

# Monthly data collection on the migration situation in the EU

## December Highlights

1–30 November 2017

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*In view of the increasing numbers of refugees, asylum seekers and migrants entering the EU, the EU Agency for Fundamental Rights has been collecting relevant data since November 2015. These data focus on the fundamental rights situation of people arriving in Member States particularly affected by large migration movements. The countries covered are: Austria, Bulgaria, Denmark, Finland, France, Germany, Greece, Hungary, Italy, the Netherlands, Poland, Slovakia, Spain and Sweden.*

## Key fundamental rights concerns

### Key emerging fundamental rights concerns

The **Italian** Ministry of Foreign Affairs and International Cooperation [granted the](#) Libyan authorities funding from development resources to buy border control equipment, such as patrol vessels.

Migrant smuggling, sometimes involving [inhumane travel conditions](#), was on the rise in **Hungary**. The authorities detected five major migrant smuggling networks. Some members of local communities expressed [fear of migrants](#) and [xenophobic attitudes](#), although most citizens have never met asylum seekers or irregular migrants.

In the north of **France**, due to the absence of adequate accommodation, migrants had to stay in informal camps unequipped for the winter. In Paris, the NGOs *Médecins du Monde* and *Médecins sans frontières* [alerted](#) the authorities that nearly 1,000 migrants were living on the streets in winter temperatures.

The protection of vulnerable migrants, such as children and [women](#), has become a major issue of concern in **Spain**, as they are being exposed to robberies, abduction and trafficking.

A key emerging problem in **Finland** was the increasing number of around 1,000–2,000 [irregular migrants](#) and their limited access to public health services. Social and health care services for irregular migrants will be expanded in Helsinki, according to the [City of Helsinki](#).

### Key persistent fundamental rights concerns

In **Greece**, people continued to be stranded in the hotspots on the Aegean islands for excessive periods. The Reception and Identification Centres in the hotspots remained severely overcrowded. Some 20 civil society organisations [pressed](#) the Greek authorities to transfer asylum seekers to the mainland and to offer improved reception conditions. They also urged other EU Member States to support the Greek government's efforts. More than 4,000 refugees with [family unification](#) permits have been awaiting their transfer to Germany and other EU Member States (e.g. Austria, Sweden) for several months.

No improvement could be reported on the situation in the transit zones at **Hungary's** southern borders (Rösztke and Tompa). Police continued to escort all irregular migrants apprehended in the country, without fingerprinting or registering them and not allowing them [to go anywhere else but back to Serbia](#).

In **Austria**, a lack of interpreters in the health system, limited resources for unaccompanied children, overburdened guardians and the long duration of the asylum procedure remained the main concerns, as reported by Caritas, Asylum Coordination Austria and the Austrian Ombudsman Board.

In **Poland**, asylum seekers and other migrants who had been victims of violence continued to be placed in detention centres, in breach of [Polish law](#), as reported by UNHCR, the Ombudsperson and a number of NGOs. According to the same stakeholders, refusing entry to asylum seekers at the Terespol and Medyka land border crossing points (only 2-3 families, or 8-9 persons admitted per day) remained a major issue of concern. Asylum seekers stopped complaining about the situation at the border to NGOs, because border guards allegedly “blacklisted” such people and refused to register their asylum claims, according to UNHCR.

The lack of adequate legal aid for asylum seekers, the quality of interpretation and the detention of families with children remained the key fundamental rights concerns in **Slovakia**, according to the Human Rights League.

Rules on integration were still not implemented in an effective manner in **Bulgaria**. No [municipality](#) has declared its availability to integrate persons.

Restrictions to health care for asylum seekers in cases of acute illness or pain remained a core issue in **Germany**, according to the German Caritas Association. Practical and legal barriers to family reunification and the persistently unclear situation for families remained challenging, according to [Pro Asyl](#). A lack of independent legal counselling and issues regarding the neutrality of translators persisted.

In **France**, around 500 people, including some 50 to 70 unaccompanied children, continued to wait in Calais, as reported by *France Terre d'Asile*, where the substandard living conditions triggered the spread of various diseases. According to this NGO, nearly 400 people, comprising families, single women, and unaccompanied children, continued to live in new informal camps in Grande-Synthe, without any health infrastructure or official food distribution.

The major fundamental rights concerns in **Sweden** include the lengthy asylum procedures, which can lead to the phasing-out of specific provisions/services for children close to 18 years of age. Inadequate age assessments and the harmful effects of the law imposing temporary restrictions on granting residence permits to refugees are also problematic, as pointed out by several NGOs.

According to the **Danish** Red Cross, unaccompanied child siblings are still being separated and placed into different accommodation centres if one of them turns 17. Another concern was the continued practice of withdrawing or not extending temporary residence permits of Somalis due to purported improvements in Somalia. This may result in many Somalis awaiting return for a very long time since return possibilities to Somalia are limited, the Danish Red Cross reported.

In **the Netherlands**, LGBTI asylum seekers continuously faced doubts about the credibility of their claims. The conditions for receiving residence permits for children and their parents who have unsuccessfully gone through the asylum procedure and have resided in the Netherlands for a long time were still difficult; as a result, most children do not qualify for such permits in practice, according to several interviewed stakeholders.

Hate speech on the internet, asylum seekers' inadequate access to mental health care and legal aid services remained the core concerns in **Finland**, as stated by the Finnish Refugee Advice Centre.

## Situation at the border

As of 30 October, 117,120 people had reached **Italy** by sea in 2017, involving 1,413 disembarkations, according to the Ministry of the Interior. People arriving in the hotspot in Pozzallo (Sicily) were in precarious health conditions and reported human rights violations in Libya, the [NGO MEDU](#) indicated after having interviewed some 2600 migrants.

