

# Periodic data collection on the migration situation in the EU

## May Highlights

1 March–30 April 2018

### Contents

Key fundamental rights concerns .....	2
Situation at the border.....	4
Asylum procedure .....	5
Reception.....	7
Child protection.....	10
Immigration detention .....	14
Return .....	16
Legal responses .....	17
Policy responses.....	20
Responses by civil society, local and political actors.....	20
Hate speech and violent crime .....	22
ANNEX – Stakeholders interviewed in April 2018.....	24

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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. 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 March-30 April 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 **Greece**, more than 2,900 people arrived in the Evros region at the Turkish land border in April 2018. On 27 April, the only Reception and Identification Centre in the region was filled beyond its capacity of 240 places, and included 120 unaccompanied children, according to [UNHCR](#). Due to lack of space, hundreds of people, including many children, were placed in inadequate police detention facilities in the area.

Human smuggling was on the rise in **Hungary**. For instance, a dozen human smugglers were [apprehended](#) by the police during the reporting period.

The Chancellor and the Minister of the Interior of **Austria** in a [press statement](#) called for a paradigm shift in European asylum and migration policy, aiming primarily at prevention of migration and stricter border controls. The Minister of the Interior further [announced](#) the intensification of forced removals to Afghanistan and increased detention pending removal.

### **Key persisting fundamental rights concerns**

In **Greece**, the Reception and Identification Centres on the Aegean islands (hotspots) continued to be [overcrowded](#). Altogether, 12,588 people resided in accommodation facilities that have a total capacity of 6,338. Four of the five hotspots hosted more people than their official capacity, with the Reception and Identification Centre in Leros being the only one not to do so.

The situation at the border between **Italy** and **France** remained tense, according to [media reports](#). A delegation of the French National Assembly carried out an [on-site visit](#) to the border region with Italy, and highlighted inappropriate practices by the border police. These included falsifying children's dates of birth

so that they could be returned to Italy instead of referring them to the child welfare services in France, according to the delegation and [NGOs](#).

The daily cap on the number of people admitted to the **Hungarian** transit zones remained [one person per weekday](#) in each facility, and led to an occupancy rate of approximately 50 asylum applicants per transit zone at the end of April, the Immigration and Asylum Office stated. [Xenophobic](#) attitudes also persisted in Hungary, according to media reports.

According to an interview with the Ombudsman Board, the key persistent concern in **Austria** remained the long duration of asylum procedures. However, the number of complaints about the duration of the first instance procedure dropped from 935 between January and April 2017, to 234 during the same period this year. The number of complaints on the duration of the procedure at the second instance remained stable (January to April 2017: 91; January to April 2018: 84).

In **Croatia**, delays in family reunification cases, migrants' access to healthcare, the identification of victims of torture and their access to rehabilitation programmes, as well as access to education for children older than 15 remained key areas of concern, according to the Rehabilitation Centre for Stress and Trauma and the Croatian Law Centre.

Asylum seekers being refused entry at the Terespol and Medyka land border crossing points remained a major issue of concern in **Poland**. For instance, according to [media reports](#), a group of journalists from Tajikistan sought asylum at the border, but was pushed back to Belarus; they managed to lodge their application at a subsequent attempt, thanks to the intervention of an NGO. Similarly, a pregnant woman from Armenia wishing to apply for asylum was denied entry at the border 11 times, when finally the Minister for Internal Affairs and Administration intervened in her case, [media reported](#). Another persisting issue was that many asylum seekers and other migrants who had been victims of violence continued to end up in detention, due to poorly functioning procedures to identify and refer them. This occurs despite the fact that the detention of victims of violence is prohibited by Polish [immigration](#) and [asylum](#) law, UNHCR, the Ombudsman and NGOs reported in interviews.

The ongoing suspension of the right to family reunification for subsidiary protection holders in **Germany**, as well as the lack of teachers for refugee children, remained the major concerns, according to non-governmental organisations and human rights activists. According to Caritas, the Red Cross and other NGOs, the lack of support for vulnerable persons with special needs remained critical in Germany. This concerned the process of identification, accessible housing, and access to special health care or counselling in reception centres.

As in previous months, authorities in **France** continued to increasingly use accelerated asylum procedures, with a view to reducing the backlog in processing asylum applications, the NGO *La Cimade* reported in an interview.

