

Periodic data collection on the migration situation in the EU

July Highlights

1 May–30 June 2018

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The EU Agency for Fundamental Rights has been collecting relevant data since November 2015, in light of the increasing numbers of refugees, asylum seekers and migrants entering the EU. This report focuses on the fundamental rights situation of people arriving in Member States particularly affected by large migration movements. The countries covered are: Austria, Bulgaria, Croatia, Denmark, Finland, France, Germany, Greece, Hungary, Italy, the Netherlands, Poland, Spain and Sweden. This report addresses fundamental rights concerns between 1 May-30 June 2018.

In selected cases, it also includes significant developments that occurred through 13 July 2018.

Note on sources of information

The evidence presented in this report is based on interviews with institutions and other organisations as indicated in the Annex. In addition, where sources of information are available in the public domain, hyperlinks are embedded to these sources of information throughout the text.

Key fundamental rights concerns

Key emerging fundamental rights concerns

In its [Conclusions](#) of 28 June, the European Council decided to explore the concept of regional disembarkation platforms in third countries. In addition, the Council considered setting up controlled centres in Member States to swiftly process asylum applications and return decisions on a voluntary basis. UNHCR and IOM issued a [proposal](#) on how to support the implementation of such disembarkation platforms in a human rights-compliant manner.

Austria declared migration to be one of the [key priorities of its Presidency of the Council of the European Union](#) starting on 1 July 2018. Under the theme 'A Europe that protects', the focus will be on the creation of a resilient and strict asylum and migration system to prevent uncontrolled migration. According to a [press release](#) of the Ministry of the Interior, this includes considerations relating to return centres in third countries. In his [speech at the "Europa Forum Wachau"](#), the Austrian Chancellor called for more financial means for Frontex border guards and a wider mandate. Suggestions include allowing Frontex to negotiate with and operate in third countries, particularly in northern Africa, to stop people embarking on journeys to Europe. [UNHCR](#) urged the Austrian Presidency to ensure access to territory and uphold the right to asylum.

A new **Austrian** border protection unit, code name "Puma", practiced in Spielfeld, on the border to Slovenia. According to [media reports](#), more than 500 police officers, 220 soldiers of the Federal Army, tanks and helicopters were mobilised in an exercise to simulate various hypothetical scenarios of migrants crossing the border to Austria. The number of people irregularly crossing the

border near Spielfeld is 'basically zero', according to the local police cited in [media reports](#).

In **Greece**, irregular crossings via the Turkish land border into the Evros region increased by 80 % in the first half of 2018. There were around 2,170 new arrivals in the reporting period, including elderly people, pregnant women and small children, according to [figures](#) published by the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and the Hellenic Red Cross. As result of a [monitoring visit](#) carried out by these organisations in the area, the identified humanitarian problems included insufficient access to accommodation, food, basic relief items as well as water, sanitation and hygiene facilities. Several people, mostly pregnant women, small children and the elderly, were in need of medical care and psychosocial support.

Italy's new government changed its approach to permitting the disembarkation of migrants rescued at sea. In line with this new approach, several boats were not allowed to dock. For example, on 10 June, the government refused to allow the [Aquarius](#) rescue boat carrying more than 600 migrants to dock. On 20 June, a Danish [container ship](#) involved in a rescue operation by the Italian Coast Guard, the Maritime Rescue Coordination Centre, was held outside the port of Pozzallo for four days, before being authorised to dock. On 27 June, after Italy refused passengers to disembark from the [Lifeline](#), the German NGO rescue boat was eventually allowed to dock in Malta on 27 June upon a commitment by eight countries to host the 234 migrants rescued. On 30 June, Italy refused access to the Spanish NGO ship *Open Arms*, which rescued 59 migrants as they tried to cross the Mediterranean Sea from Libya, the [media](#) reported. [The Association for Juridical Studies on immigration \(ASGI\)](#) has taken a stand against the Italian government's decision, claiming that it breaches international obligations.

In **Croatia**, the key emerging concern was the increasing number of asylum seekers coming from Bosnia and Herzegovina. Due to the rough terrain, refugees who managed to cross the border arrived at the Zagreb Reception centre in poor physical and mental condition and with psychosocial difficulties. Many families were separated while crossing the border, according to the Croatian Red Cross.

The Minister of the Interior of **Germany** announced a [migration masterplan](#) including "measures to order, control and limit immigration". For example, the plan reiterates the importance of so-called anchor centres (*AnKER Centres – zentrale Aufnahme-, Entscheidungs- und Rückführungseinrichtungen*). These are planned centres where asylum seekers will be registered, have their cases assessed and potentially be returned from. The plan also envisages increased EU border protection and "disembarkation platforms" in North Africa. The plan calls for transit centres at the German-Austrian border, as well as the refusal of Dublin returnees at the border – a position that was not supported by the rest of the government's coalition. [NGOs](#) condemned the plan for focusing on rules and sanctions. The German President [criticised](#) the government's migration policy dispute as "excessively harsh".

The Prime Minister of Bavaria [announced](#) a plan to establish a Bavarian border police force to patrol the German-Austrian border.

In **Spain**, asylum applications from victims of non-state violence in El Salvador, Honduras and Guatemala increased, according to the [Spanish Refugee Aid Commission CEAR](#). Asylum requests in Spain coming from these three countries went up from 115 in 2014, to 2,145 in 2017. Since 2014, only 25 of these applications have led to protection status, according to the [Spanish Refugee Aid Commission CEAR](#).

Key persisting fundamental rights concerns

The Reception and Identification Centres on the Aegean islands in **Greece** (“hotspots”) remained severely overcrowded, with the exception of the hotspot in Leros. Altogether, 14,356 people resided in accommodation facilities that have a total capacity of 6,338. The NGO *Médecins Sans Frontières* [urged](#) the authorities to immediately transfer people from Lesbos to mainland Greece and to scale up the provision of healthcare on the island, also warning about the dramatically worsening conditions in the Moria facility (Lesvos). Serious [clashes](#) occurred between Kurds and Arabs in the Reception and Identification Centre in Moria. Subsequently, some 300 Syrian and Iraqi asylum applicants left the centre and marched to Mytilene to protest. The hotspot in Samos was overcrowded threefold during FRA’s visit in early July, hosting almost 2,700 asylum seekers, with official capacity only at 850. People primarily originated from Syria, Iraq and Cameroon (23% of them were women and 15 % were unaccompanied children).

Challenges in **Italy** at the border to France persist. For example, there were [media reports](#) regarding the case of a woman who drowned in a river while escaping from the French police. Moreover, according to Italian [newspapers](#), melting snow in the mountains has led to the discovery of the bodies of those who died trying to reach France.

Human smuggling remained a concern in **Hungary**. According to the [police](#), in May and June, the authorities placed 17 human smugglers in custody. Most commonly, human smugglers use the [cargo area of their trucks](#) to hide people – mostly Pakistani, Iraqi and Afghani nationals – and smuggle them into Hungary via the southern borders.

The key persistent concern in **Austria** remained the long duration of asylum procedures, according to the Austrian Ombudsman Board. However, the number of complaints against the length of procedures dropped from 1,274 in the period January-June 2017 to 285 during the same period this year.

According to the Croatian Law Centre, several issues persisted in **Croatia**, namely lengthy asylum procedures, challenges regarding family reunification and a lack of procedural and reception guarantees for vulnerable groups. The organisations *Are You Syrious?*, *Info Park* and *the Welcome! Initiative* documented numerous and sometimes violent pushbacks by the Croatian police during the reporting period.

Refusing entry to asylum seekers at the Terespol and Medyka land border crossing points remained a major issue in **Poland**, according to UNHCR, the [Ombudsman for Children](#) and NGOs. Furthermore, due to poorly functioning procedures to identify and refer asylum seekers and other migrants who had been victims of violence, many of them continued to end up in detention. This

occurred despite the fact that the detention of victims of violence is prohibited under Polish [immigration](#) and [asylum](#) law, UNHCR, the Ombudsman and NGOs reported in interviews. Assistance in this area has been primarily provided by private entities and NGOs, according to the [National Prevention Mechanism](#), established under the Optional Protocol to the UN Convention against Torture.

The most persistent fundamental rights concerns in **Bulgaria** remained the ineffective integration of beneficiaries of international protection and, contrary to legal requirements, their continued accommodation in reception centres, as well as the inadequate representation of unaccompanied children, the Ombudsperson stated in an interview.

Interviewed stakeholders in **Germany** emphasised that access to health services during the asylum procedure remained problematic, especially for traumatised individuals and victims of human trafficking, since there is no systematic identification procedure. Furthermore, specialised accommodation for traumatised individuals was still not available, according to Amnesty International.

In **France**, persistent problems included the increasing difficulties in accessing the asylum procedure; the deterioration of living conditions in informal camps in the North of France and in Paris (which have reappeared following several dismantling operations), coupled with the worsening of tensions between the police and the migrants; as well as the widespread use of [immigration detention](#), also in the case of children, NGOs reported in interviews.