Authorities in **Hungary** apprehended 1,114 people (compared to 682 in October) trying to cross the border from Serbia and Croatia, the National Headquarters of the Police reported. Police violence against people attempting to cross or having crossed the border fence continued, as reported by the NGO *MigSzol*.

The situation along the French-Italian border (especially in the Department Alpes-Maritimes) remained problematic. **French** authorities sent several migrants back to **Italy** without a formal decision and denied them the possibility to apply for asylum, according to the National Association of Border Assistance for Foreigners, *La Cimade* and *GISTI*.

In **Spain**, arrivals by sea and land increased by 90 % during the third quarter of 2017, compared to the same period in 2016, according to [UNHCR](#). The number of [boats arriving via the route linking Algeria with the east of Spain](#) reached its peak with the arrival of more than 500 migrants in Murcia over the course of one weekend. The Spanish Government Delegate in Murcia called this a "[coordinated attack](#)" against the Spanish and the EU. The number of arrivals in this region this year equals those of the previous five years together. Frontex intercepted 50 boats leaving Algeria.

## Asylum procedure

### Trends

Since April 2017, the number of asylum applicants decreased in half of the covered EU Member States (**Austria, Bulgaria, Denmark, Germany, Hungary, the Netherlands and Poland**) compared to the same period last year, according to [Eurostat](#). Applications for asylum increased in **Greece** (except for November, when the number dropped compared to the previous month), **Finland, France, Italy, Spain and Sweden**. The number in **Slovakia** remained at a similar low level.

In the first six months of 2017, **Germany** issued decisions on almost 358,000 asylum applications, more than in all other EU Member States combined, according to [media reports](#).

### Relocation

According to the [2017 report on international protection in Italy](#), as of September 2017, 20,056 asylum seekers from **Greece** and 9,078 from **Italy**

had been relocated to other EU Member States, mainly Germany, France, and the Netherlands. Initially, the relocation programme scheduled 160,000 persons as due to be moved.

### **Access to asylum procedures**

The average time needed in **Italy** [to assess asylum applications](#) was 144.84 days in 2017 (as of 18 October) – compared to 258.4 days in 2016.

UNHCR registered several complaints in **Hungary** regarding the lack of proper translation and interpretation services in the transit zones. Similarly, the Hungarian Helsinki Committee [reported](#) that authorities had discharged many interpreters and, as a result, the lack of quality interpretation might undermine the impartiality and effectiveness of the asylum procedures.

The high number of appeals against asylum decisions in **Germany** continued to affect the number of available judges, court rooms, qualified asylum lawyers and translation services, as stated by the German Caritas Association.

NGOs continued to note increasing delays in accessing the asylum procedure in **France**. In certain departments, asylum seekers had to wait more than two months before obtaining an appointment at the prefecture, whereas the law provides for a deadline of three days, *La Cimade* repeatedly reported. Authorities increasingly resorted to accelerated procedures, currently in around 45 % of the claims, *La Cimade* estimated. This was criticised yet again by a number of NGOs and the Public Defender of Rights on account of weakening the procedural safeguards for asylum seekers.

### **Return**

In **Italy**, 17,405 irregular migrants were returned to their countries of origin since the beginning of the year, 14 % more than in the same period in 2016. Italian authorities issued 40 % more (93) return orders for national security issues or terrorism prevention compared to the same period in 2016, according to the [Ministry of the Interior](#). Tunisian nationals [reported](#) police handcuffing them and putting them on a plane, without disclosing their destination, and the Tunisian consul trying to convince them to voluntarily return to Tunisia. The NGO ['Borderline Sicilia'](#) accused the Italian authorities of collective pushbacks to Tunisia, despite the [European Court of Human Rights](#) (ECtHR) considering them illegitimate.

The police in **Greece** carried out 907 forced returns (including [11 removals](#) to Turkey, in cooperation with Frontex). The majority of the returnees were Albanians, as in previous months.

In **Hungary**, rejected asylum seekers subject to a return decision stayed either in the transit zones or in a closed detention centre pending their removal.

Returns to Afghanistan continued to raise concerns in **Bulgaria, France, Germany, Sweden** and **the Netherlands**.

A 23-year-old Afghan national was [returned](#) to Bulgaria from **Germany**, under the Dublin rules while his appeal against a negative asylum decision was still pending. When the Federal Office for Migration and Refugees realised the illegality of the Dublin transfer, Bulgaria had already returned the man to Afghanistan. Returns were generally unannounced, without leaving time for counselling or preparation for the persons concerned.

A significant number of returns could not be carried out in **Sweden**, for example because people went missing or refrained from staying in touch with the authorities. As a result, many persons became stuck in a legal limbo. According to the police, these people run the risk of engaging in or becoming victims of crime, given that their possibilities to obtain legal income are limited.

In **the Netherlands**, the police arrested a homosexual asylum seeker from Pakistan when he arrived at the reception centre Heerhugowaard, where the Central Agency for the Reception of Asylum Seekers had allegedly invited him to talk about voluntary return, [according to media reports](#). He was taken to a detention centre in Zeist and attempted to commit suicide. A number of LGBTI-organisations sent a letter to the House of Representatives to stop his deportation. He was later released due to procedural mistakes.

In **Denmark**, an Algerian citizen lost consciousness during a forced removal and later died in hospital. The Danish Independent Police Complaints Authority started [investigating](#) the incident to establish whether the death was a result of the police's use of force. The Danish Refugee Council reported an increase in rejected asylum seekers who have been waiting for their return for a long time, some of them because their countries of origin will not accept or cooperate on their entry. Although the Danish Aliens Act provides for a possibility to grant temporary residence permits in such cases, this option was not applied.

## Reception

### Reception capacity

Sufficient reception capacity was available in many EU Member States, including **Austria, Bulgaria, Denmark, Finland, Germany, Poland, Slovakia** and **the Netherlands**.

In **France, Greece** and **Italy**, reception facilities remained overcrowded. For example, in [Cona \(Veneto\), Italy](#), a facility built for a maximum of 540 people was used to host 1,300 people.