In **Bulgaria**, the most persistent concerns remained the reluctance of municipalities to integrate beneficiaries of international protection; inadequate representation of unaccompanied children; and the accommodation of

beneficiaries of international protection in reception centres, which contravenes the rules set in national law, according to an interview with the Ombudsperson.

The high number of asylum applications continued to put pressure on the asylum and reception system in **Spain**, according to the [Spanish Ombudsman](#).

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, according to the National Board of Health and Welfare, the Ombudsman for Children, and various NGOs. Another pressing area of concern was the continued return to Afghanistan of young adults who have had their age re-registered or who turned 18 before receiving their negative asylum decision, the same stakeholders pointed out.

As indicated by the **Finnish** section of Amnesty International in an interview, limited access to free legal aid at the initial interview stage, as well as returns to Afghanistan, remained key concerns.

## Situation at the border

**Austria, Denmark, France, Germany and Sweden** prolonged internal [border controls](#) in the Schengen area for another six months.

The situation at the **French–Italian** border remained tense. French border guards entered a shelter for asylum seekers at Bardonecchia train station (Italy) and demanded that the staff take a urine sample from a Nigerian man, as they suspected him of drug trafficking, according to [media reports](#). As witnesses reported, the man had Italian identity papers and a valid Paris-to-Naples train ticket. Italy summoned the French ambassador over the incident, and Italian authorities opened an investigation as well. Meanwhile, a pregnant woman with lymphoma died in a hospital in Turin; the French police had earlier sent her back to Italy after she had crossed the border at Bardonecchia in the Alps region of Piedmont. The child survived.

Based on data requested by a Hungarian NGO (*MigSzol*) from the Prosecutor's Office, from the time the border fence was erected until January 2018, [75 complaints](#) were reported to the prosecutors regarding violence committed by authorities against migrants in an irregular situation apprehended along the southern border of **Hungary**. The court found the perpetrators guilty in only two cases. In three other cases, prosecutors qualified the acts as ethical violations rather than criminal offences, and transmitted the cases to the internal investigations office of the police and the army.

A [shipwreck](#) took place close to Samos, **Greece**. Sixteen people lost their lives at sea, at least two others went missing, and three people were rescued by the Hellenic Coast Guard. The Public Prosecutor's Office in Kos started [investigations](#) into this incident. In February 2018, at the land border with Turkey, the Greek Council of Refugees [reported](#) increasing incidents of *refoulement* in the Evros region, involving families, pregnant women, and victims of torture. Instances of *refoulement* stopped after the arrest of two Greek border officers.

In **Hungary**, the police apprehended roughly 800 migrants in an irregular situation and escorted them back to the outer side of the border fence, according to the National Headquarters of the Police. In addition, the police

prevented some 260 people from crossing the border into Hungary in March and April, the National Headquarters of the Police reported. These figures continued to drop in the past months (e.g. 191 people were prevented from entering in February and 504 people in January). This involved people who attempted to enter Hungary in an irregular manner, most frequently through the fence alongside the Hungarian-Serbian border, and who were apprehended either by the police or the army.

Pushbacks of people who crossed the border without authorisation, including children who intended to seek asylum, continued from **Croatia** towards Serbia and Bosnia and Herzegovina on a daily basis, sometimes involving the use of excessive force, according to an interview with the NGO Welcome Initiative Service and [media reports](#). Several children suffered injuries, including a 17-year-old boy from Afghanistan who sustained a concussion and a broken arm. Two men drowned trying to cross the river Kupa between Croatia and Slovenia. Hundreds of people were sleeping in parks in Sarajevo and two towns in Bosnia at the border with Croatia, according to [media reports](#). An estimated number of 5,000 people from Northern Africa and the Middle East were in Bosnia and Herzegovina, according to [media reports](#).

Sea arrivals in Ceuta, **Spain** quadrupled in the first four months of 2018, compared to 2017, according to [Info Migrants](#). There were 233 sea arrivals compared to 51 in the same period of last year. Spain's maritime rescue service rescued 476 people from 15 small boats attempting to cross the Mediterranean, according to [media reports](#). The [Commissioner for Human Rights of the Council of Europe](#) observed that Spain's border guards summarily returned migrants who attempted to enter Melilla by climbing the border fence to Morocco without identification of the persons concerned or assessment of their individual situation.

