik-a-gyermekjogi-civil-koalicio/>.

¹⁶⁴ Article 542/L 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.

¹⁶⁵ Helsinki Committee.

¹⁶⁶ Helsinki Committee.

open the doors for almost a day. The prosecutor initiated pre-trial detention of the perpetrators and pressed charges against them.¹⁶⁷

Facilitation of irregular migration

In the reporting period, in four instances, Hungarian and Serbian nationals were stopped by the police as they were helping irregular migrants enter Hungary through the fences at the Serbian borders in Csongrád County. The police did not initiate criminal procedures against them, they just warned the helpers about the provisions in the law.¹⁶⁸

On 21 October 2015, the Prosecutor pressed charges against three Bulgarian nationals who committed the crime of human trafficking in August 2015. They hid 18 people in their cars, travelled in convoy and tried to get the foreigners to Germany.¹⁶⁹

Returns

In the reporting period, Hungary and Serbia agreed on the readmission of those sentenced to expulsion (either under a return decision or under criminal charges). The readmission agreement, however, involves only 10 people a day.¹⁷⁰ Under normal circumstances, people sentenced to deportation should be held for 72 hours in detention centres after their trials while awaiting for removal to the country from which they entered. If conditions for expulsion do not exist, the court can extend the detention time by up to 60 days or even up to a maximum of six months.¹⁷¹ As Serbia is not willing to readmit all people concerned, around 400 people have been waiting for deportation in penal institutions and detention centres for weeks.¹⁷² Civil society organisations expressed concern that asylum seekers are typically detained whilst the court did not even sanction them with imprisonment.¹⁷³

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.¹⁷⁴

¹⁶⁷ Hungarian prosecutor, Sixty-two illegal migrants are before the court during the long weekend (*Hatvankét illegális bevándorló bíróság előtt a hosszú hétvégén*), 26 October 2015, available at: <http://mklu.hu/hnlp14/?p=23339>.

¹⁶⁸ National Police Headquarters.

¹⁶⁹ Hungarian prosecutor, Human traffickers transported foreigners in convoy - charges (*Konvojban szállították a külföldieket az embercsempészek – vádemelés*), 21 October 2015, is available at: <http://mklu.hu/hnlp14/?p=23221>.

¹⁷⁰ Ministry of Internal Affairs.

¹⁷¹ Article 31/A paragraph 6 of Act LXXX of 2007 on the right to asylum (*2007. évi LXXX. törvény a menedékjogról*) available at: http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0700080.TV.

¹⁷² Helsinki Committee.

¹⁷³ Helsinki Committee, UNHCR Hungary.

¹⁷⁴ Office of Immigration and Nationality, Helsinki Committee, UNHCR Hungary.

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

Reception conditions and capacity

People may submit their claims for asylum in four transit zones at the southern borders of Hungary. Transit zones in Röszke and Tompa accept claims at the Serbian border, transit zones in Letenye and Beremend accept claims at the Croatian border. All four transit zones have containers to accommodate 10-15 people for the duration of the asylum procedure. In the reporting period, the number of asylum seekers accommodated in these containers never reached their maximum capacity.¹⁷⁵

The total capacity of the four refugee camps (Bicske, Debrecen, Vámosszabadi, Nagyfa) assigned to accommodate asylum seekers in the country is currently 1,913. 164 asylum seekers were accommodated in Bicske, 132 in Debrecen, 156 in Vámosszabadi and two in Nagyfa on 22 October 2015.¹⁷⁶ The number of asylum seekers (454) is well below the maximum capacity of these institutions, therefore reception conditions are adequate.¹⁷⁷

Child protection

The two institutions that take care of unaccompanied immigrant children in Fót and Hódmezővásárhely did not accommodate new arrivals in the reporting period.¹⁷⁸

Healthcare

Asylum seekers submitting their claims in one of the four transit zones go through a medical examination on site.¹⁷⁹ Those submitting an asylum claim in the detention centres or refugee camps do not always receive a medical check. On 21 October 2015, the Chief Medical Officer (*Országos Tisztifőorvos*) announced that the current situation does not require that all asylum seekers receive a medical examination.¹⁸⁰

Immigration detention

Around 400 people are in immigration detention waiting for their deportation;¹⁸¹ those found guilty of unauthorised border crossing are detained in penal institutions. Forty-two migrants (all adults) were put into immigration detention during the reporting period.

¹⁷⁵ Office of Immigration and Nationality.

¹⁷⁶ Ministry of Internal Affairs.

¹⁷⁷ Helsinki Committee.

¹⁷⁸ Ministry of Human Capacities.

¹⁷⁹ Ministry of Internal Affairs.

¹⁸⁰ HVG, According to the Chief Medical Officer, no mandatory health examination of the refugees is necessary (*Nem kell kötelező szűrés a menekülteknél a tiszti főorvos szerint*), 21 October 2015, available at:

http://hvg.hu/itthon/20151021_Nem_kell_kotelezo_szures_a_menekulteknel.

¹⁸¹ Office of Immigration and Nationality.

In penal institutions, migrants convicted of irregular border crossing are kept separated from other detainees. Asylum seekers whose claim was rejected and all women and children – including those accused of unauthorised border crossing – are accommodated in immigration detention centres. These centres are managed by the Office of Immigration and Nationality, while penal institutions are under the responsibility of the Hungarian Prison Service Headquarters (*Büntetés-végrehajtás Országos Parancsnoksága*). Free movement inside a penal institution is much more limited than in the detention centres.¹⁸²

In immigration detention centres of Kiskunhalas, Nyírbátor, Nagyfa and Vác, conditions seem to be adequate and satisfactory. However, many people had no shoes (only slippers were provided)¹⁸³ and access to medical care is insufficient.¹⁸⁴

There is a general frustration among detainees due lack of clarity and information on the return /readmission procedure. In some cases they are detained more than 50 days waiting to be returned or readmitted.