The **Greek** Reception and Identification Centres (RIC) on the Aegean islands remained [overcrowded](#), leading to a dire humanitarian situation, especially with winter coming. 6,520 people were crowded into the RIC in Lesbos, which has a capacity of 2,330 places. Almost 2,400 people stayed at the RIC in Chios, with a capacity of 894 places. More than 2,000 people were in Samos, where the RIC can accommodate 700 persons. The Municipality of Lesbos [called for a general strike](#) to protest against the overcrowding and living conditions of asylum seekers on the island; as a result, public services, clinics, pharmacies and shops remained closed.

The reception capacity did not change significantly in **France**; it thus remained inadequate. The overall reception capacity oscillated between 70,000 and 80,000 places, with nearly 110,000 people still in need of accommodation, according to *La Cimade*. Informal camps reappeared, against which authorities tried to take evacuation measures. In response to the insufficient reception capacity, the government started setting up “pre-orientation centres”, the first ones in the Ile-de-France region. In these centres, authorities channel newly arrived people to the appropriate procedures depending on their status. NGOs [voiced concerns](#) about the way in which such ‘channelling’ is to take place.

### **Reception conditions**

In **Italy**, demonstrations against reception conditions and overcrowding were organised. For example, the overcrowded facility in [Cona \(Veneto\)](#) had no heating and 1,300 people were living in ten tents with five toilets and five showers each and without hot water. Following the demonstration in Cona, the Prefect [moved](#) the asylum seekers to other centres. A manager of a reception facility near Caserta (Campania) shot a 19-year-old Gambian asylum seeker who set his room on fire while demonstrating against poor reception conditions. The victim survived, although sustaining severe injuries, and the manager was charged with attempted murder, according to [La Stampa](#).

In **Greece**, the National Commission for Human Rights presented its [new report](#) on accommodation centres, urging the government to move asylum applicants from the islands to the mainland, as living conditions in the overcrowded non-winterised hotspots remained inappropriate with poor hygiene conditions and low quality of food.

Conditions in the transit zones in **Hungary** remained poor for asylum applicants. Since the authorities banned civil society organisations and the media from transit zones, operations there have lacked transparency and oversight by external actors.

Minor renovation work continued in the reception centres in Sofia and Harmanli in **Bulgaria**, as reported by the State Agency for Refugees.

In **Poland**, the number of asylum seekers from Ukraine grew constantly. Due to potential conflicts with Chechen asylum seekers in open facilities, Ukrainian asylum seekers received social assistance (approximately EUR 180 per month) to live in private houses, UNHCR pointed out.

Several civil society organisations in **France** [addressed a letter](#) to the president of the republic to highlight the inadequacy of the initial reception of asylum seekers in a number of regions and the delays in registering asylum applications.

A [study](#) published by the Research and Documentation Centre of the **Dutch** Ministry of Justice and Security found that the majority of incidents registered at reception centres in 2016 were directed at other asylum seekers. Rejected asylum seekers and asylum seekers from ‘safe countries’ were more often involved in the incidents, which might be due to the dead-end situation in which they found themselves.

## Vulnerable persons

Authorities in **Hungary** seemed to randomly select vulnerable people (e.g. persons with disabilities, pregnant women, and the elderly) and transfer them to open facilities from the transit zones, UNHCR reported.

The needs of vulnerable persons were not sufficiently met in **Germany** in terms of their identification, needs for specialised (female) interviewers, accommodation and access to specified health care in reception centres, the German Caritas Association stated.

In **Spain**, the authorities systematically considered children of Nigerian mothers who were victims of trafficking to be 'at risk'. As a result, the [women's custody of their children was taken away](#) and the children transferred to social services, according to a [report by Women's Link](#). Women's Link highlighted the failures in the protection system and in the identification of girls who are victims of trafficking in Europe.

## Victims of torture and trauma

In **Sweden**, specialised care facilities and support services for victims of torture and trauma continued to be offered "in varying degrees in different regions" by country councils and regions, as repeatedly reported by the Swedish Association of Local Authorities and Regions.

## Child protection

### Figures and trends

By 1 December, [15,540](#) unaccompanied children had arrived in **Italy** in 2017, according to the Ministry of the Interior. Most of them came from Guinea, Côte d'Ivoire, and Bangladesh. In total, this marks a 4 % increase compared to the same period in 2016, according to the [2017 report on international protection in Italy](#).

In **Greece**, as of 30 November, according to the [National Centre for Social Solidarity](#), some 3,300 unaccompanied children were estimated to be in the country. A total of 2,201 were on waiting lists for appropriate shelter, including the 425 in Reception Identification Centres and the 80 in protective custody – which are not considered to be adequate accommodation for children. These figures demonstrate a growing protection gap over the past months.

Some 32,300 unaccompanied children were under the protection of the youth welfare offices in **Germany**.

In a [report](#), the Children's Ombudsman highlighted shortcomings in the quality of work of guardians in **Sweden**. For instance, children were often not informed about their right to complain to the Chief Guardian Board; children wishing to dismiss their guardians were not able to do so; and individual guardians were frequently responsible for too many children.

### Guardianship for unaccompanied children

Because of the low numbers of unaccompanied children in **Austria**, the authorities closed child accommodation and moved the remaining children to



other places, which led to a change in children's care persons as well as their known environment, sometimes including their school. There were still [not sufficient guardians](#) for unaccompanied children and often they were appointed too late. An [11-year-old refugee from Afghanistan](#), who was living together with his six siblings under the guardianship of his oldest brother, committed suicide.

In **Hungary**, due to legislative changes at the end of March 2017, the authorities continued to assign guardians only to unaccompanied children under the age of 14, as they are considered to have full legal capacity as soon as they are 14 years of age. Social workers are appointed for children who are aged between 14 and 18 years and are placed in the Rösztke holding facility, UNHCR reported.