## Asylum procedure

### Figures and trends

According to [EASO](#), the number of applications for international protection lodged in the EU+ countries (EU Member States, Norway and Switzerland) increased by 4 % in March 2018 compared to the previous month and decreased by 28 % compared to March 2017. However, since data from March 2018 are missing for five countries, the final picture might be slightly different.

Asylum requests in **Italy** dropped by 50 percent in the first quarter of 2018, compared with the previous year, according to the [Foundation for Initiatives and Studies on Multiethnicity](#). In the first quarter of 2018, around 19,000 people lodged international protection applications – compared to some 38,000 over the same period in 2017.

The second instance court overturned 42 % of challenged first instance decisions in 2017, according to the [Minister of Justice's response](#) to a parliamentary inquiry in **Austria**.

The 10,700 persons who applied for asylum in **Germany** in March mark a more than 28 % decrease compared to the number of applications in March 2017, according to a [report](#) of the Federal Office for Migration and Refugees. The

number of applications by Eritreans (more than 1,000) almost tripled compared to February. According to [media reports](#), the quota for positive decisions on asylum applications significantly varied among the German states. While in Saarland, 72.8 % of all applications resulted in a positive decision in 2017, only 24.5 % were successful in Brandenburg. At federal level, an average of 43.4 % were decided positively.

The number of Venezuelan asylum applicants increased by almost 800 % in the past two years, representing by far the largest group of applicants in **Spain** and the 10th most common nationality in the EU, according to [EASO](#). In February, almost 1,400 Venezuelan nationals applied for asylum in the EU, over 80 % of them in Spain. In 2017, the total number reached 11,980 applications.

At the end of the reporting period, the average length of the asylum procedures in **Sweden** was close to one and a half years, and even longer in the case of Afghani and Iraqi applicants for international protection, the Swedish Migration Agency reported. According to the National Board of Health and Welfare, the Ombudsman for Children and Save the Children, this long waiting time has caused significant psychological distress amongst asylum applicants, in particular unaccompanied children. In the meantime, the number of asylum applicants dropped significantly (in 2018 to date, it is only 12 % of the total figures in 2015).

The **Danish Refugee Appeals Board** received around 4,600 cases in 2017, which was the highest number of cases received in a year so far. This created a backlog and the average processing time increased from 101 days in [2016](#) and 184 days in 2017 to 280 days in the beginning of March 2018.

The share of negative decisions of young Iraqi asylum seekers' applications in **Finland** increased from 14 % to 79 %, according to a [pilot study](#) that compared two selected periods in 2015 and 2017. The asylum seekers' fears were more frequently assessed as not well-founded, while their gender and family status profiles or the grounds of the claims had not notably changed. Moreover, the results could not be explained by legislative amendments. This can mean that stricter interpretation principles were adopted and/or worsened quality of the legal aid services available to asylum seekers. In response, the Finnish Immigration Service said in a [press release](#) that it did not consider the material used to be representative enough to draw conclusions.

### **Access to asylum procedures**

In **Italy**, the police started to request foreign citizens who do not live within the formal reception system and who apply for international protection to prove their regular residence in Italy. The Association for Legal Studies on Immigration (*Associazione per gli studi giuridici sull'immigrazione*, ASGI) considered this practice an unlawful administrative requirement without a legal basis. The Venice Bar Association (*Ordine degli Avvocati di Venezia*) and the President of the Ordinary Court of Venice signed a [protocol](#) making access to justice in asylum matters stricter. The protocol also requires the asylum lawyers to inform the court if they are aware that an applicant has contagious diseases. The Authority for the Protection of People who are Detained or Deprived of their Personal Freedom (*Garante nazionale per i diritti delle persone detenute o private della libertà personale*) strongly criticised the protocol in a [formal opinion](#)

submitted to the Ministry of Justice for infringing fundamental rights, such as the right to data protection and non-discrimination.

In **Greece**, the NGO *Aitima* [urged authorities](#) to ensure the full operation of the Regional Asylum Offices by providing sufficient and qualified staff as well as adequate funding, to keep EASO's activities within the confines of its mandate, to respect the deadlines for Dublin transfers, and to provide free legal aid to all asylum applicants, including during the second instance judicial review of their case.