The continuously increasing number of irregular arrivals by sea and the consequently overcrowded and poor reception of those people was one of the remaining key issues in **Spain**, according to the Spanish Refugee Aid Commission CEAR, UNCHR and UNICEF.

In several countries, pressure from civil society organisations against returns to Afghanistan increased. For example, in **Austria**, a number of institutions, such as Diakonie, Volkshilfe and SOS Mitmensch, started the initiative [#sichersein](#) against removals to Afghanistan. In **the Netherlands**, more than 68,000 people signed a [petition](#) to the government and members of the House of Parliament urging them to stop the returns. Meanwhile, the number of civilians killed in Afghanistan in the first six months of 2018 (1,692 deaths) was the highest since 2009, when [UNAMA](#) started to record the data.

The quality and availability of legal aid and assistance remained key concerns in **Finland**, as indicated by the Finnish section of Amnesty International and the Finnish Human Rights Centre in an interview. Moreover, the number of subsequent applications – i.e. further applications for asylum after the first application was rejected – increased from 15 % in 2016 to 37% in 2017, and to over 50 % in the first months of 2018, as highlighted by the Ministry of the Interior in its [Migration Review](#). Several [NGOs](#) raised concerns about the improper handling of these applications. According to them, this increase is related to processing issues for the first claims. Contributing factors may include the high number of applications in 2015, the recruitment of inexperienced staff, as well as limited access to legal aid.

The [law](#) in **Sweden** imposing temporary restrictions on granting residence permits to refugees and limiting family reunification until the end of 2019

remained a major issue of concern, according to the National Board of Health and Welfare, the Ombudsman for Children and NGOs. Recent plans to prolong the law's application until new common EU rules are adopted was criticised by the Swedish Red Cross. Another pressing issue was a growing parallel society of migrants in an irregular situation, including rejected asylum seekers, who struggle to access basic rights, Save the Children reported in an interview.

Situation at the border

The situation at the border between **France** and **Italy** (in particular in the Department of Alpes-Maritimes) remained problematic. With a growing number of migrants, including young people and families taking more dangerous alpine routes to France to avoid police checks, this led to several deaths, according to [various media reports](#) and [blogs](#). The French National Consultative Commission for Human Rights issued an [opinion](#) on the situation of irregular migrants at the French-Italian border, which found several shortcomings in the practice of authorities during its visits in March and April. These included unlawful non-admission procedures; a lack of individual interviews; non-compliance with the right to stay one full day before being returned to Italy; deprivation of liberty without any lawful ground; and almost impossible access to asylum. A [report](#) published by the Controller General of Places of Deprivation of Liberty has also confirmed this worrying situation.

In **Hungary**, the police apprehended roughly 420 migrants in an irregular situation in the reporting period and escorted them back to the other side of the border fence, according to the National Headquarters of the Police. In the same period, the police prevented some 180 people from crossing the border into Hungary via the fence along the border with Serbia, the National Headquarters of the Police [reported](#). The figures in June (38 people prevented from entering) were the lowest since the police have been [publishing](#) these figures on a daily basis (July 2016).

A [newspaper](#) reported that authorities increased controls at **Croatia's** border with Bosnia and Herzegovina due to around 5,000 migrants having reached Bosnia in the past few months. Bosnian border guards have stopped almost 100 people from crossing into Croatia, according to [Radio Free Europe](#). According to the Jesuit Refugee Service (JRS) report "[Forgotten at the gates of Europe](#)", nearly all the 17 people JRS interviewed in Croatia and Serbia in 2017, including five children, reported stories of physical abuse by Croatian border guards and of immediate pushbacks to Serbia. According to [media reports](#), the Croatian police opened fire on a van carrying 29 migrants at the border, injuring nine, including two children, after the vehicle tried to crash through a roadblock to enter the country from Bosnia. [Media](#) reported about at least one person drowning in the Kupa River along the border with Slovenia.

In **Poland**, representatives of the Ombudsman [visited](#) the land border crossing point in Terespol. On the day of the visit (15 May), 32 people, including families with children, attempted to apply for asylum, but the applications of only 16 people were registered. The Ombudsman for Children [urged](#) the Ministry of the Interior and Administration to protect the rights of asylum-seeking children at the Polish borders, and suggested placing cameras on border guards' uniforms to

record the activities carried out during 'second line checks' (further checks carried out in a special location, set apart from the booths where all persons are checked).

Austria and **Germany** have expanded their joint border controls, particularly to prevent irregular entry on freight trains, according to [media reports](#).

The new **Spanish** Interior Minister [announced](#) intentions to remove the barbed wire on fences between Morocco and Ceuta and Melilla as a signal of solidarity and respecting people's dignity.

The **Spanish** coastguard [rescued](#) almost 800 refugees between North Africa and Mallorca on 23 June. Over 235 migrants have died or disappeared on the Western Mediterranean route between January and May 27, according to [IOM](#). On 17 June, Spanish authorities allowed the boat *Aquarius*, which had rescued some 600 people, to disembark in the port of Valencia. It had previously been [refused](#) permission to dock in Italy or Malta. [UNHCR](#) applauded Spain for allowing the vessel to disembark. After Malta and Italy had refused access to the Spanish NGO ship *Open Arms*, which had rescued 59 migrants as they tried to cross the Mediterranean Sea from Libya, Spain allowed the ship to dock in Barcelona on 30 June, the [media](#) reported.

France [offered](#) assistance to Spain to screen people rescued at sea who had disembarked the NGO rescue ship *Aquarius* in Valencia and to identify those who are in need of international protection and who could be taken by France. Similar assistance has been offered in case of the humanitarian ship *Lifeline*, as the President of the Republic [announced](#) end of June.

Asylum procedure

Figures and trends

In May 2018, arrivals by sea to **Italy** (13,430 persons) decreased by 77 % compared to the same period last year. In the same month, arrivals by sea and land more than doubled in **Greece** (4,802 persons) and more than quadrupled in **Spain** (3,949 persons) compared to May 2017. The number of apprehended individuals in the Western Balkans continued to increase, as reported by [IOM](#).

In the EU+ countries (EU Member States, Norway and Switzerland), the number of applications for international protection decreased by about 10 % in May 2018 (52,948 applications) compared to the same month last year (59,163 applications), according to [EASO](#). The data for 2018 are missing for two Member States. In its annual report, [EASO](#) stated that in 2017 there was a 44 % decrease in applications for international protection from 2016.

Despite the general drop in applications across the EU, the number continued to increase in some Member States. For example, in **Spain**, the number of asylum applications during the reference period (May and June) was 12,008 – an increase by 53 % compared with the previous period (March-April), according to unconsolidated data submitted by the Asylum and Refugee Office.

In May 2018, the number of first-time applications in **the Netherlands** (1,598 applications) [increased](#) by more than a third compared to the same period last year. 159 children were registered as unaccompanied children, which is a 30 % [increase](#) compared to April 2018.

Access to asylum procedures

EASO published its [first country guidance](#), which aims to provide assistance to national asylum decision-makers when assessing the situation in Afghanistan.

In **Greece**, the NGO *METAdrasi* [suspended](#) its provision of interpretation services to the Greek Asylum Service at the end of May, due to prolonged delays in outstanding payments by the government. Following the renewed commitment by the Ministry of Migration Policy to resolve this issue as soon as possible, *METAdrasi* interpreters returned in June to continue providing interpretation to the Greek Asylum Service.

Access to asylum in **Hungary** remained very restricted. In the first week of July, no asylum seeker was allowed to enter into the transit zones located at the Hungarian-Serbian border, [UNHCR](#) and NGOs reported. In Hungary, the length of asylum procedures varied significantly, and in many cases, the administrative decisions have been issued several months after the lodging of the asylum claim, UNHCR and NGOs pointed out in interviews.

In **Croatia**, asylum procedures for vulnerable groups lasted for more than a year, according to the Croatian Law Centre.

Austria employed new staff and opened [new regional asylum offices](#) in order to reduce the duration of asylum procedures from eight months to six months, as required by law. Caritas reported in an interview that the Federal Office for Alien Matters and Asylum initiated withdrawal procedures on nearly all applications for renewal of subsidiary protection from Afghans. Well-integrated persons are more likely to get their status renewed. In some cases, withdrawal procedures are opened but not processed for months.

In **Poland**, the lack of legal assistance available to asylum seekers in detention centres and open reception facilities remained an issue of grave concern, the Ombudsman, UNHCR, and multiple NGOs pointed out in interviews. This deficiency is due to funding gaps, since the Ministry of the Interior and Administration has still not announced calls for some time, under their national programme of the EU Asylum, Migration and Integration Fund.

In an interview, several NGOs, such as Amnesty International and the Refugee Council Berlin, criticised the lack of independent, non-state consultation services for asylum seekers in **Germany**. The NGOs refer to a [study](#) by the Federal Office for Migration and Refugees (BAMF) and UNHCR Germany, showing the importance of independent consultation services offered by non-state actors.