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

NGO humanitarian activities

Hungarian NGOs continue to focus on detention centres and penal institutions where migrants and asylum seekers who are waiting for their expulsion are being held. They regularly supply detained people with clothing items and they also inform them about their rights in the current situation.¹⁸⁵ Due to the low number of new arrivals in Hungary, humanitarian activities take place mostly at the Croatian-Slovenian border.¹⁸⁶

Voluntary initiatives

Migration Aid (a group of volunteers organised on Facebook in June 2015) asked for the support of volunteers via Facebook on 19 October 2015 to support the quick establishment of a crisis centre at Letenye (transit zone at the Croatian border).¹⁸⁷ The crisis centre has been assisting people who are stationed at the Slovenian-Croatian border efficiently and continuously since 21 October 2015. The centre is also helping those who cross to Hungary. However, there was very little

¹⁸² General Attorney's Office.

¹⁸³ Helsinki Committee, Hungarian Islamic Community. A short report on their findings titled 'Refugees Deported by Hungary Left 'In Limbo'' is available at: <http://www.balkaninsight.com/en/article/refugees-deported-by-hungary-left-in-limbo--10-21-2015>.

¹⁸⁴ UNHCR Hungary.

¹⁸⁵ Helsinki Committee, Migration Aid.

¹⁸⁶ Migration Aid; UNHCR Hungary.

¹⁸⁷ Facebook post on Migration Aid's Timeline titled 'The Situation at the Southern Borders of Hungary is Getting Worse Quickly' (*Drámaian romlik a helyzet a déli határainknál*), available at: <https://www.facebook.com/migrationaidhungary/posts/473825919486326:0>.

need for these services as only a few people arrived from Croatia in the reporting period.¹⁸⁸

Other activities

The Institute of Psychology at Eötvös Loránd University in Budapest (*Eötvös Loránd Tudományegyetem Pszichológiai Intézete*) launched a survey to understand why the traditionally very passive Hungarian society has become so active in helping and assisting asylum seekers and refugees in the past few months. The survey asks volunteers who helped asylum seekers and refugees to participate in the research.¹⁸⁹

Legal and policy responses, including any changes to the law

On 21 October 2015, a new measure (Order) was adopted by the Ministry of the Interior¹⁹⁰ to regulate how public authorities may accept donations. It lists the responsible staff, who can accept or reject the donations. It also foresees a duty of registration and inspection of each donation.

On 20 October 2015, the Hungarian Parliament adopted a new law on health¹⁹¹ that authorises the Chief Medical Officer to order the mandatory health examination of all asylum seekers in case a public health crisis is suspected. The Act is waiting promulgation.

By a ministerial decree, the Röske-Horgos border crossing station reopened on 22 October 2015.¹⁹²

In Hungary, 50 Slovakian police were deployed on 20 October 2015 in order to assist Hungarian border patrols and to guard the fences at the Serbian-Croatian border.¹⁹³ The Slovakian policemen are assigned for 12-hour shifts to escort two Hungarian policemen and one Hungarian soldier in a patrol.¹⁹⁴

¹⁸⁸ Migration Aid.

¹⁸⁹ The survey is available at: https://telaviv.eu.qualtrics.com/jfe/form/SV_233SI4gPhIPoldH.

¹⁹⁰ Order no. 30/2015. (X. 21.) of the Minister of Internal Affairs on accepting donations offered to bodies governed by the Minister of Internal Affairs with respect to the refugee crisis (30/2015. (X.21.) *BM utasítás a tömeges bevándorlás okozta válsághelyzet kezelésében részt vevő, a belügyminiszter irányítása alatt álló szervezetek részére felajánlott adományok elfogadásának rendjéről*), available at: <http://magyarkozlony.hu/hivatalos-lapok/010a457355f238d78528b2a0da888b4128d84eca/dokumentumok/e42b11e2440b892e30d0f91873a0243f8f01aae2/letoltes>.

¹⁹¹ Legislative Proposal no. T/6398. on amending Act CLIV of 1997 about health law (*T/6398 törvényjavaslat az egészségügyről szóló 1997. évi CLIV. törvény módosításáról*) is available at: <http://www.parlament.hu/irom40/06398/06398.pdf>.

¹⁹² Video about the incident titled 'Battle at the border in Horgos' (*Csata a horgosi határon*) is available at: http://index.hu/video/2015/09/17/osszecsapas_roszke/.

¹⁹³ 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: magyarkozlony.hu/dokumentumok/217825da702a1a0ad8b44004f2ae5e2bafa95511/megte_kintes.

¹⁹⁴ Híradó, The Slovakian policemen have arrived (*Megjöttek a szlovák rendőrök*), 20 October 2015, available at: <http://www.hirado.hu/2015/10/20/konnygazt-vetett-be-a-szloven-rendorseg/>.

Italy

Stakeholders contacted

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

- Ministry of the Interior, Public Security Department, Directorate General for Immigration and Border Police (Ministero dell'Interno, Dipartimento della Pubblica Sicurezza, Direzione centrale dell'Immigrazione e della Polizia delle Frontiere);
- NGO 'Medici Senza Frontiere Italia', Doctor without Borders, (MSF Italia);
- Save the Children Italia Onlus;
- Association for Legal Studies on Immigration (Associazione per gli Studi Giuridici sull'Immigrazione, ASGI);
- UNHCR- Italy.

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

Numbers and patterns of new arrivals

From 19 to 25 October 2015, around 2,000 people¹⁹⁵ arrived in Italy, twice as many compared to the previous week. According to other sources, the number of arrivals and people rescued is nearly 1,600.

According to UNHCR, over 139,000 asylum seekers and irregular migrants arrived in Italy in the period 1 January 2015 to 22 October 2015. The main nationalities included Eritreans (27 %), Nigerians (14 %), Somalis (8 %), Sudanese (6 %) and Syrians (5 %).

Several rescued operations took place in the reporting period.

On 19 October 2015, the Norwegian ship '*Siem Pilot*' disembarked nearly 700 people in Cagliari (Sardinia).¹⁹⁶ The majority were men. The group included five pregnant women and 30 children. Arrivals originated mainly from Nigeria, Mali, Senegal and Gambia.¹⁹⁷

On 20 October 2015, the ships '*Dignity I*' and '*Bourbon Argos*' of Doctor without Borders (MSF) rescued 113 and 106 people (mainly Nigerians) respectively, under the coordination of the Italian Maritime Rescue Coordination Centre.¹⁹⁸ On

¹⁹⁵ Ministry of the Interior, Civil Liberties and Immigration Department.

¹⁹⁶ Information available on the Twitter account of the Norwegian police (@Kripos_NCIS).