### **Safeguards and specific support measures**

Children's Ombudspersons from more than 20 European countries [met in Greece](#) to discuss the living conditions of children on the Greek islands, the processing of children's asylum claims in accommodation centres as well as issues related to education and employment.

In **Hungary**, the [Hungarian Helsinki Committee](#) identified several shortcomings regarding the safeguards and support measures for children in the transit zones. These include inappropriate age assessment procedures (consisting of purely medical examinations); detention of children under 14 years of age; no access to proper education in the transit zones; and lack of access to specialised medical assistance and psycho-social counselling.

The **Austrian** authorities denied a Greek request under the Dublin rules to unite family members in Greece with their child in Austria, arguing it would not be in the best interest of the child to reunite him with family members who had sent their child away on his own.

The Head of the Office for Foreigners in **Poland** [carried out trainings](#) on children's safety for its employees in cooperation with leading NGOs in this field, co-financed by the EU Asylum, Migration and Integration Fund. As part of the project, the employees of the Office for Foreigners monitored the situation of children in open centres and private housing and reported alleged cases of child abuse to the police.

A new [study](#) identified integration of immigrant children into the host society as a key challenge in **Germany**, due to staff shortages and resource constraints.

Shortcomings in the support system for unaccompanied children in **France** were made visible by an action organised by a group of NGOs: they [occupied a church](#) in Marseilles to temporarily shelter 40 homeless children there.

A report published by a leading NGO in **Sweden** showed that legal bars to return (e.g. the principle of *non-refoulement*) were circumvented by the re-registration of teenage children as adults. The civil society organisation called on the government to stop "scientifically arbitrary" age assessments, which lead to the removal of children in need of international protection. Also in Sweden, authorities should pay more attention to unaccompanied young adults and those re-registered as over 18 years of age, the Red Cross pointed out, since they were often placed together with adults in an environment where drugs, verbal

violence and abuse are common and they encounter difficulties in finding a quiet place to study.

A **Dutch** [study reported](#) incidents of violence and aggression in reception locations for unaccompanied children in 2016.

The **Finnish** Immigration Service announced the offer of psychosocial support to asylum-seeking families and unaccompanied children.

### **Missing children**

As of 1 December 2017, 703 children who are non-EU citizens were registered in the SIS II in **Austria**.

According to the **Danish** Immigration Service, around 12 asylum-seeking children went missing.

In **Sweden**, 107 children went missing; 19 of them were unaccompanied.

### **Family reunification and family unity**

Family reunification and family unity, in particular transfers of siblings from **Greece** to **Germany**, continued to be delayed or impossible – sometimes until the applicants turned 18 and thus stopped being eligible for being united with family members, Caritas and others highlighted.

In **Finland**, the number of applications for family reunification from 1 January to 30 September 2017 totaled 8,872.

## **Immigration detention**

In **Italy**, about 200 Tunisian migrants started a hunger strike to protest against their allegedly unlawful detention in the Lampedusa hotspot, where they were not receiving any information about the possibility to apply for asylum, according to the NGO 'Borderline Sicilia'.

In **Greece**, the detention of irregular migrants and asylum seekers in facilities located in Attica and Korinthos [was problematic](#). The NGO "Aitina" identified problems such as the detention of vulnerable people, prolonged detention periods, the use of inappropriate facilities for this purpose, inadequate health care, lack of interpretation services and poor hygiene conditions.

In **Hungary**, pre-removal detention was ordered against 24 persons and asylum-detention against 16 people (including one woman but no children), according to the Office of Immigration and Asylum and the National Headquarters of the Police.

In **Slovakia**, 78 undocumented migrants who were being smuggled from Romania to Germany were stopped by the police and then [detained](#), among them 22 children. The Human Rights League [criticised](#) the practice of not using alternatives to detention for families with children.

In **Bulgaria**, 190 persons were placed in pre-removal detention. The total number of persons staying there was 364 (occupancy rate of about 39 %), the majority of whom were from Afghanistan (about 27 %), Iraq (about 25 %) and Syria (about 15 %), according to the Ministry of Interior.

Regional courts in **Poland** tend not to apply the principle of the best interests of the child when deciding on placing children in detention (either in the pre-removal or the asylum contexts) or prolonging their deprivation of liberty, although this principle is expressly set out in Polish aliens law, as reported by several NGOs (Association of Legal Intervention, Helsinki Foundation for Human Rights and the Rule of Law Institute Foundation).

Although detention centres in **Germany** were not fully occupied, the number of places will be increased in the coming months. [Hesse](#), for example, planned a new detention centre in Darmstadt with at least 50 places.

Immigration detention has been [increasingly used](#) in **France**, leading to the widespread pre-removal detention of children with families. For instance, approximately ten cases relating to the deprivation of liberty of families with young children or toddlers were referred to the Public Defender of Rights. Alternatives to detention were not used in practice.

In Malaga (**Spain**), [a prison has served as a provisional Aliens Detention Centre](#) for about 500 migrants from Algeria. They arrived by boat to Murcia but were transferred due to lack of capacity in the region, according to the Delegate of the Government in Murcia. Different NGOs criticised this measure for breaching the Aliens Law. A [new Aliens Detention Centre in Algeciras](#), to open in 2018, foresees a body of civil servant officials to run the facilities (instead of the police) and will classify undocumented migrants by sex, origin, nationality and religion.

The first centre with extra supervision for asylum seekers who had behavioural problems in regular reception centres [opened](#) in Amsterdam, **the Netherlands**. It can accommodate up to 50 persons, who can stay there for a maximum of 3 months. Residents have to follow a tight day and evening programme from 8 am to 10 pm during working days and may only leave the facility during the day and after [reporting](#) to staff. A second such centre is planned to open in December in Hoogeveen.