As only [one person](#) per weekday continued to be admitted to each transit zone in **Hungary**, people stranded in Serbia have to wait more than a year until they can submit their application for international protection.

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

Accelerated procedures continued to lead to insufficient legal and psychological support for asylum seekers in **Germany**, according to a written statement by Caritas for this report. The [coalition agreement](#) between Social Democrats and Christian Democrats proposes to declare Algeria, Morocco and Tunisia safe countries of origin in order to accelerate asylum procedures also for these countries. German courts were overburdened with the high number of appeals against negative asylum decisions. Around 60 % of complaints against negative asylum decisions by Syrians and Afghans were successful in 2017.

In **France**, the average length of the asylum procedure significantly decreased in March and April 2018 (from 7 months to 3 months), although the waiting period to lodge an asylum claim remained unchanged (several weeks), NGOs reported in interviews. As a new measure introduced in the area of Île-de-France, asylum seekers can register their claim and get an appointment at the Prefecture by dialling a phone number, NGOs [reported](#), which was confirmed by the Ministry of the Interior in an interview.

In **Finland**, the Finnish Immigration Service started [developing](#) an e-service for legal counsels and representatives of asylum seekers, which aims to facilitate a faster and safer exchange of information and documents between them. It started to publish [thematic reports on countries of origin](#).

## Reception

### Reception capacity

Sufficient reception capacity was available at least in **Austria, Bulgaria, Croatia, Denmark, Germany, Finland, the Netherlands and Poland**. Due to the lower number of arrivals, further reductions of reception capacities were announced, among others in **Finland** and [the Netherlands](#).

The reception system in **Spain** was on the verge of collapsing, particularly in Madrid, Barcelona and Bilbao. As a result, many people lived in the streets or

shelters for the homeless, according to the Jesuit Migrant Service and the Spanish Refugee Aid Commission.

The reception capacity for asylum seekers did not significantly change in **France**. Despite some improvements in capacity reported by the Ministry of the Interior, the reception system's capacity remained insufficient and unable to provide accommodation for all asylum seekers in France (the total number of asylum applicants remained close to 110,000 people), according to the NGO *La Cimade*. As a result, informal camps persisted. At the end of April, nearly 2,000 migrants were still waiting in Paris to lodge an asylum application, NGOs reported. In Calais, almost 900 migrants continued to live in informal camps, in harsh conditions in terms of difficulties with accessing sanitation, food and water, according to NGOs and [UN human rights experts](#).

### **Reception conditions**

Authorities closed down the hotspots in Taranto and Lampedusa in **Italy**. In Lampedusa, police officers allegedly beat migrants following a protest involving a migrant swallowing a razor blade and others setting fire to a room, according to [media reports](#). In its [report](#) on the Italian hotspots, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of the Council of Europe raised the issue of the legal basis for deprivation of liberty, the right to information, and the right to legal assistance.

In **Hungary**, interactions among the closed sectors in the transit zones, each accommodating around 30-60 asylum applicants, remained restricted and are only allowed with the permission of the authorities, the Immigration and Asylum Office stated in the interviews. According to NGOs, during the unusually cold days in March 2018, asylum applicants in the transit zones complained about boredom and the prison-like conditions, in particular due to the lack of meaningful activities available to them.

Reception conditions at the reception centre for asylum seekers in Kutina, **Croatia**, remained problematic, according to an interview with the Welcome Initiative, an initiative of numerous NGOs. Resettled people stay in the same building as asylum seekers undergoing the standard procedure, but undergo an accelerated procedure and IOM takes care of them. Other asylum seekers have difficulties understanding this different treatment and find it unjust.

Civil society organisations continued to support the integration of asylum seekers and beneficiaries of international protection in **Bulgaria**. For instance, the Foundation Concordia Bulgaria together with IOM Bulgaria started offering job-seeking support, which includes assistance in the preparation of job applications and supporting documents, according to an interview with the Council of Refugee Women in Bulgaria. The Bulgarian Red Cross launched in partnership with the State Agency for Child Protection the project 'Know the Other', which aims to change public attitudes towards asylum seekers and refugees and improve their integration, as pointed out by the State Agency for Child Protection in an interview.

The number of asylum seekers in **Poland** to whom the asylum authority grants social assistance (e.g. housing) decreased. More than 55 % of all asylum



seekers received funds to live outside of open reception centres, the Polish Office for Foreigners stated.