Also in **Germany**, the Bremen branch of the BAMF is no longer taking asylum decisions as a result of a scandal involving asylum decisions granted wrongfully, according to [media reports](#). Over the last 18 months, the BAMF has ended its cooperation with some 2,000 contracted interpreters in response to criticism of their qualifications and alleged involvement in the scandal in Bremen, several [newspapers](#) reported.

In **France**, the new telephone system introduced in the Île-de-France region to register an asylum claim and get an appointment at the prefecture did not really work in practice, the NGOs *La Cimade* and *GISTI* reported in interviews. According to an [opinion](#) published by the Public Defender of Rights, the increasing digitalisation of processes effectively constitutes an obstacle to accessing asylum, given that a significant number of asylum seekers do not have a direct internet connection and/or share the same mobile phone. Also in France, as in the previous months, authorities continued to expand the use of accelerated asylum procedures, with intentions to reduce the delays in examining asylum applications, the NGO *GISTI* reported in an interview.

In **Spain**, UNHCR highlighted in an interview the continuous efforts of the Asylum and Refugee Office to reduce the length of the asylum procedure and to increase the quality of interviews. However, challenges still persisted in several areas.

The duration of asylum procedures was [decreasing](#) in **Sweden**, with an average processing time of 90 days per asylum application. However, in an interview, Amnesty International reported worrisome trends, such as the lack of transparency and legal certainty in Swedish Migration Agency procedures, as well as limited individualised assessment by courts when reviewing appeals.

The **Finnish** Immigration Service published an internal assessment [report on the asylum process and decision-making](#), which found no systematic deficiencies. However, the report identified some shortcomings and errors, among others regarding interpretation and the observance of internal guidelines. Moreover, the Finnish Immigration Service updated its [security situation reports](#) on Afghanistan, Somalia and Iraq. While it was assessed that the situation in the first two countries remained unstable, the situation has improved in Iraq.

Reception

Reception capacity

Sufficient reception capacity was available in several countries, including **Austria, Bulgaria, Croatia, Denmark, Finland, Germany, Hungary, the Netherlands and Poland**.

Despite the low occupancy rates in the **Hungarian** transit zones at Rösztke and Tompa, the National Headquarters of the Police reported the extension of the capacity of both facilities with an additional 50 beds per facility. As a result, the maximum capacity of the Tompa transit zone reached 250 places, while that of the Rösztke facility went up to 450 beds.

In **Poland**, roughly 55 % of all asylum seekers received funds to live outside of open reception centres (in private accommodation), the Polish Office for Foreigners stated.

In **Sweden**, a number of municipalities chose to be only responsible for housing new asylum applicants during their [period of establishment](#) (first two years) but no longer. Court cases also upheld decisions of municipalities to terminate lease agreements for newly arrived people after two years.

Reception capacity remained insufficient at least in **France, Greece, Italy** and **Spain**.

For example, in **France**, the reception system's capacity remained unable to provide accommodation for all asylum seekers in the country (the total number of asylum applicants remained close to 110,000 people), according to the NGO *GISTI*. As a result, informal camps re-appeared in the North of France and Paris, which were subject to repeated evacuation operations, NGOs and the [Ministry of the Interior](#) stated. These operations triggered [clashes](#) between the migrants and police forces, but afterwards, hundreds of people were still residing in these makeshift sites, often deprived of drinking water and acceptable living conditions, *Médecins du Monde* and *GISTI* reported in interviews.

Recent arrivals from several rescue ships, such as the *Aquarius*, showed significant gaps in **Spain's** reception system, with many centres being severely overcrowded, according to [media reports](#).

Reception conditions

In **Greece**, the living conditions in reception facilities on the mainland (in Northern Greece and Thiva) have significantly deteriorated, with serious overcrowding, which has forced people to live in tents, according to [media reports](#).

In **Italy**, concerns have systematically been raised about the high variability in standards of reception centres in practice. Government-run first reception centres (CAS) were often overcrowded, lacked hygienic and safety conditions, skilled staff, assistance and information, legal advice, opportunities for socialisation and are often in remote areas, according to the Association for Legal Studies on Immigration (ASGI). In general, the quality of the Central Service for the National Asylum-Seekers and Refugees Protection System (SPRAR) centres is higher.

In **Hungary**, [media reports](#) uncovered that a number of beneficiaries of international protection – mostly Afghani and Pakistani families – have been accommodated in a rehabilitation centre in Budapest, together with people with physical disabilities.

The **Bulgarian** State Agency for Refugees reported in an interview that it was still facing difficulties in recruiting interpreters, social workers, psychologists and transcultural mediators for its reception centres. A call for applications launched in May was closed due to the lack of candidates.

The **Finnish** Immigration Service published a [reception centres monitoring report](#), according to which reception centres generally operated appropriately between May and December 2017. Some mainly minor shortcomings, such as information gaps, were observed.

Vulnerable persons

In **Greece**, the needs of vulnerable people have not been adequately taken into account. As a result, tensions were high in these sites (e.g. asylum seekers residing in the Thiva camp occupied the facility for a few days to protest against the living conditions), the NGO *Arsis* [reported](#).

Although all asylum seekers in **Hungary** are placed in one of the closed transit zones at the border with Serbia, some vulnerable people (e.g. pregnant women, the elderly, people with disabilities, applicants with serious illness) have occasionally been transferred to the only functioning open reception facility in Vámoszabadi, the Hungarian Association for Migrants reported.

The unavailability of translators to help psychiatrists and other medical staff in hospitals and specialised institutions remains a persistent issue in **Croatia**, according to the Croatian Red Cross. The lack of specialised institutions for vulnerable beneficiaries, like unaccompanied children and people with mental disabilities, psychiatric disorders, and substance abuse issues, was a significant problem. A Syrian family left Croatia to return to Turkey because of the inappropriate accommodation conditions and the poor medical care they received for their sick child.

The immigration authority in **Sweden** published [guidance](#) to clarify how to interpret the restrictions in the '[temporary law](#)' concerning the granting of residence permits on health grounds, by extending the scope of application to children suffering from depression. Also in Sweden, the National Board of Health and Welfare [identified](#) particularly vulnerable groups amongst unaccompanied children. These included children who have received a negative asylum decision but have not left the country; young people who turned 18 or had their age re-registered as adults; and unaccompanied children who did not intend to apply for asylum. These groups lacked an adequate support system and were often overlooked by public authorities.

Victims of torture and trauma

There was still a lack of accessible infrastructure for asylum applicants and beneficiaries of international protection with disabilities in some **Bulgarian** reception centres, as well as a lack of specialised care facilities and support services for victims of torture or trauma, as observed by the Ombudsperson in an interview.

Interviewed representatives of the **Finnish** section of Amnesty International and the Finnish Refugee Council raised concerns over the Finnish Immigration Service's capacity to identify torture victims and traumatised persons among asylum seekers. According to an interview with the Immigration Service, systematic efforts to strengthen the identification procedures have been made, particularly throughout the last three years. Currently, a new standardised health examination protocol for asylum seekers is being developed. The protocol is to be implemented as of 2019.

Child protection

Figures and trends

According to [IOM](#), more than 32,000 children arrived in **Bulgaria, Greece, Italy** and **Spain** in 2017; 60 % (19,858) were unaccompanied and separated. Seven in every 10 children sought international protection in **France, Germany, Greece** and **Italy**.

According to the [Ministry of the Interior](#), between the beginning of 2018 and 2 July 2018, 2,621 unaccompanied children disembarked on the **Italian** coastline. Unaccompanied children arriving in Italy totalled 25,846 in 2016, decreasing to 15,779 in 2017.

As of 30 June, according to the [National Centre for Social Solidarity](#) (EKKA), some 3,670 unaccompanied children were estimated to be in **Greece**, of which 95.5 % were boys. A total of 2,672 unaccompanied children were on waiting lists for appropriate shelter. 349 of them remained in Reception and Identification Centres (hotspots) and 149 in protective custody, mainly at police stations. The total number of available places for unaccompanied children in all of Greece was 1,135. These figures continue to raise protection concerns regarding unaccompanied children.

In **Germany**, the protection rate for unaccompanied children in 2017 reached 78 % (89 % in 2016, 90 % in 2015, 73 % in 2014, 57 % in 2013), according to the [Federal Office for Migration and Refugees](#).

Reception conditions for children

The European Commission against Racism and Intolerance (ECRI) published its [conclusions](#) on the implementation of its earlier recommendations addressed to **Hungary**. The ECRI conclusions state that children held in the transit zones did not receive proper psychosocial counselling, and the Hungarian authorities did not provide them with proper recreational services and facilities in the transit zones. The ECRI also stressed that detention conditions in the transit zones worsened since 2015.

Some children in **Croatia** stayed together with other asylum seekers at reception centres. According to an interview with the Croatian Red Cross, children were accommodated alongside single men, people with mental disabilities and persons with substance abuse issues.