¹⁹⁷ Other new arrivals came from: Guinea (48), Côte d'Ivoire (34), Ghana (32), Niger (19), Eritrea (11), Cameroon (10), Burkina Faso (nine), Togo (five), Morocco (three), Congo (two), Sudan (five), Ethiopia (four) Somalia (three), and Sierra Leone (two). Information available at: <http://www.sardiniapost.it/cronaca/cagliari-arrivata-al-porto-la-siem-pilot-a-bordo-ci-sono-662-migranti/>.

¹⁹⁸ Information available on the Twitter accounts of the Italian Coast Guard (@guardiacostiera) and of MSF (@MSF_sea).

21 October 2015, Dignity I disembarked around 200 people (including around 10 children) in Pozzallo.¹⁹⁹

On 21 October 2015, the Spanish Ship 'Rio Segura' disembarked around 600 people in Taranto, they had been rescued during the previous week by MSF's and the Italian Navy's ships. Among them, there were about 80 women, 40 children, and eight corpses.²⁰⁰ On the same day, the Italian Navy's ship 'Cigala Fulgosi' rescued around 60 people (including women and children).²⁰¹

On 21 October 2015, the Ministry of the Interior released its report on the reception of asylum seekers and refugees in Italy.²⁰² According to the report, Syrians are no longer the main nationality (more than 7,100 Syrians arrived in Italy in 2015 from 1 January to 10 October as compared to 42,300 in 2014). The number of Nigerians has been growing significantly in 2015. Furthermore, the report provides information on unaccompanied children and reception conditions.

Asylum applications and registration

Data on asylum applications for the week from 19 to 25 October 2015 have not been provided by the Ministry of Interior.²⁰³

Criminal proceedings against irregular border crossing

On 19 October 2015, when the Norwegian ship '*Siem Pilot*' arrived in Cagliari, four men were arrested on charges of aiding and abetting non-EU citizens' irregular entry into the national territory (Article 12 of Legislative Decree No. 286 of 25 July 1998, Consolidated text of provisions governing immigration and the status of aliens)²⁰⁴. On 22 October 2015, the Italian Navy's ships 'Le Penne' and 'Fasan' carried out an offshore operation under the coordination of the Prosecutor's Office of Syracuse (Sicily). The Italian Navy blocked and monitored two ships with 17 smugglers on board.²⁰⁵

Unaccompanied and separated children

According to the above mentioned report by the Ministry of the Interior on the reception of asylum seekers and refugees, in 2015 (up to 10 October 2015) unaccompanied children amounted to more than 70% of all children arrived in Italy (in 2014, these were 50 % of the children who arrived). However, the overall figures are decreasing: around 26,000 children arrived in 2014 (about half of whom were unaccompanied); around 14,000 arrived from January to

¹⁹⁹ Information available on the Twitter account of MSF (@MSF_sea).

²⁰⁰ Spanish Ministry of the Interior, *La embarcación Río Segura de la Guardia Civil colabora en el rescate de 633 inmigrantes cerca de la costa norte de Libia*, 19 October 2015, available at: http://www.interior.gob.es/prensa/noticias/-/asset_publisher/GHU8Ap6ztgsg/content/id/4870946.

²⁰¹ Information available on the Twitter account of the Italian Navy (@ItalianNavy).

²⁰² Ministry of the Interior, *Rapporto sull'accoglienza di migranti e rifugiati in Italia. Aspetti, procedure, problemi*, available at: <http://www.interno.gov.it/it/notizie/sistema-accoglienza-oggi-rapporto-qualificato-e-aggiornato-aspetti-procedure-e-problemi>.

²⁰³ Ministry of the Interior, Civil Liberties and Immigration Department.

²⁰⁴ Sardinia Post, Cagliari, in manette 4 presunti scafisti arrivati coi migrant della Siem Pilot, 19 October 2015, available at: <http://www.sardiniapost.it/cronaca/cagliari-in-manette-4-presunti-scafisti-arrivati-coi-migranti-della-siem-pilot/>.

²⁰⁵ Information available on the Twitter account of the Italian Navy (@ItalianNavy).

10 October 2015 (more than 10,300 of whom were unaccompanied). The figures provided above have been registered by police authorities. The report points out that several authorities register data on children.

The reception facilities of the Ministry of the Interior and of the Central Service for the National Asylum Seekers and Refugees Protection System (*Servizio centrale del sistema di protezione per richiedenti asilo e rifugiati*, SPRAR) host, respectively, around 1,700 and 1,300 children asylum seekers. In addition, the unaccompanied children registered by the Ministry of Labour and Social Policies were around 14,200 in 2014 and 14,400 in 2015 (as of 31 August). On the same date, almost 9,000 unaccompanied children were hosted in reception facilities (95 % of whom were boys, and 81 % aged over 16 years).

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

70 asylum seekers have been relocated according to the procedures envisaged by the European Relocation Scheme. On 21 October 2015, these asylum seekers left from the Ciampino airport (Rome), heading for Sweden and Finland. Among them, were 51 people from Eritrea and 19 from Syria: the group included several children and families.²⁰⁶ This information differs slightly from that provided by UNHCR.²⁰⁷ UNHCR reported that out of a total number of 66 relocated people, there were 19 Syrians and 47 Eritreans departed respectively to Sweden and Finland.

Several organisations raised the issues of the identification of asylum seekers in the hotspots, and in general of the unclear rules regarding the hotspots themselves. In particular, people seem to be roughly and quickly profiled and then 'labelled' as asylum seekers or they are expelled without clear information.²⁰⁸

Furthermore, it is still not clear which centres are already functioning as hotspots. MSF pointed out last week that the hotspot in Pozzallo is not yet operational, whereas ASGI reports that it is.²⁰⁹ The overall impression is that there is a lack of transparency which raises concern. The uncertainty of procedures and the risk of expulsion of potential asylum seekers have been highlighted by several associations based in Sicily during a meeting with the Prefecture of Catania, which took place on 19 October 2015. The NGOs voiced concerns that the new hotspot system risks jeopardising the asylum application procedure. The representative

²⁰⁶ Ministry of the Interior, *Partiti da Ciampino 70 richiedenti asilo verso Finlandia e Svezia*, 21 October 2015, available at: <http://www.interno.gov.it/it/notizie/partiti-ciampino-altri-70-richiedenti-asilo-verso-finlandia-e-svezia>.