According to written input of the Red Cross for this report, staff of the Federal Office for Migration and Refugees in **Germany** increasingly reduced social benefits as sanctions for asylum seekers. This is allowed under German law – for example, when an asylum seeker misses an appointment with the authority.

In **Sweden**, a [report commissioned by the government](#) suggested that the reception system should be reformed. The proposed measures include the establishment of 'common national arrival centres' for asylum seekers situated close to major airports, faster asylum procedures, as well as more consistent reception conditions across the country.

### **Vulnerable persons**

In **Greece**, the International Organization for Migration and the Therapy Centre for Dependent Individuals announced the expansion of the [project](#) on addiction prevention, gender-based violence and prevention of harmful behaviour for migrants stranded in mainland Greece. The project aims to implement a holistic approach to assisting migrants and refugees with challenges that are detrimental to their health and safety and affect their successful integration into local society.

The Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) [published a report](#) on **Hungary**, which found that authorities' ability to detect potential victims of human trafficking among asylum applicants in the Hungarian transit zones has worsened over the past three years, and that children between 14-18 years of age who are kept in these closed facilities are particularly vulnerable. GRETA observed that most staff working in the transit zones could not provide a clear explanation as to what procedures would be followed or which authorities were competent to take decisions on victim identification and referral. The report claims that the expulsion of irregular migrants apprehended anywhere in Hungary to Serbia also raised concerns as to the effectiveness of detecting victims of human trafficking.

The Rehabilitation Centre for Stress and Trauma did not notice any positive developments in **Croatia** concerning identification and accommodation, nor concerning the safeguards applied in the registration and asylum-seeking procedures of vulnerable persons. However, meeting essential needs (such as food and health care) has improved, mostly because fewer people are present in the reception centre. The reception centre entered into an official agreement with a psychiatric facility in Zagreb, which is to provide regular mental care support, according to Doctors of the World.

The shortage of qualified psychologists, the lack of accessible infrastructure for persons with disabilities in some reception centres, and the lack of specialised care facilities and support services for victims of torture or trauma remained issues in **Bulgaria**, the Ombudsperson indicated in an interview.

Two new facilities for especially vulnerable individuals in Baden-Wuerttemberg marked a positive trend in **Germany**, while the lack of adequate housing remained a major obstacle, for example, in North Rhine-Westphalia. According

to a [study](#) of the German Institute for Human Rights, the special needs of persons with disabilities are not systematically assessed or taken into account upon arrival in Germany.

Reception conditions for vulnerable people, such as victims of trafficking, remained insufficient in **Spain**, according to the [Spanish Refugee Aid Commission](#).

A transgender asylum seeker was allegedly raped with a sharp object in a [reception centre](#) in the **Netherlands**. The police authorities started investigating the case. The NGO LGBT Asylum Support made the case public since it believes that the Central Agency for the Reception of Asylum Seekers (COA) did not act adequately and provided insufficient support to the victim. COA declined to comment.

In **Finland**, the number of clients registered in the assistance system for victims of human trafficking in 2017 increased, according to a [report](#). At the end of the year, a total of 322 persons were registered – compared to 233 persons at the end of 2016. An [analysis](#) of the respective legislation found that authorities, particularly municipal authorities that lacked knowledge of the relevant legislative provisions, did not reach all victims of trafficking, so it could be concluded that the number is most likely even higher.

### **Victims of torture and trauma**

A [study](#) in **Italy** revealed that 95 % of women arriving in Italy had suffered sexual violence during their journey, 17 % of them in more than one country (in these cases, Libya was always included). 72.8 % of them reported having been raped in Libya by strangers identified as soldiers, police officers, intermediaries, rebels, or armed groups. Thirty per cent of the women who were pregnant when they arrived at the centre were so as a result of sexual violence.

## **Child protection**

### **Figures and trends**

Some 33,000 children arrived in **Bulgaria, Greece, Italy, and Spain** in 2017, according to [UNHCR](#) – a decrease of almost 70 % compared to 2016. The proportion of unaccompanied children, however, increased by 31 %.