The saturation of accommodation facilities for unaccompanied children across **France** remained a major issue of concern, according to the [observations](#) of the Public Defender of Rights. Many of the unaccompanied children were denied social care and referred to other departments where difficulties persisted (e.g. in Bouches-du-Rhône). This caused conflicts between local authorities and the government, the Public Defender of Rights and the NGO *La Cimade* reported in interviews. A related challenge was the increasing number of unaccompanied Moroccan children, often violent, in the streets of Paris, according to the Public Defender of Rights and [media reports](#).

According to [media reports](#), personnel at five of **Spain's** reception facilities for unaccompanied children in Cadiz staged demonstrations against "unsustainable overcrowding", as the centres were hosting four times their capacity. In one instance, 15 teenagers were hosted in offices without showers. In view of the high number of newly arriving children in Spain, [UNHCR](#) identified shortages in the reception system of children and recommended to separate the initial reception of unaccompanied children from adults, to provide services of protection and individualised legal advice, to avoid the separation of families, to provide psychological support and healthcare as well as access to educational

and recreational activities and to accelerate the procedure for residence permits, asylum claims and education.

The housing situation in **Sweden** was not adequate from a child rights perspective, as several families live in camping sites and in trailers, Save the Children reported in an interview.

In the **Netherlands**, a [study](#) showed that the living conditions of children in reception centres and family centres (where families await return under freedom restrictions) do not meet the standards set in the UN Convention on the Rights of the Child, particularly due to a lack of privacy. Among others, more children felt unsafe in the family centres (35 %) compared to reception centres (10 %). In response, six NGOs submitted a [manifesto](#) to the House of Representatives with recommendations for the improvement of the children's living conditions. A [study](#) by Defence of Children showed that some families who chose to leave the family centres lived in great poverty, since they cannot rely on government support and depend on their own networks or support by private organisations.

The **Danish** Immigration Service explained in an interview that it decided to reorganise the reception centre system before the end of 2018 by closing the Gribskov centre, which accommodates unaccompanied children, instead accommodating all asylum seekers in the only operational centre Sandholm.

In an interview, the **Danish** Refugee Council raised concerns over the overall conditions for children at the deportation centre Sjøelsmark. In particular, the case-handling time caused uncertainty for children.

Guardianship for unaccompanied children

The **Italian** Refugees Council together with UNHCR launched a [project](#) concerning voluntary guardians of unaccompanied children, including awareness-raising activities, the creation of a network of organisations, NGOs and associations active in this field, as well as training for voluntary guardians.

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, who are placed in a children's home close to Budapest (in Fót). Unaccompanied children over 14 were still placed in the Röszke transit zone until their asylum claims are decided upon. Under [Hungarian law](#), they are considered to have full legal capacity as soon as they are 14 years of age, so they are only [assigned](#) a formal legal representative for the asylum procedure ("ad hoc guardian"). Given their low numbers, such ad hoc guardians are only able to meet the children sporadically, and their consent [is not required](#) before a child decides to leave the transit zone through the one-way exit to Serbia.

The Ombudsman for Children in **Poland** [identified](#) a number of shortcomings in the functioning of the guardianship system. For instance, the guardians' powers last only for the duration of the asylum procedure; and there are no criteria set

out in law to appoint guardians for unaccompanied children. In practice, the guardianship system is essentially based on the voluntary work of NGOs.

The divergent quality of *ad litem* guardians and interpreters in **Sweden** urgently needs to be addressed, Save the Children stated in an interview.

Safeguards and specific support measures

In **Greece**, the kindergarten that was established in the hotspot on the island of Samos closed at the end of June, as the contracts with the Reception and Identification Service expired. There was thus no access to formal education for children staying in the hotspot.

Oxfam, the Association for Legal Studies on Immigration, and the Waldensian Evangelical Church released a [report](#) about unaccompanied children returned to **Italy** from **France**. The report describes pushbacks from the French border police at the border close to Ventimiglia (Liguria). Authorities do not provide any assistance, so many end up living on the streets or in informal camps, waiting for the first opportunity to cross the border again. There is only one formal camp managed by the Italian Red Cross with a capacity of 444 places. In the first four months of 2018, however, some 4,231 migrants (including unaccompanied children) came to Ventimiglia, wanting to cross the border to France.

Civil society organisations continued to provide support to asylum-seeking children in **Bulgaria**. According to an interview with Caritas Bulgaria, [activities](#) included, among others, a series of sessions on children's rights and responsibilities and computer lessons, which were provided in cooperation with the IOM.

The Ombudsman for Children in **Poland** prepared a [list of issues](#) for the UN Committee on the Rights of the Child prior to the latter reporting on Poland. The ombudsperson stated that the right to asylum was not respected during the second-line border checks. For example, official minutes are only prepared in Polish and are not presented to the applicant. Furthermore, complaints are not permitted. These issues meant there is a risk of violating the principle of *non-refoulement*.

In **Germany**, the Federal Association for Unaccompanied Minor Refugees raised concerns about the Federal Office for Migration and Refugees' stepping up the pace of asylum procedures, which leads to insufficient time for preparation, affecting unaccompanied children in particular. They also criticised a change in the practice of granting protection to the parents of a child who has received refugee status. Parents now have to undergo a separate asylum procedure and often only receive subsidiary protection while they used to automatically receive the same status as the child.

According to an interview with Save the Children, the situation of unaccompanied children in **Spain** is increasingly worrying, as they experience violence and poverty and many have to sleep rough.

[Child rights organisations](#) and the [Finnish Committee for UNICEF](#) raised concerns relating to the **Finnish** Immigration Service's announcement to start hearing children aged 7–12 when assessing the credibility of asylum seeker families' claims of converting to Christianity. The [Immigration Service](#) explained that it

wants to increasingly hear children, to identify those risking persecution. It ascertained that children's faith or knowledge of religion is not being tested and children are not asked to assess their parents' claims.

Age assessments

The Federal Association for Unaccompanied Minor Refugees in **Germany** expressed concern about the increased use of medical examinations for age assessments, including genital examinations and naked examinations.

In **Spain**, [Save the Children](#) reported that unaccompanied children preferred to declare themselves as adults in order to avoid being taken to the autonomous communities and to reach the Peninsula and have access to its labour market. Age assessment methods are obsolete and unreliable, according to Save the Children.

Missing children

According to an interview with the **Danish** Immigration Service, 31 asylum-seeking children went missing between 1 May and 21 June 2018.

In **Sweden**, 172 migrant and asylum-seeking children went missing, according to the Swedish Migration Agency. The number of unaccompanied Afghan children leaving Sweden for France after receiving negative asylum decisions was also on the rise, according to [media reports](#) and the Swedish Red Cross.

Family reunification

The **Austrian** [Consular Fee Act](#) introduced a fee of EUR 200 per person over 6 years old and EUR 100 for persons under 6 years to apply for family reunification under the Asylum Act, making family reunification the most expensive procedure at Austrian embassies.

Following the CJEU's ruling in the case [A and S](#), the **Finnish** Immigration Service changed its policy on the family reunification procedure for young refugees who "age out" – i.e. turn 18 - during the asylum procedure, by allowing them to continue the family reunification process as children for three months after obtaining protection status, according to [media sources](#).

In May 2018, arrivals related to family reunification (813 persons) [decreased](#) in the **Netherlands** by about 45 % compared to May 2017 (1,473 persons).

Immigration detention

The total number of people held in immigration-related detention in **Greece** was some 6,610 people in May, half of which were asylum applicants, according to data of the Hellenic Police Headquarters. The figures dropped in June, with some 5,200 persons held in administrative detention (out of which around 2,900 persons were asylum seekers). The majority of detainees originated from Pakistan, Bangladesh and Afghanistan. In its latest [preliminary observations](#) on detention conditions in Greece, the European Committee for the Prevention of Torture (CPT) confirmed wide disparities in conditions across immigration-related detention centres. While conditions in the pre-removal centres of Amygdaleza and Kos were satisfactory (both applying an open-door regime), conditions in the pre-removal detention facilities in Moria and Fylakio remained very poor;

alongside “grossly sub-standard” conditions in the police holding cells in the Evros region. The number of health-care staff in each of the facilities visited was also insufficient, according to the CPT.

Also in **Greece**, the Special Holding Facility for unaccompanied children (EHPA) in Amygdaleza [was once more in use](#), after having been closed due to inadequate conditions. The EHPA was allegedly reactivated in May 2018, following the evacuation of the camps near the port of Patras. Several actors, including the CPT, criticised this facility in the past for its inhumane conditions.

According to the [Authority for the Protection of People who are Detained or Deprived of their Personal Freedom](#), the critical issues concerning migrants’ detention in **Italy** remained. Issues include poor reception conditions in detention facilities; a lack of socialisation and leisure activities; no access for NGOs and associations; inadequate transparency, including the absence of a video-recording system for conflicts; inadequate consideration of the different legal statuses of prisoners, as well as of their vulnerabilities; difficulties in accessing information; and the lack of a complaint mechanism aimed at reporting rights violations.