²⁰⁷ UNHCR Update #7 Europe's Refugee Emergency Response, 16 to 22 October 2015.

²⁰⁸ Associazione per gli Studi Giuridici sull'Immigrazione, *Fondazione migrantes: perplessità sulle procedure negli Hotspots*, 23 October 2015, available at: <http://www.asgi.it/approfondimenti-speciali/fondazione-migrantes-perplessita-sulle-procedure-negli-hotspots/>.

²⁰⁹ Medici Senza Frontiere Italia, *Espulsioni a Pozzallo: "Aspettiamo un chiarimento dalle autorità competenti."*, 16 October 2015, available at: <http://www.medicisenzafrontiere.it/notizie/comunicato-stampa/espulsioni-pozzallo-aspettiamo-un-chiarimento-dalle-autorit%C3%A0-competenti>.

from the Ministry of the Interior explained that the procedure complies with a measure promulgated by the Ministry itself on 24 September 2015.²¹⁰

With respect to the hotspots, UNHCR declared that "*EASO continues to support the relocation process through the deployment of experts to the "hotspot" of Lampedusa and other parts in Italy, providing information, counselling and support to the authorities with registration and processing of relocation applications. UNHCR supports authorities and EASO in information provision to candidates*".²¹¹

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

Reception conditions and capacity

The '*Report on the reception of migrants and refugees in Italy. Features, procedures, and challenges*' shows that in 2015 the majority of people (more than 70 %) arriving in Italy are hosted in the so-called 'special reception centers' (*Centri di Accoglienza Straordinari, CAS*), i.e. temporary facilities that have been turned into reception facilities for new arrivals, in order to tackle the significant increase in inflows. Concerning reception conditions of new arrivals, the UNHCR highlights the lack of standard procedures and of systematic referral mechanisms for people with specific needs. For this reason, UNHCR advocates for new procedure which could enhance cooperation among different actors and the standardisation of identification of persons who wish to apply for asylum following disembarkation. Services provided in reception facilities should be standardised.

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

On 24 October 2015, MSF organised a flash mob during the Rome Film Festival, in order to raise awareness on the issue of refugees' arrival by sea, as well as to claim for an effective institutional response to this problem, that could enable asylum seekers and migrants to safely reach the European coasts. MSF activists stood on the red carpet, wearing life jackets as a symbol of the people rescued while travelling by sea, and asked the European institutions to elaborate a strategy to enable asylum seekers to legally arrive in Europe and receive proper assistance²¹².

²¹⁰ Siciliamigranti, *A Catania incontro tra associazioni e istituzioni sulla questione dei respingimenti*, 20 October 2015, available at: <http://siciliamigranti.blogspot.it/2015/10/a-catania-incontro-tra-associazioni-e.html>.

²¹¹ UNHCR Update #7 Europe's Refugee Emergency Response, 16 to 22 October 2015.

²¹² Medici Senza Frontiere Italia, *"Il film che non vogliamo più vedere". Flashmob alla Festa del Cinema di Roma*, 24 October 2015, available at: <http://www.medicisenzafrotiere.it/notizie/video/il-film-che-non-vogliamo-pi%C3%B9-vedere-flashmob-alla-festa-del-cinema-di-roma>.

On 25 October 2015, Atletico Pop United, the soccer team of asylum seekers living in the area of Anzio and Nettuno (close to Rome), was invited to participate in a discussion concerning immigration and reception conditions for asylum seekers, as well as to play a match against the S.S. Lazio championship soccer team²¹³.

Legal and policy responses, including any changes to the law

Nothing new to report.

²¹³ Corriere della Sera, *Ospitati i rifugiati di Anzio e Nettuno*, 24 October 2015, available at: <http://cartadiroma.waypress.eu//RassegnaStampa/LeggiArticolo.aspx?codice=SIB6487.TIF&subcod=20151024&numPag=1&>.

Slovenia

Stakeholders contacted

The interviews were conducted via phone and email with the following stakeholders²¹⁴:

- Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*Uprava Republike Slovenije za zaščito in reševanje, URSZR*);
- The Office of the State Prosecutor General of the Republic of Slovenia (*Vrhovno državno tožilstvo Republike Slovenije*);
- Red Cross Slovenia (*Rdeči Križ Slovenije*);
- Caritas Slovenia (*Slovenska Karitas*);
- ADRA Slovenia (*ADRA Slovenija*), a humanitarian organisation established by the Seventh-day Adventist Church (*Krščanska adventistična cerkev*);
- Slovenian Philanthropy (*Slovenska Filantropija*);
- Amnesty International Slovenia (*Amnesty International Slovenije*);
- Greepeace Slovenia;
- Humanitas (NGO);
- Human rights division of the Legal Information Centre of NGOs (*Pravnoinformacijski center nevladnih organizacij, PIC*) - the UNCHR implementation partner in Slovenia;
- SLOGA, a platform for non-profit NGOs;
- The Peace Institute (*Mirovni Inštitut*);
- Hotline for reporting hate speech and child sexual abuse images on the internet "Web eye" (*Spletno oko*);
- News portal MMC RTVSLO (National radio television web portal) (*MMC RTVSLO*).

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

Numbers and patterns of new arrivals

The police reports that more than 64,000 people crossed the border into Slovenia in the period from 18 to 25 October 2015.²¹⁵

²¹⁴ Reporting period is altered (from Sunday to Saturday), because the statistical database of the police is updated every Saturday.