Authorities in **Sweden** put 452 people (including two children) in immigration detention for removal purposes or to secure the applicants' presence during the asylum procedure, the Swedish Migration Agency reported. Authorities confirmed that, apart from the generally applicable measure of supervision, no special alternative to detention for children or vulnerable groups existed.

## Legal, social and policy responses

### Legal developments

#### Case law

In **Greece**, the Court of First Instance of Chios [ordered](#) the temporary suspension of works to expand the Vial reception facility, until deciding on the interim measures requested by the Chios Municipality.

The High Court of Justice of Madrid, **Spain** [ruled](#) in favour of the right of asylum seekers to move freely within the national territory once their asylum request has been accepted. Spanish authorities had forced asylum seekers to remain in

the territories of Ceuta and Melilla. The Spanish Supreme Court [sentenced](#) four people for organ trafficking. They offered 6,000 Euros to a Moroccan citizen in an irregular situation in Spain for the transplant of his kidney.

The **Dutch** section of the International Commission of Jurists [announced](#) that it will appeal against [a judgment](#) of the District Court of Hague ruling that the Dutch Council of State did not violate EU law in the cases of so-called Afghan 1F-persons, whose asylum applications had been rejected due to the suspicion of having committed war crimes.

The **Danish** Supreme Court [ruled](#) that a 2016 regulation that generally constrains family reunification for temporary protection status holders in their first three years of residence in Denmark is in line with Articles 8 and 14 of the European Convention on Human Rights. The case [will be brought](#) to the European Court of Human Rights.

The Supreme Administrative Court of **Finland** ruled that, before removing an unaccompanied child, the authorities must be certain that he or she will be returned to a member of his or her family, a nominated guardian or adequate reception facilities in the state of return (*Korkein hallinto-oikeus/Högsta förvaltningsdomstolen*). Following the request of the National Police Board, the Pirkanmaa district court in Tampere banned the Finnish branch of the Nordic resistance movement.

## Legislation

In **Hungary**, several migration-related laws, including the Asylum Act, [were amended](#). The legislative changes will enter into force in January 2018. Apart from implementing the new EU directive on researchers, students and au pairs ([Directive \(EU\) 2016/801](#)) into national law, the amendments introduced, amongst others, a strict prohibition on granting asylum to individuals who have been sentenced to at least five years of imprisonment. Furthermore, amendments included the acceleration of the asylum procedure by establishing a 30-day deadline to decide on the claim and also laid down more detailed administrative procedural rules applicable in the policing and asylum procedures (e.g. witness testimonies, translation of documents).

Asylum seekers in **Austria** are now [obliged](#) to present any available medical documentation and certificates to the authorities to support their asylum application. [Caritas](#) criticised this amendment, as now the onus is on the asylum seeker to prove their particular needs, rather than it being the authority's obligation to investigate. The new law also stipulates that the procedure of revoking refugee status has to be initiated at the time of prosecution and not after final conviction. Furthermore, restrictions on places of residency for asylum seekers were introduced and administrative fines from 5,000 to 15,000 Euro or six weeks of detention can now be [imposed](#) on persons who do not immediately leave the country after a return decision and return counselling.

The **Bulgarian** parliament adopted [amendments to the Foreigners in the Republic of Bulgaria Act](#). These provide for new alternatives to pre-removal detention (bail and deposit of passports or travel documents), new rules on representation of unaccompanied children (who will be represented by the Social Assistance Directorate of their place of residence) and changes to the legal framework of short-term detention.

The government in **France** [elaborated a bill](#) aimed at increasing the possibilities to detain foreigners, notably Dublin transferees. This legislative reform intends to fulfil the requirements stemming from a [Court of Cassation judgment](#) delivered at the end of September 2017 (detention of Dublin transferees was not provided for in law). In addition, the French government plans to extend the maximum duration of pre-removal detention from 45 days to 90 days. The controller general of detention facilities firmly [opposed this plan](#), underlining that the average duration of detention was slightly more than 12 days and that prolonged detention usually means a lack of cooperation with the country of origin, making it impossible to carry out the return.

A new [legislative proposal](#) in **Sweden** envisaged granting longer residence permits to unaccompanied children under certain conditions. Save the Children voiced concerns about the proposal, since it would only cover unaccompanied children who arrived in Sweden before November 2015.

### Policy responses

The [Ministry of the Interior](#) and the Ministry of Foreign Affairs and International Cooperation of **Italy** as well as other stakeholders signed a protocol for the renewal of the 'Opening humanitarian corridors' (*Apertura di corridoi umanitari*) project. This initiative is aimed at granting protection in Italy to some 1,000 people, identified by UNHCR in Lebanon and Morocco.

In **Austria**, the coalition programme under negotiation of the New Peoples Party (*Neue Volkspartei, ÖVP*) and the Austrian Freedom Party (*Freiheitliche Partei Österreich, FPÖ*) suggested providing basic care mainly in kind and no longer in cash benefits. Other proposals include reducing needs-based minimum benefits, not only for subsidiary protection status holders but also for refugee status holders. Such limitations, which already exist at regional level, are currently [subject to a procedure at the Constitutional Court](#). The police increased identity controls in Vienna, particularly in train stations, Caritas Vienna reported. The police in Vienna started handing out information sheets upon arrest, clearly indicating the reason for the arrest, the procedures and the rights of the arrested person.

In **Hungary**, the police started training almost 70 candidates enrolled in the Border Hunter Programme (*Határvasdász Program*), according to the National Headquarters of the Police. After graduation, they will be assigned to assist policemen in the surveillance of Hungary's external borders for 12 months. At the end of the reporting period, around 300 graduates were already patrolling the border.