In **Hungary**, orders for pre-removal detention were issued for 51 people during the reporting period (almost the same number as in the previous period). Meanwhile, asylum detention (outside the transit zones) was applied to one single man on account of his Dublin transfer, according to the Office of Immigration and Asylum and the National Headquarters of the Police. Given that the transit zones have become the only location to lodge an asylum application and all migrants in an irregular situation who have been apprehended on Hungarian soil are escorted back to the other side of the border fence, the designated pre-removal and asylum detention centres remained almost empty, according to the figures provided by the Office of Immigration and Asylum.

NGOs had only limited access to the Ježevo detention centre in **Croatia**, as there were supposedly no asylum seekers in the centre. The Jesuit Refugee Services claimed this to be untrue, as they had been working with people before they were placed in detention. The Ombudsperson’s Office continued to monitor cases of detained asylum seekers in the Tovarnik Transit Detention Centre and recommendations to the Ministry of Interior, such as that they should not detain vulnerable persons. According to [media reports](#), the detained Hosseini family, whose six-year-old daughter died after being hit by a train at the Croatian Serbian border, succeeded in meeting their lawyer after 50 days. According to the [Centre for Peace Studies](#), the [European Court of Human Rights](#) (ECHR) issued a third interim measure, explicitly requesting the Croatian Government to relocate the family to facilities that are in line with Article 3 of the ECHR.

The occupancy rate of pre-removal detention facilities remained low in **Bulgaria** (about 26 %), with 156 new persons being detained, according to the [Ministry of the Interior’s data](#).

In **Poland**, the Ombudsman for Children [voiced concerns](#) about the immigration-related detention of families with children and unaccompanied children aged 15-18 years. The ombudsperson also expressed doubts about whether alternatives to detention are actually used in the case of children, and whether the Border Guard genuinely assesses the best interests of the children.

The suicide of a Georgian national at a return detention centre near Büren in **Germany** has [raised concerns](#) among local politicians about the quality of care and the conditions at the centre. According to staff of Refugee Council Berlin, a new detention facility is planned in Berlin to exclusively accommodate persons posing a threat to public safety.

In **France**, the Controller General of Places of Deprivation of Liberty (CGLPL) [voiced concerns](#) about the widespread practice of placing children with families in pre-removal detention centres. According to the CGLPL, this has become the standard practice in some prefectures for administrative convenience to ease the organisation of their removal, without genuine determination of the children's best interests. The CGLPL also recommended that pre-removal detention of children should be forbidden by law. 15 civil society organisations sent a [joint letter](#) to the Senate calling for the same legislative change.

According to a [report](#) by the Jesuit Migrants Service, **Spain** placed 8,814 persons in Foreigner Detention Centres in 2017, compared to 7,597 in 2016. The number of people leaving these centres in 2017 was 8,645, of which 5,358 were released and 3,287 were removed from the territory. Detention conditions were deteriorating alarmingly.

In **Sweden**, a [report commissioned by the government](#) suggested the establishment of 'departure/return centres', to send a clear signal to rejected asylum applicants that they must return. In an interview, Save the Children expressed concerns about this plan, arguing that such return centres will likely resemble current detention facilities.

Return

Returns to Afghanistan continued from several Member States, including for example from **Bulgaria, Denmark, Finland, Germany, Greece, the Netherlands** and **Sweden**.

The police in **Greece** carried out some 1,085 forced returns, in application of readmission agreements. The main countries of destination remained Albania, Pakistan and Turkey. As reported in interviews, IOM Greece organised almost 850 voluntary returns in the framework of their Assisted Voluntary Return and Reintegration programme. The majority of returnees originated from Pakistan, Iraq and Georgia, and included men, women and children.

In its report to the Parliament in **Italy**, the [Authority for the Protection of People who are Detained or Deprived of their Personal Freedom](#) highlighted that forced returns of irregular migrants from **Italy** increased by 25 % from 2016 to 2017. The report pointed out the following recurrent issues: the police used Velcro handcuffs to control migrants' movements during the return procedure and on board of the airplane, even in the absence of non-cooperative behaviour. Police officers would not inform migrants about the upcoming return, preventing them from being psychologically prepared and from filing a complaint against the decision. Migrants were forced to wait several hours for their return flights, often outside, exposed to hot or cold weather conditions.

In **Hungary**, rejected asylum seekers subject to a return decision either remained in the transit zones or were transferred to closed detention centres (at

the Budapest International Airport, in Nyírbátor or in Békéscsaba) pending their removal, the Ministry of the Interior stated.

[NGOs](#), [schools](#) and companies raised concerns about increasingly stricter return practices in **Austria**. For example, [well-integrated families](#), [students](#) or young adults in [vocational training](#) and [a family with a disabled child](#), who a doctor considered to be unfit to fly, were returned. The [opposition in parliament](#) criticised the announced return of a homosexual Iranian despite Iran sanctioning homosexuality with the death penalty. More than 51,000 persons signed a [petition](#) against the removal of apprentices before they have finished their apprenticeship.

Interviewed NGOs in **Germany**, such as the Refugee Council Berlin, voiced their concern regarding the measures aimed at stepping up the return of asylum seekers. Already during their asylum procedure, asylum seekers, including unaccompanied children, were increasingly encouraged to consider returning voluntarily.

Germany was negotiating with Nigeria to repatriate some 30,000 undocumented Nigerian migrants, according to media [reports](#).

Although **France** has not been carrying out direct returns to Afghanistan, in the Dublin procedure, it transferred asylum seekers to other EU Member States (e.g. Norway, Sweden) which carry out removals to Afghanistan. In a [joint statement](#), the Association for the Defence of the Rights of Foreigners and GISTI called for authorities to stop this practice of 'indirect returns' to Afghanistan.

In **Sweden**, the authority which enforces returns did not carry out post-return monitoring in cases of those who had been forcibly removed to Afghanistan, especially young people, Save the Children reported in an interview. According to the NGO, the Swedish Migration Agency should conduct such monitoring.

In **Bulgaria**, 131 persons, mostly from Iraq, [returned](#) voluntarily, under assisted return programmes, forced return operations, or they were subject to transfers under the Dublin Regulation.

Based on the **Dutch** Ministry of Foreign Affairs' [new country report on Afghanistan](#), civil society organisations [concluded](#) that returns may no longer be continued as the situation in Afghanistan is very dangerous.

In a [letter](#) to the House of Representatives, the Dutch Refugee Council raised concerns over the fact that the **Netherlands** sent, for the first time since 2011, two Dublin requests to **Greece**. The State Secretary [confirmed](#) that requests were sent, but stated that asylum seekers would only be returned to Greece when its reception centres and asylum procedure live up to the standards set by the ECHR. In [response](#), the Dutch Refugee Council underlined that the situation for asylum seekers in Greece is so bad that no one can be returned there.

According to an [audit](#) by the Court of Audit, only 14.8 % of the **Netherlands'** Dublin requests during 2014-2016 resulted in actual transfers. One of the explanations for this might be that foreign nationals left the country prior to the transfer. Moreover, in the case of almost half of the rejected asylum seekers who applied for asylum in 2014-2016, it could not be proven that they had left the country by 1 January 2017.

A [study](#) by Pro Facto looked at the shelters provided to foreign nationals ordered to leave the **Netherlands** and investigated which factors influence the return of these foreign nationals to their country of origin.

For the first time, rejected Iraqi asylum seekers were unsuccessfully returned to Iraq, since the police at the Baghdad airport did not accept the temporary travel documents issued by the **Finnish** authorities in three cases, according to [media sources](#). Finland has not been able to achieve a bilateral readmission agreement with Iraq since 2009.

Legal responses

Case law

Court of Justice of the European Union (CJEU)

In a preliminary ruling concerning two cases submitted by a **Dutch** and a **Belgian** court on the interpretation of Directive 2004/38/EC, the CJEU [clarified](#) that the mere presence of a person, who was previously denied international protection due to potentially having been involved in serious crimes, does not automatically constitute a genuine, present and sufficiently serious threat to the fundamental interests of society. The CJEU explained which factors the authorities need to assess to conclude there is such a threat, which would justify the adoption of measures on grounds of public policy or public security.

After a request for a preliminary ruling by the Council for asylum and immigration proceedings, **Belgium**, the CJEU [ruled](#) that Article 20 TFEU precludes a practice whereby an application for residence based on family reunification, which was submitted in a Member State by a third-country national family member of an EU citizen, is not examined only because the person was previously issued an entry ban. The CJEU held that Member States must examine whether there is a relationship of dependency between the third-country national and the EU citizen and further clarified elements which constitute such a “relationship of dependency”. It explained which aspects are immaterial in this regard and that a second return decision must generally take into account the details of the person’s family life referred to in the respective application.

In another preliminary ruling initiated by the Administrative Court in Lille, **France**, the CJEU [held](#) that the Dublin Regulation precludes a Member State, which submitted a take charge or take back request to another Member State, from adopting or notifying a transfer decision to the person concerned before the requested Member State explicitly or implicitly consents to the request.