²¹⁵ This number was broken down by subtracting 2680 (number of people that arrived on 16 and 17 October, information provided for the previous report by the police) from 62235 (the number published in a press release from the police on 25 October 2015: *Statistical data on the number of migrants having arrived in Slovenia on 25. 10. 2015 by 6:00 today*, available in English at:

At the time of reporting, the police had registered almost 29,000 people. There were around 15,000 men, 6,000 women, 7,000 children (of which 9 children were unaccompanied). Some 16,000 people were from Syria, 6,500 from Afghanistan, 3,400 from Iraq, 800 from Pakistan, and 1,500 from other countries. They arrived by train (8,100), bus (9,900) and by foot (10,700). They wished to reach Germany (22,600), Austria (1,200), and Sweden (2,800).²¹⁶

Asylum applications and registration

Asylum was sought by five men between 17 and 24 October 2015: three from Afghanistan, one from Turkey and one unaccompanied child from Iraq.²¹⁷

Criminal proceedings or punitive sanctions against irregular border crossing

In Slovenia, irregular border crossing is not a crime. It is a petty offence/misdemeanour.²¹⁸

Unaccompanied and separated children

Due to the hectic situation when entering Slovenia (particularly at the border with Croatia), families are at times being separated. In addition, as the police are making efforts to first register children, women and the elderly, some families consequently get separated in the process. The Red Cross Slovenia (*Rdeči Križ Slovenije*) is charged with the reunification of families,²¹⁹ in the crowd at the border as well as at reception and accommodation centres.²²⁰ A tent was set up as an "inquiry service for missing and lost persons" in the accommodation centre Šentilj (exit point to the Austrian border).²²¹ The Peace Institute believes that even though a system is in place, it does not work perfectly. During the reporting period two success stories were highlighted in the media and by the police in press releases (reunification of a boy that got lost in Slovenia while his mother was in Austria,²²² and a girl stranded in Croatia, while her parents had gone ahead to Slovenia).²²³

www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/20151025_0600_Statistical_data_on_the_number_of_migrants.doc.

²¹⁶ The police, the Ministry of the Interior.

²¹⁷ The police, Ministry of the Interior.

²¹⁸ As stipulated in Articles 142 to 147 of the Aliens Act (*Zakon o tujcih*), 27 June 2011, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761.

²¹⁹ As stipulated in Article 14 of the Act on the Slovenian Red Cross (*Zakon o Rdečem križu Slovenije*), 4 February 1993, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO250.

²²⁰ The Red Cross Slovenia.

²²¹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 24 October 2015.

²²² The police, Ministry of the Interior, *Police reunite 7-year old Iraqi boy with his mother*, press release, 22 October 2015, available at: www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/20151022_Police_reunite_7_year_old_Iraqi_boy_with_his_mother.doc.

²²³ The police, Ministry of the Interior, *Pooled efforts help reunite a five-year old Afghan girl with her parents*, 24 October 2015, available at:

Problems in communication with Croatia

Until 19 October 2015, the arrival of people was under control, as stated by Mr Boštjan Šefic, State Secretary at the Ministry of Interior: "*We have fully provided for all who entered Slovenia; the reception went smoothly*" (18 October 2015). He stressed that despite Croatia's request for Slovenia to receive more than 2,500 people per day, Slovenia cannot deal with higher numbers due to its limited capacities. As the outflow of people depends on restrictions of the arrivals in Austria [...] Slovenia did not accept an additional train from Croatia with 1800 people.²²⁴

By 19 October 2015, communication with Croatia broke down: the Minister of the Interior stated that Croatia was unresponsive and would not even take calls at the operational level, "*which can present a big problem for us, as we cannot foresee the number of migrants and where to expect them*".²²⁵ By 20 October 2015 Slovenia was having "*significant difficulties in providing care and transport for the arrivals*", also because "*Croatia has failed to respect its operational agreements and is sending people to places along the green border that were not agreed upon*".²²⁶ On 21 October, more than 12,000 people "*entered Slovenia in this manner, more than have entered Hungary in any single day*".²²⁷ On 22 October 2015, new accusations were made following the Sotla river incident (more information under reported incidents below).²²⁸

Unannounced large number of arrivals continued on 23 and 24 October 2015. As stressed by the State Secretary at the Ministry of the Interior "*[t]he situation is still very difficult, but we have kept it under control through the considerable*

www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/20151024_Pooled_efforts_help_reunite_a_five-year_old_Afghan_girl_with_her_parents.doc.

²²⁴ State Secretary at the Ministry of the Interior, *Arrival of refugees and migrants is under control and in accordance with plans*, press statement, 18 October 2015, available in English at:

www.vlada.si/en/media_room/government_press_releases/press_release/article/arrival_of_refugees_and_migrants_is_under_control_and_in_accordance_with_plans_56558/.

²²⁵ Minister of the Interior, *Croatia's Conduct Inappropriate*, press statement, 19 October 2015, available in English at:

www.mnz.gov.si/en/media_room/news/article/12137/9418/d8f821198ef485a0d3c6fdb8a7d9e7b/.

²²⁶ State Secretary at the Ministry of the Interior, *Violation of agreements causing logistical difficulties*, press statement, 20 October 2015, available in English at:

www.mnz.gov.si/nc/en/media_room/news/article/12137/9423/.

²²⁷ State Secretary at the Ministry of the Interior, *Croatia putting at risk the lives of people by unannounced arrivals*, press statement, 22 October 2015, available in English at:

www.vlada.si/en/media_room/government_press_releases/press_release/article/croatia_putting_at_risk_the_lives_of_people_by_unannounced_arrivals_56631/.

²²⁸ The police, Ministry of the Interior, *Slovenian police helicopter films Croatian police officers directing migrants to Slovenia across the green border and the Sotla river*, press release, 22 October 2015, available in English at:

www.policija.si/eng/index.php/component/content/article/13-news/1739-slovenian-police-helicopter-films-croatian-police-officers-directing-migrants-to-slovenia-across-the-green-border-and-the-sotla-river.

*efforts of the police, civil protection and medical personnel and others assisting them in receiving and providing care for the arrivals."*²²⁹

Fundamental rights issue concerning initial registration and fingerprinting for Eurodac

Nothing new to report.

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

Reception conditions and capacity

Authorities were not prepared to receive so many people arriving at once. On 16 October 2015, when the influx began, there were 7,349 beds available.²³⁰ Between 18 October and 24 October 2015, every day Croatian authorities drove thousands of people to the Slovenian border and left them at different locations that many times were not agreed upon. Since the police did not know in advance where the people would arrive, no buses or humanitarian personnel awaited to help people right away. The buses were overloaded when driving people from reception to accommodation centres and were therefore not always available.²³¹ However, the Government of Slovenia is trying to reach an agreement with Croatia to bring people directly to the Dobova Reception Centre by train, so that they do not have to walk.²³²

Extreme efforts are exerted to assist new arrivals by governmental and non-governmental actors. However, due to the huge number of arrivals, the system is severely overburdened and several organisational issues are arising.²³³ People involved in helping the arrivals are experiencing signs of "burnout syndrome".²³⁴

Since 19 October 2015, the number of arrivals is much higher than the capacities of the reception centres close to the Croatian and the Austrian border (Brežice, Središče ob Dravi, Gruškovje, Dobova, and to a lesser extent Gornja Radgona and Šentilj). This results in overcrowding of the centres at the border. It should be noted that some accommodation centres in the country were empty. Registration centre Brežice, for example, has the capacity to receive up to 450 people, however, 1500 to 4,300 people have been registered at Brežice every day during the reporting period. Reception centre Dobova has the capacity to receive up to 300 people, however, 330 to 1,800 people have been registered there every day.