The **Danish** Ministry of Immigration and Integration sent a [draft bill](#) on accommodation and the support of refugees and asylum seekers into public consultation. The [Danish Red Cross](#) and [DIHR](#) raised concerns over certain provisions on asylum-seeking children. In another [draft bill](#), it proposed the reduction of integration benefits with the aim of making work more attractive than social benefits. [UNHCR](#) raised concerns over the bill, since refugees may face particular difficulties in entering the local labour market compared to other migrant groups.

## Responses by civil society, local and political actors

A **Danish** journalist set up an interactive educational [online portal](#), which aims to educate teachers, carers and pupils on matters regarding refugee children.

## Hate speech and violent crime

Several [racist episodes](#) and hate crime incidents were observed in **Italy**, including verbal and physical assaults against migrants.

A [monument set up in Lesbos](#), **Greece** in memory of the asylum seekers who perished at sea in 2012-2013, which bears the names of the victims, was splattered with black paint. Also in Greece, two young Iraqis living in the RIC in Samos were [attacked](#) by a local while collecting wood in the nearby forest. The victims were taken to the local hospital, but official investigations were not opened.

Several banners with hostile comments against migrants were hung up in different parts of **Austria**, mainly by the right extremist Identitarian Movement. The Anti-discrimination Office Styria reported 11 hate crime incidents in the region of Styria and the appearance of three swastikas. The app [BanHate](#) reported 143 hate postings with islamophobic and xenophobic motivation or a National-Socialist statements.

The Institute for Public Affairs published a [report](#) on the rise of radicalism and extremism in **Slovakia**. The report showed some extreme views among people aged 18-39. For instance, a significant share of the 405 respondents deemed important the protection of the white race (45 %) and of Christianity from Islam (57 %).

In **Poland**, the Ombudsperson and NGOs continued to report an increase in hate speech in general, and racist, xenophobic and related incidents against migrants. The Ombudsperson intervened in some particular cases, taking concrete action (e.g. asking for further information from the police; referring the case to the prosecutor's office; and intervening in a case concerning an [attack](#) against the Centre of Muslim Culture). More specifically, the Open Republic Association Against Anti-Semitism and Xenophobia reported two cases concerning online hate speech against asylum seekers and [Muslims](#) to Polish authorities.

Hate crimes towards migrants regularly occurred in **Sweden**, according to the police. For instance, two persons reportedly chased migrants at the train station in Lerum (close to Gothenburg) with hammers; the offenders were placed in custody. Also, a proclaimed Nazi organisation, the Nordic Resistance Movement, which regularly organises anti-migrant demonstrations, held an unlawful demonstration in Gothenburg, where 16 persons were arrested for disobedience and breaching the order, as reported by the police. Attacks against reception and accommodation centres were no longer a major concern according to the police.

As reported by the newspaper *De Gelderlander*, around 25 Pegida supporters marched in Nijmegen, **the Netherlands**. They gathered around the reception centre for asylum seekers, where they shouted slogans against it. At the same time, around 100 counter-demonstrators gathered. A large number of police officers formed cordons to keep the groups apart. Two persons were arrested.

## Stakeholders interviewed in November 2017

Country	Stakeholders interviewed
Austria	<ul style="list-style-type: none"> <li>• Federal Ministry of the Interior, Department III/9 (<i>Bundesministerium für Inneres, Abteilung III/9 Grundversorgung und Bundesbetreuung</i>);</li> <li>• Austrian Ombudsman Board (<i>Volksanwaltschaft</i>);</li> <li>• Federal Ministry of the Interior, Department III/5 (<i>Bundesministerium für Inneres, Abteilung III/5 Asyl und Fremdenwesen</i>);</li> <li>• Federal Ministry of the Interior, Criminal Intelligence Service, Competence Centre for Missing Children (<i>Bundesministerium für Inneres, Bundeskriminalamt, Kompetenzzentrum für Abgängige Personen</i>);</li> <li>• Federal Agency for State Protection and Counter Terrorism (<i>Bundesamt für Verfassungsschutz und Terrorismusbekämpfung, BVT</i>);</li> <li>• Caritas Vienna (<i>Caritas Wien</i>);</li> <li>• Austrian Red Cross (<i>Österreichisches Rotes Kreuz</i>);</li> <li>• Asylum Coordination Austria (<i>Asylkoordination Österreich</i>).</li> </ul>
Bulgaria	<ul style="list-style-type: none"> <li>• Ministry of the Interior, Directorate General Border Police (MoI – DGBP) (<i>Министерство на вътрешните работи, Главна дирекция „Гранична полиция“, МВР – ГДГП</i>);</li> <li>• State Agency for Refugees (SAR) (<i>Държавна агенция за бежанците, ДАБ</i>);</li> <li>• Ombudsman of the Republic of Bulgaria (<i>Омбудсман на Република България</i>);</li> <li>• State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>);</li> <li>• Ministry of the Interior, Directorate General Criminal Police (MoI – DGCP) (<i>Министерство на вътрешните работи, Главна дирекция „Криминална полиция“, МВР – ГДКП</i>);</li> <li>• UNHCR Bulgaria;</li> <li>• Caritas Bulgaria (<i>Каритас България</i>);</li> <li>• Council of Refugee Women in Bulgaria (CRWB) (<i>Съвет на жените бежанки в България, СЖББ</i>).</li> </ul>
Denmark	<ul style="list-style-type: none"> <li>• Danish Ministry of Justice (<i>Justitsministeriet</i>), including the Danish National Police (<i>Rigspolitiet</i>);</li> <li>• Danish Immigration Service (<i>Udlændingestyrelsen</i>), including the Office for Finances and Accommodation, the Centre for Asylum and the Office for Accommodation Conditions;</li> <li>• UNHCR Regional Representation for Northern Europe;</li> <li>• Danish Refugee Council (<i>Dansk Flygtningehjælp</i>);</li> <li>• Danish Red Cross (<i>Røde Kors</i>);</li> <li>• SOS against Racism (<i>SOS mod Racisme</i>).</li> </ul>
Finland	<ul style="list-style-type: none"> <li>• Finnish Immigration Service (<i>Maahanmuuttovirasto/Migrationsverket</i>);</li> <li>• Finnish Red Cross (<i>Suomen Punainen Risti/Finlands Röda Kors</i>);</li> <li>• Helsinki Deaconess Institute (<i>Helsingin diakonissalaitos/Diakonissanstalten i Helsingfors</i>);</li> <li>• Human Rights Centre, Office of the Parliamentary Ombudsman (<i>Ihmisoikeuskeskus/Människorättscentret</i>);</li> <li>• IOM Finland;</li> <li>• National Police Board (<i>Poliisihallitus/Polisstyrelsen</i>);</li> </ul>