The CJEU [explained](#) in a preliminary ruling requested by the Council of State, **Belgium**, that Member States must make and communicate their decision to issue a residence permit for family members of Union citizens within six months. After the six months, Member States must not automatically issue such a residence card without establishing that the person meets the residence conditions. In case Member States reject an application and the rejection is later annulled by a court, the authorities must not automatically regain the full period of six months for the re-examination of the application.

In response to a preliminary ruling requested by the **Belgian** Council of State, the CJEU [ruled](#) that a return decision can be adopted before the deadline for appealing asylum decisions expires or a judicial body decides on an appealed asylum decision. However, it is provided that the Member State guarantees the suspension of the return decision's legal effects until the outcome of the appeal, that the applicant enjoys the rights under the Reception Conditions Directive in the meantime and that they can rely on any change of circumstances after the adoption of the return decision.

European Court of Human Rights (ECtHR)

The ECtHR [held](#) that **Greece** violated Article 3 (prohibition of torture and inhuman or degrading treatment) and Article 5 (right to liberty and security) of the European Convention on Human Rights (ECHR) by detaining a Syrian national in a police station with poor conditions pending his return, although the return to Syria was infeasible due to the on-going armed conflict. The Greek authorities did not sufficiently examine the prison conditions.

The ECtHR [ruled](#) that **France** did not violate Article 3 of the ECHR by offering a family, which was waiting to be admitted to the asylum procedure, an overnight hostel accommodation for three months. The authorities had not been indifferent to the applicant's situation.

National case law

The [Constitutional Court](#) in **Austria** overruled a judgment of the Federal Administrative Court regarding the denial of protection and the return decision concerning an Iraqi citizen. The overruling was based on the argument that the lower court had only generally assumed the applicant would be safe in another part of Iraq, other than his home town, but did not individually assess whether a concrete internal flight alternative was available for the person concerned.

The [Federal Administrative Court](#) in **Austria** overruled a decision of the Federal Office for Immigration and Asylum (BFA) concerning the denial of renewing subsidiary protection for an Afghani national. The court decided that the BFA had not sufficiently assessed whether a change in the security situation in Kabul was sustainable and would no longer cause a real threat for the individual person concerned.

In **Hungary**, the Kecskemét County Court (*Kecskeméti Törvényszék*) delivered [its ruling](#) in the case concerning 71 smuggled migrants who had suffocated inside a lorry which was then dumped by smugglers at the side of a motorway in Austria ("the Parndorf tragedy"). All 12 members of the criminal group of human smugglers were handed long imprisonment sentences (ranging from four to 25 years).

The Supreme Administrative Court in **Poland** [delivered its ruling](#) in a case concerning an asylum seeker from Chechnya who several times tried to lodge an asylum application at the border crossing point at Terespol, but the border guards repeatedly refused her entry. The court dismissed the Border Guard's appeal and found a number of procedural and substantive breaches of law (e.g. no official report was drawn up and signed by the applicant; the Border Guard

acted in bad faith by considering the applicant's reported attempts to enter as purely based on economic grounds).

The **Dutch** Council of State [ruled](#) that asylum seekers who fall under the Dublin Regulation cannot be detained prior to being given the opportunity to be heard.

In a case concerning a Nigerian citizen residing in Spain, who sought asylum in **Finland** due to fear of violence in **Spain**, the Supreme Administrative Court ruled that the determination of the need for international protection concerns the applicant's country of citizenship. If the applicant resides outside the country of citizenship they cannot be granted protection, unless the violations simultaneously concern threats of persecution or serious danger in the country of citizenship. However, the decision of whether the applicant could be returned to Spain had to be made on the basis of the principle of *non-refoulement*.

National legislation

A [new law](#) was passed in **Greece**, which transposed the recast Reception Conditions Directive ([Directive 2013/33/EU](#)) and the directive on intra-corporate transferees ([Directive 2014/66/EU](#)). The amendments also extended the applicability of fast-track asylum procedures on the Aegean islands until the end of 2018; renewed in detail the geographical restrictions on the free movement of asylum applicants residing on the islands; and established the legal basis for EASO's participation in asylum procedures. A new [guardianship law](#) was also adopted by the Greek Parliament in early July; the implementing decrees were still being prepared.

The **Hungarian** Parliament adopted the [Seventh Amendment to the Fundamental Law](#) and a [legislative package](#) called "Stop Soros", amending the Aliens, Asylum and Police Acts as well as the Criminal Code. The new rules prohibit the settlement of non-European immigrants into Hungary; further restrict the right to asylum; and introduce immigration restraining orders, a new legal institution entailing prohibition of entry and stay in a designated area of the country. Furthermore, it criminalises "aiding and supporting illegal migration". Any form of assistance to migrants who have entered Hungary in an irregular manner constitutes a criminal offence, which is punished by custodial arrest or, in aggravated circumstances, imprisonment up to one year (e.g. in case of material support to irregular migrants, organisations or individuals operating within the 8 km zone near the border; or providing assistance on a regular basis). The [Council of Europe's Venice Commission](#) criticised key provisions of the legislation as it seriously impairs legitimate NGO work.

An [amendment to the alien law](#) in **Austria** introduced several restrictions of rights for asylum seekers, allows authorities to use the data of asylum seekers' mobile phones for identity checks, and extends the waiting time to apply for Austrian citizenship from six years to ten years from the issuance of the residence permit. The new law further allows authorities to seize cash from asylum seekers as a contribution to their social services and to cut German language classes for asylum seekers. At the same time, [media](#) reported that the government announced plans to limit benefit payments for foreigners, including refugees, who cannot speak German. [UNCHR](#) criticised the amendments for insinuating that the majority of asylum seekers would abuse the asylum system.

The [Austrian School Organisation Act](#) implemented special German classes for children who do not or hardly speak German. Those classes were harshly [criticised](#) as leading to segregation of non-German speaking children and hindering integration.

Croatia enacted amendments to the Foreigners Act. The amendments expand the list of reasons for referring people to detention centres, the Centre for Peace Studies reported. According to the amended provisions, a third-country national may be put in detention if there is a risk of absconding. The amendments list the circumstances that may indicate such a risk (lack of ID, no accommodation, insufficient financial means etc.), as well as the circumstances that unambiguously indicate that risk (use of forged ID or another person's ID, discarding or destroying one's ID, giving false personal or other information, etc.).

The Federal Association for Unaccompanied Minor Refugees, Amnesty and Refugee Council Berlin raised concerns about the protection of children in relation to the new [law on family reunification](#) in **Germany** for individuals under subsidiary protection. This law will prolong reunification procedures and limit family reunification to 1,000 persons per month as of 1 August 2018. Furthermore, family reunification will be limited to spouses and parents of (unmarried) children and minors, excluding minor siblings of the child applicant.

After approval by the National Assembly, the Senate in **France** also voted in favour of the [bill](#) "for controlled immigration, an effective right to asylum and successful integration", with modifications. The suggested changes, which will soon be discussed in a Joint Parliamentary Committee to come up with a compromise text, seek to further [tighten](#) the original draft rules. These [include](#) reduced deadlines to challenge a Dublin transfer decision (seven days instead of 15 days); making the rejection of an asylum claim on grounds of national security compulsory (instead of the proposed 'possibility'); further restricting the access to healthcare for migrants in an irregular situation; as well as raising the requirements to be eligible for family reunification.

A [new legislative amendment](#) was passed in **Sweden** which grants longer residence permits for unaccompanied children under certain conditions (covering those who arrived in Sweden before the end of November 2015), thus excluding a large number of children who, for various reasons, do not meet the eligibility criteria. The amendments entered into force on 1 July. In addition, the Swedish Parliament [voted to incorporate](#) the UN Convention on the Rights of the Child into the domestic legal order, with the effect of January 2020. Further [legislative amendments](#) gave the police additional powers to carry out workplace inspections in sectors where there is a good reason to believe to find a particularly high risk of illegal employment.

The **Dutch** House of Representatives [passed](#) the Bill for the Return and Aliens Detention Act, which provides a separate administrative law framework for immigration detention and aims to improve the detention conditions. The bill is currently under review in the Senate.

In **Denmark**, [new legislation on family reunification](#) entered into force, containing a number of [new requirements](#), including a necessary level of integration, a housing requirement and a financial security requirement. These do [not apply](#) for persons granted international protection.

Policy responses

The final [Draft of the Global Compact on Refugees](#) was published. These guiding UNHCR principles seek to operationalise the principles of burden- and responsibility-sharing to better protect and assist refugees and support host countries and communities.

The **Bulgarian** government adopted the [2018 action plan](#) for the implementation of the National strategy in the area of migration, asylum and integration 2015-2020, which includes 44 strategic objectives in the areas of border control, countering human trafficking, asylum, migration and integration, education, employment, social assistance and healthcare.

Spain's new socialist government [promised](#) to re-introduce free healthcare for undocumented migrants.