²²⁹ State Secretary at the Ministry of the Interior, "Last night was marked by more unannounced arrivals. The Rigonce border crossing is still under a great deal of pressure." (*Over 50,000 refugees and migrants arrived in Slovenia over last week*), press statement, 23 October 2015, available in English at: www.mnz.gov.si/nc/en/media_room/news/article/12137/9439/.

²³⁰ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 16 October 2015.

²³¹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

²³² Peace Institute.

²³³ Peace Institute.

²³⁴ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 23 October 2015.

From 18 to 20 October 2015, Središče ob Dravi, with a capacity of 110, registered 850 people each day. At Gornja Radgona, with a capacity of 836, on 21 and 22 October 2015 registered 1,000 and 1,100 people respectively.²³⁵

The reason for this is that the police want to perform the registration procedure before people are dispersed around the country in different accommodation centres in order to maintain a certain amount of control over the flow of people.²³⁶

Since reception centres are overburdened, large groups of people were waiting outside in the cold without shelter also during the night.²³⁷ The *URSZR* (the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief) did not confirm this, but most likely every night people slept outside waiting for registration whenever reception centres were overburdened.²³⁸ In these situations only after the identification and registration procedure was performed by the police, people were provided with shelter, food, water, medical assistance, clothes (provided by Red Cross Slovenia, Caritas and other volunteers).²³⁹ There are also good examples, as for instance in the reception centre Petišovci where people were taken inside and while they unpack, get food, water and new clothes, queues are formed and registration procedures take place.²⁴⁰

Efforts have been undertaken by the government to address overcrowding.²⁴¹ New reception centres are set up in different locations.²⁴²

There are not enough translators available at registration and accommodation centres.²⁴³ There is enough food and other material supplies,²⁴⁴ however, a few times (as mentioned above), the food was not being distributed before the registration process was completed, causing anxiety among people.²⁴⁵ An issue is also the lack of warm meals at registration centres (only provided at the accommodation centres).²⁴⁶ It is difficult to ensure adequate hygiene as utility

²³⁵ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 18 October 2015, 19 October 2015, 20 October 2015, 21 October 2015, 22 October 2015, 23 October 2015, 24 October 2015.

²³⁶ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

²³⁷ Amnesty International Slovenia; Peace Institute.

²³⁸ Slovenian Philanthropy.

²³⁹ Amnesty International Slovenia; Peace Institute.

²⁴⁰ Amnesty International Slovenia.

²⁴¹ Ministry of the Interior.

²⁴² Administration of the Republic of Slovenia for Civil Protection and Disaster Relief; Slovenian Philanthropy; The Government of the Republic of Slovenia, *By today, over 64,000 refugees and migrants had entered Slovenia*, Press release, 25 October 2015, available at: www.vlada.si/en/media_room/government_press_releases/press_release/article/by_today_over_64000_refugees_and_migrants_had_entered_slovenia_56693/; Večer, Live feed: 15000 migrants until Sunday evening. Field workers are exhausted (*V živo: Do konca nedelje 15000 migrantov. Terenci so izčrpani*), 25 October 2015, available at: www.vecer.com/clanek/201510256152611.

²⁴³ Slovenian Philanthropy.

²⁴⁴ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

²⁴⁵ Amnesty International Slovenia.

²⁴⁶ Peace Institute.

companies do not have the capacities to clean the locations as frequently as needed.²⁴⁷

Child protection

Children are treated with priority, together with women and elderly people. There is a contact number of a local social worker dealing with child protection issues available at every registration and accommodation centre.²⁴⁸

Healthcare

A doctor is present at all larger registration and accommodation centres. In smaller centres, medical assistance is called if needed and a phone number of a local doctor is available.²⁴⁹ Medical assistance is usually needed by 2.5 to 5% of the new arrivals. Mostly, help is needed because of dehydration, diarrhoea, headaches, cold, blisters etc.²⁵⁰ The availability of medical assistance was confirmed by Red Cross Slovenia and the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*URSZR*). A unit for treating people in case of mass casualties has been set up at Brežice Registration centre.²⁵¹

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

Rallies and incidents

The local community of Dobova vetoed the creation of a new registration centre in their community during the reporting period.²⁵²

A protest of 30 individuals took place in front of the Parliament on 20 October 2015. They protested against the amendment to the Defence Act that provides for the possibility of the expansion of powers of the Slovenian army (see below).²⁵³

²⁴⁷ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 23 October 2015.

²⁴⁸ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

²⁴⁹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

²⁵⁰ The Government of the Republic of Slovenia, Health care of migrants (*Zdravstveno varstvo migrantov*), press release, 24 October 2015, available at: www.mz.gov.si/si/medijsko_sredisce/novica/article/698/7077/2cf9f127fb47efdf11934d420dd7c618/.

²⁵¹ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 23 October 2015.

²⁵² Delo (daily newspaper), From Brežice to the country: Why is the chaos being perpetuated? (*Delo, Brežice državi- Zakaj vzdržujete kaos?*), 22 October 2015, available at: www.delo.si/novice/slovenija/brezice-drzavi-zakaj-vzdrzujete-kaos.html.

²⁵³ Delo, Members of the parliament approve additional powers to the Army (*Poslanci dodelili dodatna pooblastila vojski*), 21 October 2015, available at: www.delo.si/novice/politika/poslanci-dodelili-dodatna-pooblastila-vojski.html.