As of 30 April, according to the [National Centre for Social Solidarity](#) (EKKA), some 3,150 unaccompanied children were estimated to be in **Greece**, with a total of 2,318 on waiting lists for shelter. Some 215 of them were in Reception Identification Centres; 173 in open accommodation centres; and 123 in protective custody, mainly at police stations. The total number of available places for unaccompanied children in all of Greece remained unchanged (1,101 places). These figures demonstrate a persisting protection gap over the past months.

A total of three unaccompanied children submitted their asylum claims in **Croatia** during the reporting period; during the same period last year, 88 did so, according to a written contribution by the Ministry of Interior.

In the **Netherlands**, the number of registered unaccompanied children [increased](#) by almost one half in March compared to the previous month (from 80 to 158 unaccompanied children).

### **Reception conditions for children**

Several NGOs sent a public [letter](#) to the European Commission and to Italian authorities to report severe violations of children's fundamental rights perpetrated at the border between Italy and France. For example, unaccompanied children at the border close to Ventimiglia (Liguria), **Italy**, stayed in makeshift shelters on the banks of the Roja river, with no access to drinkable water and sanitary facilities in conditions of extreme neglect, waiting for a chance to cross the border to France.

The [annual report](#) of the Austrian Ombudsman Board noted that the situation of unaccompanied children in **Austria** in 2017 was still critical and incompatible with the best interests of the child.

Inadequate accommodation for children remained a persistent problem in **Croatia**. For example, unaccompanied children were placed in facilities without proper family care or for children with behavioural issues, according to an interview with the Rehabilitation Centre for Stress and Trauma. The quality of the work of interpreters remained another persistent concern, the Centre for Missing and Abused Children noted in an interview.

The **Bulgarian** government adopted the National Child Protection Programme for 2018. It includes regular monitoring of reception centres hosting children and the launch of a five-year project for a special accommodation centre for unaccompanied foreign children, as pointed out by the State Agency for Child Protection in an interview.

In the **Netherlands**, [RTL Nieuws](#) conducted interviews with social workers, physicians and confidential counsellors and concluded that asylum-seeking children with a serious illness or disability were negatively affected by the cramped and crowded living spaces in the regular reception centres. According to [Defence for Children](#), dozens of sick and disabled children are affected by the living conditions in the reception centres. They are currently investigating 57 such cases.

A [report](#) by the **Danish** Refugee Council on the well-being and development of asylum-seeking children in asylum centres found that the public agencies' employees in practice accepted a lower well-being threshold before initiating social support measures for these children, despite the fact that all children, whether or not they are asylum seekers, are entitled to the same help and support.

The **Dutch** Council for Refugees raised [concerns](#) about the relocations children will face after the Central Agency for the Reception of Asylum Seekers [announced](#) that it will close 11 reception centres by the end of 2018.

Unaccompanied children arriving at Madrid Barajas airport, **Spain**, continued to face challenges when trying to access the asylum procedure. Once the police identified them as unaccompanied children, authorities would transfer them to the Hortaleza Child Protection Centre. However, according to an interview with

UNHCR, they did so without passing on any information about these children, such as their vulnerabilities or their status.

### **Guardianship for unaccompanied children**

Almost 4,000 **Italian** citizens have filed applications to become voluntary guardians, according to Save the Children Italy.

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. 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. However, the latter's consent is not required before a child decides to leave the transit zone through the one-way exit to Serbia, GRETA found in its [recent report](#) on the transit zones.

One legal guardian was in charge of around 50 unaccompanied children in **Germany**, making it impossible to establish a close relationship with the children. According to a [study](#), the concept of voluntary guardians is on the rise and children, particularly those who turn 18 soon after arriving in Germany, benefit from the concept.

In **France**, the Public Defender of Rights [recommended](#) that the government appoint state-financed but independent guardians to all unaccompanied children, supporting them until the final asylum decision, in order to guarantee their rights and the representation of their best interests throughout the procedure.

The Ombudsman for Children in **Sweden** voiced criticism about the lack of a national system monitoring the activities of *ad litem* guardians, which is now the responsibility of the municipalities.

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

In **Greece**, the NGO *Médecins Sans Frontières*, in cooperation with the Hellenic Centre for Disease Control and Prevention, [vaccinated](#) some 300 migrant children against measles on the island of Chios.

In **Hungary**, age assessment procedures for children in the transit zones were found to be unsatisfactory by NGOs and the [recent report](#) of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA). Such procedures did not take into account psychological, cognitive or behavioural factors.