In **Sweden**, the Social Democrat Party [presented](#) a new migration programme, ahead of the parliamentary elections in September. The programme aims to keep in force the law on temporary restrictions on granting residence permits and limiting family reunification, until new common EU rules are in place. It also envisages prolonging the internal border checks as long as needed; the creation of more immigration detention centres, with extended legal grounds for detaining asylum seekers; and increasing the average duration of entry bans from four to eight years. The Moderate Party already [expressed](#) its willingness to vote for these future legislative proposals, regardless of the outcome of the general elections.

Denmark introduced a [new procedure](#) by which a (rejected) asylum-seeking Iranian can receive financial assistance of up to 40,000 DKK (approximately EUR 5,370), if they willingly depart from the country.

Responses by civil society, local and political actors

In **Greece**, NGOs, volunteer groups, scientists and private individuals signed the '[Mytilene Declaration](#)' for the dignified treatment of all missing and deceased persons and their families as a result of migrants' fatal journeys to Europe. The declaration called for States to treat all persons equally, without any kind of discrimination.

Politicians from the governing parties in **Hungary** [placed warning stickers](#) stating "organisation supporting migration" on the offices of two NGOs assisting migrants and refugees. The sticker-placing actions have been part of the government campaign targeting civil society organisations assisting migrants, asylum seekers and refugees, which culminated in the adoption of the [legislative package](#) called "[Stop Soros](#)".

The Sofia University 'St. Kliment Ohridski' (**Bulgaria**) introduced a new master programme on social work with refugees and migrants, which will be implemented during the next academic year, as indicated by Caritas Bulgaria in an interview.

According to [media](#) reports, some 12, 000 people marched in **Germany** to protest EU refugee policy and showed support for search-and-rescue NGOs in the Mediterranean, such as the rescue ship of the German NGO [Mission Lifeline](#).

The boat carrying 230 people spent six days at sea before it was finally granted permission to dock in Malta.

A [study](#) by COC Nederland, a large organisation supporting the interests of LGBTI people, showed that the **Dutch** Immigration and Naturalization Service considers the so-called 'process of awareness and self-acceptance' of the sexual identity as the most important criterion when assessing LGBTI persons' asylum applications. The organisation raised concerns, as this process applies stereotypical ideas of the LGBTI experience, without any scientific base and [called](#) upon the Secretary of State for Justice and Security to use self-identification as the most important criterion instead.

In the **Netherlands**, 21 NGOs expressed their [dismay](#) about the House of Representatives' approval of the EU plan for 'regional disembarkation platforms' outside the European Union, where applications for international protection would be assessed.

Hate speech and violent crime

In **Greece**, the extreme-right group 'Krypteia' publicly assumed responsibility for attacks against a number of migrants during the reporting period, according to [media sources](#). This organisation also assumed responsibility for the attack against an abandoned building occupied by migrants in the Attica region, where some 30 members of the extreme-right group invaded the building with bottles and stones, as reported by the [media](#).

The University of Verona, **Italy**, [cancelled](#) a training session for case handlers on applications from LGBTI asylum seekers due to homophobic and racist protests by the New Force (*Forza Nuova*, FN), a far-right political organisation. During the reporting period, the media reported several violent racist episodes involving reception facilities. For example, a cherry bomb exploded at the doorstep of a reception centre in [Appiano/Eppan](#) (Trentino-Alto Adige/Südtirol) hosting 39 international protection applicants. In [Isernia](#) (Molise), an arsonist destroyed a facility aiming to host 15 asylum seekers. Two Italian citizens raided a reception centre in [Sulmona](#) (Abruzzo) and threatened the 27 asylum seekers hosted there with a knife and a gun. One of these asylum seekers was wounded and hospitalised. Three migrants in [San Ferdinando](#) (Calabria) were shot while attempting to remove iron materials from an abandoned factory. One of them, an activist from the Rank-and-File Workers' Union (*Unione Sindacale di Base*, USB), died. Two asylum seekers from Mali were attacked with an airgun in [Caserta](#) (Campania) – one of them was lightly injured.

The government in **Hungary** continued to pursue a xenophobic and anti-migrant rhetoric, aimed at establishing a connection between various unfortunate events in the country and the alleged "migration crisis". For instance, the then-candidate minister of agriculture [stated](#) in his parliamentary hearing, and [repeated](#) subsequently, that the recent classical African pig plague discovered in the North of Hungary was caused by a sandwich an irregular migrant might have thrown away. According to the Minister, this sandwich could have been found and eaten by a wild boar that became infected and started spreading the pig plague across the country.

Hostility against asylum seekers and in the right-wing extremist scene in **Austria** in 2017 remained a key concern, according to the [Annual Report on the Protection of the Constitution 2017](#). The total number of right-wing extremist acts increased from 131 in 2016 to 1,063 in 2017, including attacks against facilities for asylum seekers and refugees and multiple shootings with air rifles against a reception centre. 121 online hate postings were documented via the Ban Hate app in the reporting period, particularly identifying Islamophobic content against asylum seekers.

The [Council of Europe](#) expressed concerns over the rise of racism and nationalism in **Croatia**.

In **Poland**, the Ombudsman published a report titled "[Hate speech, contempt speech](#)", which highlighted an increase in online hate speech against migrants. For instance, currently 80 % of young people interviewed have seen Islamophobic speech online. At the same time, Polish peoples' positive attitudes towards refugees improved, according to [media sources](#).

In **Germany**, according to the [Amadeu Antonio Stiftung and PRO ASYL](#), there were 148 incidents connected to racist and/or xenophobic sentiments from January to May 2018. The two organisations list 32 bodily injuries, 2 arson attacks, and 114 other attacks, including threats and throwing stones at asylum-seekers.

In **Denmark**, unknown individuals were shooting fireworks at an asylum centre, which set the bushes outside the asylum centre on fire. The motivations for the act remained unknown, as reported by the Danish Immigration Service in an interview.

In Weert, the **Netherlands**, the extreme-right party NVU held a [demonstration](#) against the arrival of asylum seekers. The town hosts a reception centre. A group of rejected asylum seekers [squatted](#) in an office building in Amstelveen. In protest, an extreme-right organisation held a demonstration where some ten demonstrators displayed a banner with the text "Illegal is criminal".

According to [media sources](#), the rejected asylum seeker who stabbed several people in the city of Turku, **Finland** in August 2017, was sentenced to life imprisonment. The judgment is not final. In June, the trial commenced of the founder of a racist website, MV-lehti. The defendant was charged with aggravated defamation and ethnic agitation, according to [media reports](#).

ANNEX – Stakeholders interviewed in June 2018

Country	Stakeholders interviewed
Austria	<ul style="list-style-type: none"> • Federal Ministry of the Interior, Department III/9 (<i>Bundesministerium für Inneres, Abteilung III/9 Grundversorgung und Bundesbetreuung</i>); • Austrian Ombudsman Board (<i>Volksanwaltschaft</i>); • Federal Ministry of the Interior, Department III/5 (<i>Bundesministerium für Inneres, Abteilung III/5 Asyl und Fremdenwesen</i>); • Federal Ministry of the Interior, Criminal Intelligence Service, Competence Centre for Missing Children (<i>Bundesministerium für Inneres, Bundeskriminalamt, Kompetenzzentrum für Abgängige Personen</i>); • Federal Agency for State Protection and Counter Terrorism (<i>Bundesamt für Verfassungsschutz und Terrorismusbekämpfung, BVT</i>); • Antidiscrimination Office Styria (<i>Antidiskriminierungsstelle Steiermark</i>); • Caritas Vienna (<i>Caritas Wien</i>); • Caritas Styria (<i>Caritas Steiermark</i>); • Austrian Red Cross (<i>Österreichisches Rotes Kreuz</i>).
Bulgaria	<ul style="list-style-type: none"> • Ministry of the Interior, Analysis and Policies Directorate, Borders and Migration Unit (MoI – APD – BMU) (<i>Министерство на вътрешните работи, Дирекция „Анализи и политики“, Отдел „Граници и миграция“, МВР – ДАП – ОГМ</i>); • State Agency for Refugees (SAR) (<i>Държавна агенция за бежанците, ДАБ</i>); • Ombudsman of the Republic of Bulgaria (<i>Омбудсман на Република България</i>); • State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>); • Prosecution Office of the Republic of Bulgaria (PORB) (<i>Прокуратура на Република България, ПРБ</i>); • Caritas Bulgaria (<i>Каритас България</i>); • Council of Refugee Women in Bulgaria (CRWB) (<i>Съвет на жените бежанки в България, СЖББ</i>).
Croatia	<ul style="list-style-type: none"> • Croatian Law Centre (<i>Hrvatski pravni centar</i>); • Croatian Red Cross (<i>Hrvatski crveni križ</i>); • Ombudsperson's Office (<i>Pučka pravobraniteljica</i>); • Children's Attorney (<i>Pravobraniteljica za djecu</i>); • Croatian Government's Office for Human Rights and the Rights of National Minorities (<i>Ured za ljudska prava i prava nacionalnih manjina Vlade RH</i>); • Centre for Peace Studies (<i>Centar za mirovne studije</i>); • Jesuit Refugee Service (<i>Isusovačka služba za izbjeglice</i>); • Welcome Initiative (<i>Inicijativa Dobrodošli</i>); • Doctors of the World (<i>Médicins du Monde</i>); • Centre for Missing and Abused Children (<i>Centar za nestalu i zlostavljaju djecu</i>); • Ministry of the Interior (<i>Ministarstvo unutarnjih poslova</i>).
Denmark	<ul style="list-style-type: none"> • Danish Ministry of Justice (<i>Justitsministeriet</i>), including the Danish National Police (<i>Rigspolitiet</i>); • Danish Immigration Service (<i>Udlændingestyrelsen</i>), including the Statistical Unit, the Office for Finances and Accommodation, the Centre for Asylum and the Office for Accommodation Conditions;