NGO humanitarian activities

There is a sufficient number of volunteers for now, but the ones who are working in the field are getting tired.²⁵⁴ Slovenian Philanthropy (*Slovenska filantropija*) has a list of around 1,000 people available to help.²⁵⁵ Caritas Slovenia (*Slovenska Karitas*) has 267 volunteers available, but only 14 staff to coordinate them (while also doing their regular job at the same time).²⁵⁶ Red Cross has 15 first aid teams and 150 volunteers working at one time.²⁵⁷ An occurring issue is that there are enough volunteers, but (often) not enough people to coordinate them on the field, leading to uncoordinated work.²⁵⁸ The Ministry of Labour, Family, Social Affairs and Equal Opportunities, in cooperation with the Employment Office and the Administration for Civil Protection and Disaster Relief (*URSZR*) is preparing a program for the implementation of specific public tasks (*javna dela*), which will be devoted to "aid in the management of migration flows." 200 people are planned to be employed through this scheme. Priority will be given to those volunteers already working in registration and accommodation centres who are listed as long term unemployed at the Employment Office.²⁵⁹ The Society of Slovenian Officers (*Zveza slovenskih častnikov*) has started engaging their local volunteers.²⁶⁰

A long list of Slovenian NGOs and humanitarian organisations issued a joint public statement on the government's response to the arrivals of asylum seekers and refugees, calling on the citizens to help in alleviating the existing situation as they can, either by volunteering or donating material or financial help.²⁶¹

Voluntary initiatives

The head of Red Cross Slovenia regularly asks volunteers to register and not to come unannounced to the registration centres.²⁶² In the past days, some NGO staff, especially those from abroad, refused to register, which is why they were not allowed to deal with asylum seekers and persons in need of international protection.²⁶³

²⁵⁴ Slovenian Philanthropy.

²⁵⁵ Slovenian Philanthropy.

²⁵⁶ Caritas Slovenia.

²⁵⁷ Delo, Volunteers- we are here to protect the dignity of those who need our help (*Prostovoljci-tu smo da ščitimo dostojanstvo ljudi, ki potrebujejo pomoč*), 21 October 2015, available at: www.delo.si/novice/slovenija/prostovoljci-tu-smo-da-scitimo-dostojanstvo-ljudi-ki-potrebujejo-pomoc.html

²⁵⁸ Slovenian Philanthropy.

²⁵⁹ The Ministry of Labour, Family, Social Affairs and Equal Opportunities, A special program of public works intended to assist in the management of migration flows (*Poseben program javnih del, namenjen pomoči pri obvladovanju migracijskih tokov*), press release, 23 October 2015, available at: www.mddsz.gov.si/si/medijsko_sredisce/novica/article/1939/7766/c5fdc42c94153739fd42d9048a9599f0/.

²⁶⁰ Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, *Daily report on protection, rescue and help activities*, 22 October 2015.

²⁶¹ HOC, 22 October 2015, available at: <http://humanitarni-center.si/javni-poziv-pomagajte-kjer-lahko/>.

²⁶² Available at: <https://twitter.com/nmusar>.

²⁶³ The police, the Ministry of the Interior, *The Ministry of Interior has never limited volunteers in their contacts with migrants*, press release, 26 October 2015, available at:

NGOs and humanitarian organisations met during their weekly meeting on 21 October 2015 and coordinated their activities in regard to: making a pamphlet that can be distributed at the registration and accommodation centres in different languages containing information relevant for refugees, creating posters for volunteers with clear instructions on the family reunification protocol, guidance for volunteers on several issues, including how to communicate with the police and the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief (*URSZR*).²⁶⁴

Other activities

NGOs are discussing how to convince the government to ensure free WIFI at registration and accommodation centres.²⁶⁵ NGO Humanitas had the idea to use the budget they have for promotional materials of their EU projects for what is most needed to help refugees, such as blankets, mattresses, clothes, etc. instead of using it for pencils, notepads or folders. They shared this idea with everyone on their mailing list, including NGOs from other EU countries.²⁶⁶ Restaurant owners in the Brežice area have been donating food to people waiting outside the reception centres.²⁶⁷ The Peace Institute (*Mirovni Inštitut*) issued an appeal to the government, urging them, among other things, to speed up the registration procedures at the border and to find a way (if the mass arrivals of refugees continues) to acknowledge the work of volunteers as work that deserves fair pay, as well as to avoid using force in dealing with asylum seekers and refugees.²⁶⁸

Response to hate speech online

The central Slovenian hotline for reporting hate speech incidents on the internet "Web eye" (*Spletno oko*) has analysed reports from the third reporting period (week 42), but not yet from the current reporting period (week 43): they received a relatively low number of reported hate speech incidents. There were 13 issues reported (the average number of reported hate speech incidents was 26 per week in 2014). The seriousness of reports was low, none were referred to the police.²⁶⁹

Online social response remains high. The national radio television web portal MMC RTVSLO restricted online commenting to only one news article related to this issue per day. There were, for instance, 1,619 comments on the article of 20 October 2015. Other newspapers and online portals are following this policy of limiting online commenting. For instance, one of the central weekly journals *Mladina* changed the online posting policy due to increasing number of defamatory

www.policija.si/eng/index.php/component/content/article/13-news/1745-the-ministry-of-the-interior-has-never-limited-volunteers-in-their-contacts-with-migrants.

²⁶⁴ Advocacy division at SLOGA.

²⁶⁵ Greepeace Slovenia.

²⁶⁶ Humanitas.

²⁶⁷ Delo, Brežice restaurant owners are helping by cooking and with donations (*Brežiški gostinci pomagajo s kuhanjem in donacijami*), 22 October 2015, available at:

www.delo.si/novice/slovenija/breziski-gostinci-pomagajo-s-kuhanjem-in-donacijami.html.

²⁶⁸ Peace Institute, statement available at: www.mirovni-institut.si/apel-na-vlado-republike-slovenije/.

²⁶⁹ "Web eye".

online comments. Since 19 October 2015 they allow only online posting of conventional 'readers' letters'.²⁷⁰

Legal and policy responses, including any changes to the law

Deployment of the military

On 17 October 2015, the government decided to request the army to assist the police, using the possibility offered by the existing legislation (Article 37, paragraph 4 of the Defence Act (*Zakon o obrambi*))²⁷¹ to deploy military capacities for providing logistical support to the police in monitoring the border.²⁷²

On 20 October 2015, the government announced that the number of asylum seekers that arrived during the three days before exceeded the capacities that Slovenia was prepared for.²⁷³ Subsequently the government prepared amendments to the Defence Act which were adopted with the required two third majority by the National Assembly on 21 October at 1:47am.²⁷⁴ The new Article 37.a stipulates that the military will be able to perform the following powers:²⁷⁵ give warnings, direct, temporarily restrict movement of people, participate in controlling and managing groups and masses. The military will perform these powers under conditions prescribed by police forces and will report to the police immediately after performance. The amendment states that the military may be activated in such a manner for three months (with the possibility of a three month extension) if the National Assembly, upon a proposal from the government, decides with an absolute majority (majority of all members) that this is necessary for security reasons.²⁷⁶

²⁷⁰ Mladina, Notice to readers (*Obvestilo bralkam in bralcem*), 16 October 2015, available at: www.mladina.si/170238/obvestilo-bralkam-in-bralcem/.