Country	Stakeholders interviewed
	<ul style="list-style-type: none"> <li>• Non-discrimination Ombudsman (<i>Yhdenvertaisuusvaltuutettu/Diskrimineringsombudsmannen</i>);</li> <li>• Ombudsman for Children (<i>Lapsiasiavaltuutettu/Barnombudsmannen</i>);</li> <li>• Amnesty International Finnish Section (<i>AI Suomen osasto/AI Finländska sektionen</i>).</li> </ul>
France	<ul style="list-style-type: none"> <li>• Ministry of the Interior (<i>Ministère de l'Intérieur</i>);</li> <li>• Public Defender of Rights (<i>Le Défenseur des droits - DDD</i>);</li> <li>• National Consultative Commission on Human Rights (<i>Commission nationale consultative des droits de l'homme – CNCDH</i>);</li> <li>• National Association of Border Assistance for Foreigners (<i>ANAFÉ Association nationale d'assistance aux frontières pour les étrangers</i>);</li> <li>• La Cimade (Inter-Movement Committee for Evacuees - <i>Comité inter mouvements auprès des évacués</i>);</li> <li>• Doctors of the world - France (<i>Médecins du Monde</i>);</li> <li>• France Land of Asylum (<i>France Terre d'Asile</i>);</li> <li>• The Immigrant Information and Support Group (<i>Groupe d'information et de soutien des immigrés - GISTI</i>).</li> </ul>
Germany	<ul style="list-style-type: none"> <li>• Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (<i>Bundesministerium für Familie, Senioren, Frauen und Jugend</i>);</li> <li>• Federal Office for Migration and Refugees (<i>Bundesamt für Migration und Flüchtlinge, BAMF</i>);</li> <li>• International Organization for Migration Germany, IOM;</li> <li>• Federal Ministry of the Interior (<i>Bundesministerium des Innern</i>)/ Joint Centre for Return Support (<i>Gemeinsames Zentrum zur Unterstützung der Rückkehr, ZUR</i>);</li> <li>• Jesuit Refugee Service (<i>Jesuiten Flüchtlingsdienst, JRS</i>);</li> <li>• German Red Cross (<i>Deutsches Rotes Kreuz</i>);</li> <li>• Flüchtlingsrat Niedersachsen (<i>Refugee Council Lower Saxony</i>);</li> <li>• Federal Association for Unaccompanied Minor Refugees (<i>Bundesfachverband Unbegleitete Minderjährige Flüchtlinge</i>);</li> <li>• Workers' Welfare Association (<i>Arbeiterwohlfahrt AWO Flüchtlingshilfe</i>), Unna, Northrhine-Westfalia and Munich, Bavaria and Federal Association;</li> <li>• National working group psychosocial centres for refugees and victims of torture (<i>Bundesweite Arbeitsgemeinschaft Psychosozialer Zentren für Flüchtlinge und Folteropfer, BAF</i>).</li> </ul>
Greece	<ul style="list-style-type: none"> <li>• The Greek Ombudsman (<i>Συνήγορος Πολίτη</i>);</li> <li>• Solidarity Now (<i>Αλληλεγγύη Τώρα</i>);</li> <li>• Greek Asylum Service (<i>Υπηρεσία Ασύλου</i>);</li> <li>• NGO Aitima (<i>ΜΚΟ Αίτημα</i>);</li> <li>• United Nations High Commissioner for Refugees Greece (<i>Υπατη Αρμοστεία του ΟΗΕ για τους Πρόσφυγες - Ελληνικό Τμήμα</i>);</li> <li>• Municipality of Athens (<i>Δήμος Αθηναίων</i>);</li> <li>• Municipality of Lesbos (<i>Δήμος Λέσβου</i>);</li> <li>• National Centre for Social Solidarity (<i>Εθνικό Κέντρο Κοινωνικής Αλληλεγγύης</i>);</li> <li>• Hellenic League for Human Rights (<i>Ελληνική Ένωση για τα Δικαιώματα του Ανθρώπου</i>);</li> <li>• Hellenic Police Headquarters (<i>Αρχηγείο Ελληνικής Αστυνομίας</i>).</li> </ul>