Country	Stakeholders interviewed
	<ul style="list-style-type: none"> • Danish Refugee Council (<i>Dansk Flygtningehjælp</i>).
Finland	<ul style="list-style-type: none"> • Amnesty International – Finnish Section (<i>Amnesty International – Suomen osasto/Amnesty International –Finländska sektionen</i>); • Central Union for Child Welfare (<i>Lastensuojelun keskusliitto/Centralförbundet för Barnskydd</i>); • Finnish Human Rights Centre (<i>Ihmisoikeuskeskus/Människorättscentret</i>); • Finnish Immigration Service (<i>Maahanmuuttovirasto/Immigrationsverket</i>); • Finnish Refugee Council (<i>Pakolaisapu/Flyktinghjälpen</i>); • IOM Finland (<i>Kansainvälinen siirtolaisuusjärjestö, Suomen toimisto</i>); • National Police Board (<i>Poliisiylhallitus/Polisstyrelsen</i>); • Ombudsman for Children (<i>Lapsiasiavaltuutettu/Barnombudsmannen</i>); • Police University College (<i>Polisiammattikorkeakoulu/Polisyrkeshögskolan</i>).
France	<ul style="list-style-type: none"> • Ministry of the Interior (<i>Ministère de l'Intérieur</i>); • General Controller of Places for Deprivation of Liberty; • Public Defender of Rights (<i>Le Défenseur des droits - DDD</i>); • National Consultative Commission on Human Rights (<i>Commission nationale consultative des droits de l'homme - CNCDH</i>); • National Association of Border Assistance for Foreigners (ANAFÉ) (<i>Association nationale d'assistance aux frontières pour les étrangers</i>); • La Cimade (Inter-Movement Committee for Evacuees - <i>Comité inter mouvements auprès des évacués</i>); • Doctors of the World - France (<i>Médecins du Monde</i>); • Service centre for migrants in Calais (<i>Plateforme de service aux migrants à Calais</i>); • The Immigrant Information and Support Group (<i>Groupe d'information et de soutien des immigrés - GISTI</i>); • The Migrant's inn (<i>L'Auberge des migrants</i>).
Germany	<ul style="list-style-type: none"> • German Red Cross (<i>Deutsches Rotes Kreuz</i>); • Federal Working Group of Psycho-Social Centres for Refugees and Victims of Torture (<i>Bundesweiten Arbeitsgemeinschaft der Psychosozialen Zentren für Flüchtlinge und Folteropfer - BAfF e.V.</i>); • German Institute for Human Rights; • Jesuit Refugee Service (<i>Jesuiten Flüchtlingsdienst, JRS</i>); • Amnesty Germany; • Migration Commission of the German Bishops Conference (<i>Migrationskommission, Deutsche Bischofskonferenz, DBK</i>); • Refugee Council Berlin (<i>Flüchtlingsrat Berlin</i>); • Federal Association for Unaccompanied Minor Refugees (<i>Bundesfachverband Unbegleitete Minderjährige Flüchtlinge e.V., BUMF</i>); • Federal Association of Networks of Migrant Organisations (<i>Bundesverband Netzwerke von Migrantenorganisationen, BV BEMO</i>).
Greece	<ul style="list-style-type: none"> • Greek Asylum Service (<i>Υπηρεσία Ασύλου</i>); • The Greek Ombudsman (<i>Συνήγορος του Πολίτη</i>); • Hellenic Police Headquarters (<i>Αρχηγείο Ελληνικής Αστυνομίας</i>); • Racist Violence Recording Network (<i>Δίκτυο Καταγραφής Ρατσιστικής Βίας</i>);

Country	Stakeholders interviewed
	<ul style="list-style-type: none"> • United Nations High Commissioner for Refugees Greece (<i>Υπατη Αρμοστεία του ΟΗΕ για τους Πρόσφυγες-Ελληνικό Τμήμα</i>); • Hellenic League for Human Rights (<i>Ελληνική Ένωση για τα Δικαιώματα του Ανθρώπου</i>); • ARSIS NGO (<i>ΜΚΟ ΑΡΣΙΣ</i>); • Doctors Without Borders Greece (<i>Γιατροί Χωρίς Σύνορα-Ελληνικό Τμήμα</i>); • Greek Council for Refugees (<i>Ελληνικό Συμβούλιο για τους Πρόσφυγες</i>).
Hungary	<ul style="list-style-type: none"> • Ministry of the Interior (<i>Belügyminisztérium</i>); • Ministry of Human Capacities (<i>Emberi Erőforrások Minisztériuma</i>); • National Headquarters of the Police (<i>Országos Rendőr-főkapitányság</i>); • Immigration and Asylum Office (<i>Bevándorlási és Menekültügyi Hivatal</i>); • Office of the Commissioner for Fundamental Rights (<i>Alapvető Jogok Biztosának Hivatala</i>); • UNHCR Hungary; • MigSzol; • Hungarian Association for Migrants (<i>Menedék Migránsokat Segítő Egyesület</i>).
Italy	<ul style="list-style-type: none"> • Ministry of the Interior; • 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>); • Association for Legal Studies on Immigration (<i>Associazione per gli studi giuridici sull'immigrazione, ASGI</i>); • Italian Refugees Council (<i>Consiglio Italiano per i Rifugiati, CIR</i>); • NGO 'Doctors for Human Rights' (<i>Medici per i diritti umani, MEDU</i>); • United Nations High Commissioner for Refugees (UNHCR); • Jesuit Refugee Service 'Centro Astalli'; • Community of Sant'Egidio (<i>Comunità di Sant'Egidio</i>); • 'Melting Pot Europa' project; • NGO 'Borderline Sicilia'; • NGO 'Naga'.
Netherlands	<ul style="list-style-type: none"> • 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'); • Defence for Children - Netherlands; • Dutch Council for Refugees (<i>Vluchtelingenwerk Nederland</i>); • Amnesty International the Netherlands; • NIDOS; • Stichting LOS; • UNICEF the Netherlands; • Pharos, Dutch Centre of Expertise on Health Disparities; • MiND-the Dutch Reporting Point for Discrimination.
Poland	<ul style="list-style-type: none"> • Association for Legal Intervention (<i>Stowarzyszenie Interwencji Prawnej, SIP</i>); • Helsinki Foundation for Human Rights (<i>Helsińska Fundacja Praw Człowieka, HFPC</i>); • UNHCR Poland;

Country	Stakeholders interviewed
	<ul style="list-style-type: none"> • Ombudsman (<i>Rzecznik Praw Obywatelskich, RPO</i>); • Head of the Office for Foreigners (<i>Szef Urzędu do spraw Cudzoziemców, UDSC</i>); • The Rule of Law Institute Foundation (<i>Instytut na rzecz Państwa I Prawa, FIPP</i>); • Ombudsman for Children (<i>Rzecznik Praw Dziecka, RPD</i>); • Human Constanta.
Spain	<ul style="list-style-type: none"> • Asylum and Refugee Office of the Spanish Ministry of the Interior (<i>Oficina de Asilo y Refugio del Ministerio del Interior, OAR</i>); • Sub-directorate for Immigrant Integration of the Spanish Ministry of Employment and Social Security (<i>Subdirección General de Integración de los Inmigrantes del Ministerio de Empleo y Seguridad Social</i>); • Spanish Ombudsman (<i>Defensor del Pueblo</i>); • UNHCR (<i>Oficina de la Agencia de la ONU para los Refugiados en España, ACNUR</i>); • Spanish Committee of UNICEF (<i>Comité español de UNICEF</i>); • Jesuit Migrant Service (<i>Servicio Jesuita Migrantes, SJM</i>); • Spanish Refugee Aid Commission (<i>Comisión Española de Ayuda al Refugiado, CEAR</i>); • <i>La Merced Migraciones</i> NGO; • Save the Children.
Sweden	<ul style="list-style-type: none"> • National Board of Health and Welfare (<i>Socialstyrelsen</i>); • Swedish Migration Agency (<i>Migrationsverket</i>); • The Ombudsman for Children in Sweden (<i>Barnombudsmannen</i>); • Save the Children Sweden (<i>Rädda barnen</i>); • Swedish Red Cross (<i>Röda korset</i>); • Amnesty Sweden.