²⁷¹ Defence Act (*Zakon o obrambi*), 30 December 1994, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO532.

²⁷² The Government of the Republic of Slovenia, *Activities regarding the arrival of refugees and migrants are running smoothly and without difficulties*, press release, 17 October 2015, available in English at: www.vlada.si/en/media_room/government_press_releases/press_release/article/activities_regarding_the_arrival_of_refugees_and_migrants_are_running_smoothly_and_without_difficult/.

²⁷³ The Government of the Republic of Slovenia, *Government adopts urgent measures to control and limit the migration influx*, Press release, 20 October 2015, available in English at: www.vlada.si/en/media_room/government_press_releases/press_release/article/government_adopts_urgent_measures_to_control_and_limit_the_migration_influx_56590/.

²⁷⁴ National Assembly, available at: www.dz-rs.si/wps/portal/Home/deloDZ/seje/izbranaSeja?mandat=VII&seja=22.%20Izredna&uid=14437BA4E68B08E0C1257EE4003E3A14.

²⁷⁵ State Secretary at the Ministry of the Interior, *Above all, they want to continue their journey*, press statement, 21 October 2015, available in English at: www.vlada.si/en/media_room/government_press_releases/press_release/article/sefic_above_all_they_want_to_continue_their_journey_56618/.

²⁷⁶ The Government of the Republic of Slovenia, *Proposal of the Act amending the Defence Act (Predlog Zakona o dopolnitvi Zakona o obrambi)*, 20 October 2015, available at: <http://imss.dz-rs.si/imis/d8d733528eeacb22ba03.pdf>.

Government proposes changes regarding reserve police officers

The government approved the draft Act Amending the Police Organisation and Work Act (*Zakon o spremembi in dopolnitvi Zakona o organiziranosti in delu v policiji*) and referred it to the National Assembly. The proposed amendments provide a more flexible arrangement of the work of police officers in reserve: experienced and qualified former and retired police officers up to an acceptable age limit may be recruited. The government claims amendments would result in significant savings.²⁷⁷

Further possible measures

On 23 October 2015, the State Secretary of the Interior reiterated the words of Prime Minister Cerar, saying that Slovenia would have to adopt certain measures if the summit in Brussels on 25 October 2015 does not produce satisfactory results, if the bilateral agreements are not respected and if no agreement is reached with Croatia. The State Secretary explained that Slovenia is not thinking about closing off the entire border with a fence or a wall, but that fences may be erected to protect the border crossings and certain parts of the green border.²⁷⁸

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

- On 20 October 2015, a group of people (mostly families with children) walked out of Vrhnika Accommodation Centre and boarded a passenger train in Ljubljana which was heading to Austria. At the border in Jesenice, Austrian border control declined their entry; according to the Slovenian police, everybody voluntarily returned to Ljubljana with a passenger train and then headed to the Šentilj border crossing.²⁷⁹
- *Sotla river incident*: due to misinformation, people were oriented by the Croatian police to cross the green border to Slovenia in the night and, as a result, ended up wading across the Sotla river. There were very small children among the wet and freezing people. It is evident from a video made by a Slovenian police helicopter that the Slovenian police and

²⁷⁷ The Government of the Republic of Slovenia, *Government amends legislation to improve the organisation and work of the police*, press release, 22 October 2015, available in English at: www.vlada.si/en/media_room/government_press_releases/press_release/article/government_amends_legislation_to_improve_the_organisation_and_work_of_the_police_56644/.

²⁷⁸ State Secretary at the Ministry of the Interior, *Over 50,000 refugees and migrants arrived in Slovenia over last week*, press statement, 23 October 2015, available in English at: www.mnz.gov.si/nc/en/media_room/news/article/12137/9439/.

²⁷⁹ The police, the Ministry of the Interior, *Around 115 migrants refused by Austria processed by the police in Jesenice*, Press release, 20 October 2015, available at: www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/20151020_Around_115_migrants_refused_by_Austria_processed_by_the_police_in_Jesenice.doc ; *Migrants processed in Jesenice on their way to Ljubljana*, press release, 20 October, available at: www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/20151020_Migrants_processed_in_Jesenice_on_their-way_to_Ljubljana.doc.

translators on the other side of the river tried to prevent them and directed them to a bridge only 100 meters away, which eventually succeeded.²⁸⁰

- In the Brežic reception centre, a fire broke out and spread to 27 (two thirds of all the) tents. No people were injured due to the rapid intervention of police officers who woke up nine sleeping people and escorted them outside. Efforts started immediately to re-establish conditions to receive and accommodate people.²⁸¹ The media reported that the fire was set by some frustrated refugees who had been waiting too long to continue their journey;²⁸² however, this was not confirmed by the police.

²⁸⁰ The police, the Ministry of the Interior, *Slovenian police helicopter films Croatian police officers directing migrants to Slovenia across the green border and the Sotla river*, press release, 22 October 2015, available in English at:

www.policija.si/eng/index.php/component/content/article/13-news/1739-slovenian-police-helicopter-films-croatian-police-officers-directing-migrants-to-slovenia-across-the-green-border-and-the-sotla-river.

²⁸¹ The police, the Ministry of the Interior, *Police officers brave fire to save lives*, press release, 21 October 2015, available at:

www.policija.si/images/stories/DelovnaPodrocja/meja/migracije/angleska_besedila/20151021_Police_officers_brave_fire_to_save_lives.doc.

²⁸² Delo, Municipality Brežice to the Government: Why are you keeping up chaos? (*Brežice državi: Zakaj vzdržujete kaos?*), 22 October 2015, available at:

www.delo.si/novice/slovenija/brezice-drzavi-zakaj-vzdrzujete-kaos.html.