Country	Stakeholders interviewed
<b>Hungary</b>	<ul style="list-style-type: none"> <li>• Ministry of Interior (<i>Belügyminisztérium</i>);</li> <li>• Ministry of Human Capacities (<i>Emberi Erőforrások Minisztériuma</i>);</li> <li>• National Police Headquarters (<i>Országos Rendőr-főkapitányság</i>);</li> <li>• Immigration and Asylum Office (<i>Bevándorlási és Menekültügyi Hivatal</i>);</li> <li>• UNHCR Hungary;</li> <li>• MigSzol;</li> <li>• Hungarian Association for Migrants (<i>Menedék Migránsokat Segítő Egyesület</i>);</li> <li>• Cordelia Foundation (<i>Cordelia Alapítvány</i>).</li> </ul>
<b>Italy</b>	<ul style="list-style-type: none"> <li>• Ministry of the Interior;</li> <li>• Authority for the Protection of People who are Detained or Deprived of their Personal Freedom (<i>Garante nazionale per I diritti delle persone detenute o private della libertà personale</i>);</li> <li>• Association for Legal Studies on Immigration (<i>Associazione per gli studi giuridici sull'immigrazione, ASGI</i>);</li> <li>• Italian Refugees Council (<i>Consiglio Italiano per i Rifugiati, CIR</i>);</li> <li>• NGO 'Doctors for Human Rights' (<i>Medici per I diritti umani, MEDU</i>);</li> <li>• Save the Children Italia Onlus;</li> <li>• United Nations High Commissioner for Refugees (UNHCR);</li> <li>• Italian Red Cross (IRC);</li> <li>• Jesuit Refugee Service 'Centro Astalli';</li> <li>• Community of Sant'Egidio (<i>Comunità di Sant'Egidio</i>);</li> <li>• 'Melting Pot Europa' project;</li> <li>• NGO 'Borderline Sicilia';</li> <li>• NGO 'Naga'.</li> </ul>
<b>Netherlands</b>	<ul style="list-style-type: none"> <li>• Ministry for Security and Justice: central information point, providing information on behalf of: Immigration and Naturalisation Service, Aliens Police, Central Agency for the Reception of Asylum Seekers (all members of the so-called 'Alien Chain');</li> <li>• Statistics Netherlands (<i>Centraal Bureau voor de Statistiek</i>);</li> <li>• Defence for Children the Netherlands;</li> <li>• Dutch Council for Refugees (<i>Vluchtelingenwerk Nederland</i>);</li> <li>• Amnesty International the Netherlands;</li> <li>• NIDOS;</li> <li>• Stichting LOS;</li> <li>• UNICEF the Netherlands;</li> <li>• Pharos, Dutch Centre of Expertise on Health Disparities;</li> <li>• MiND-the Dutch Reporting Point for Discrimination.</li> </ul>
<b>Poland</b>	<ul style="list-style-type: none"> <li>• Association for Legal Intervention (<i>Stowarzyszenie Interwencji Prawnej, SIP</i>);</li> <li>• Helsinki Foundation for Human Rights (<i>Helsińska Fundacja Praw Człowieka, HFPC</i>);</li> <li>• UNHCR Poland;</li> <li>• Ombudsman (<i>Rzecznik Praw Obywatelskich, RPO</i>);</li> <li>• Polish Migration Forum (<i>Polskie Forum Migracyjne, PFM</i>);</li> <li>• Ombudsman for Children (<i>Rzecznik Praw Dziecka, RPD</i>);</li> </ul>

Country	Stakeholders interviewed
	<ul style="list-style-type: none"> <li>• Head of the Office for Foreigners (<i>Szef Urzędu do spraw Cudzoziemców, UDSC</i>);</li> <li>• Open Republic Association Against Anti-Semitism and Xenophobia (<i>Otwarta Rzeczpospolita, OR</i>);</li> <li>• Human Constanta;</li> <li>• The Rule of Law Institute Foundation (<i>Fundacja Instytut na rzecz Państwa i Prawa, FIPP</i>).</li> </ul>
<b>Slovakia</b>	<ul style="list-style-type: none"> <li>• Migration Office of the Ministry of Interior of the Slovak Republic;</li> <li>• Ministry of Interior of the Slovak Republic;</li> <li>• Office of Border and Alien Police of the Police Presidium;</li> <li>• Ministry of Labour, Social Affairs and Family;</li> <li>• Public Defender of Rights;</li> <li>• Commissioner for Children;</li> <li>• Slovak National Centre for Human Rights;</li> <li>• IOM;</li> <li>• UNHCR– Regional Representation for Central Europe, Budapest, Hungary;</li> <li>• Slovak Committee for UNICEF;</li> <li>• Human Rights League;</li> <li>• Islamic Foundation in Slovakia;</li> <li>• Slovak Humanitarian Council;</li> <li>• Mareena Civic Association.</li> </ul>
<b>Spain</b>	<ul style="list-style-type: none"> <li>• Sub-directorate for Immigrant Integration of the Ministry of Employment and Social Security (<i>Subdirección General de Integración de los Inmigrantes del Ministerio de Empleo y Seguridad Social</i>);</li> <li>• Spanish Ombudsman (<i>Defensor del Pueblo</i>);</li> <li>• Spanish Committee of UNHCR (<i>Comité español de la Agencia de la ONU para los Refugiados, ACNUR</i>);</li> <li>• Spanish Committee of UNICEF (<i>Comité español de UNICEF</i>);</li> <li>• Jesuit Migrant Service (<i>Servicio Jesuita Migrantes, SJM</i>);</li> <li>• Spanish Refugee Aid Commission (<i>Comisión Española de Ayuda al Refugiado, CEAR</i>);</li> <li>• NGO Accem;</li> <li>• NGO Women's Link Worldwide;</li> <li>• Chair of Refugees and Forced Migrants of Comillas ICAI-ICADE, INDITEX (<i>Cátedra de Refugiados y Migrantes Forzados de Comillas ICAI-ICADE, INDITEX</i>).</li> </ul>
<b>Sweden</b>	<ul style="list-style-type: none"> <li>• Swedish Migration Agency (<i>Migrationsverket</i>);</li> <li>• Swedish Police Authority (<i>Polismyndigheten</i>);</li> <li>• National Board of Health and Welfare (<i>Socialstyrelsen</i>);</li> <li>• Swedish Association of Local Authorities and Regions (<i>Sveriges kommuner och landsting, SKL</i>);</li> <li>• Ombudsman for Children in Sweden (<i>Barnombudsmannen</i>);</li> <li>• Save the Children Sweden (<i>Rädda Barnen</i>);</li> <li>• Swedish Red Cross (<i>Röda Korset</i>);</li> <li>• Amnesty Sweden;</li> <li>• Swedish Network of Refugee Support Group (<i>Flyktinggruppernas Riksråd, FARR</i>).</li> </ul>