Regional courts in **Poland** continued to fail 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, even though this is expressly stipulated in Polish law, multiple NGOs reported in interviews.

Save the Children [criticised](#) the situation of unaccompanied children in Ceuta, **Spain**, following the death of a 16-year-old Moroccan boy who had climbed on a vehicle on board of a ferry to reach the Iberian Peninsula from Ceuta and was hit by a truck. About 250 unaccompanied children live in Ceuta; many of them sleep in the streets and try every night to embark on ferries to reach the Spanish mainland. UNICEF raised concern in the [media](#) about the situation of unaccompanied children in the autonomous city of Melilla, where some 500 unaccompanied children lived under inhumane conditions in an overcrowded centre without hot water or on the streets with no or limited access to school.

The **Dutch** State Secretary for Justice and Security decided to [grant asylum](#) to a number of Guinean girls and mothers, who had previously received negative decisions and therefore decided to appeal to the European Court of Human Rights (ECtHR). After the State Secretary examined the complaint submitted to the ECtHR, it decided that the daughters faced a real risk of female genital mutilation in Guinea and granted them asylum.

In **Sweden**, the methods used for medical age assessment, carried out by the National Board of Forensic Medicine, remained unchanged and thus problematic, which was also debated in [the media](#) by NGOs. Also in Sweden, a [report](#) published by UNICEF pointed out uncertainties about which authorities hold core responsibilities for asylum-seeking children, namely whether it is the asylum authority or the child protection services.

Seven child and family organisations issued a [joint appeal](#) urging the **Finnish** Immigration Service to extend the validity of residence permits on humanitarian grounds for unaccompanied children to three years, since shorter validity has negative effects on the persons' mental health and integration. In its [response](#), the Finnish Immigration Service noted that the starting point of the validity is one year, but that such residence permits can be extended up to four years; in practice they are mostly extended for two years. Moreover, the practice of extending permits for a period shorter than four years, unless this is in conflict with the best interests of the child, was previously approved by the administrative courts.

## **Education**

Children placed in the **Hungarian** transit zones have had access to basic education since mid-September 2017, according to the Office of Immigration and Asylum. However, the educational activities continued to be introductory (e.g. teaching the Hungarian language, basic maths, reading, writing), and there were no other leisure activities available to keep children busy, [GRETA](#) observed.

The NGO ProAsyl supported a [lawsuit](#) in **Germany** involving six elementary school children who had not been able to attend regular school during their stay in a Bavarian Transit Centre. The court decided in favour of the plaintiffs, who will from now on attend a public school.

## **Missing children**

As of 1 May 2018, 624 children with non-EU citizenship were registered in the SIS II in **Austria** (140 between the ages of 0 to 14, and 484 between the ages of 14 and 18), according to the Federal Ministry of the Interior.

In **Sweden**, 148 migrant and asylum-seeking children went missing, including 15 unaccompanied children, according to the Swedish Migration Agency.

The **Danish** Immigration Service noted in an interview that 30 asylum-seeking children went missing between 1 March and 29 April 2018.

Three children went missing in the first four months of 2018 in **Finland**, as mentioned by the Finnish Immigration Service in an interview.

### Family reunification

In **Germany**, a [legislative proposal](#) setting criteria to allow family reunifications of subsidiary protection beneficiaries in hardship cases was criticised by several humanitarian organisations, such as [ProAsyl](#) and [Caritas](#). The draft foresees that, beyond the 1,000 cases of family reunification that are allowed per month as of 1 August, only children younger than 14 years have a chance of family reunification. The draft also proposes taking into account whether parents deliberately caused the separation of the family during the flight and aims to limit family reunification to spouses and parents of (unmarried) children and minors. This also excludes under-aged siblings.

### Immigration detention

The website Cronache di ordinario razzismo [criticised](#) the inadequate reception conditions at the repatriation centre of Potenza (Basilicata), **Italy**. According to the NGO, the management of the centre refuses to let detainees' lawyers in without previous notice. Six Tunisian citizens tried to escape from the facility but were caught by the local police, who used batons and tear gas, according to [media reports](#). Many activists [demonstrated](#) in front of the facility, calling for its closure.

Immigration and asylum-related detention continued to grow in **Greece**. According to the data of the Hellenic Police Headquarters, 8,230 people were detained at the end of the reporting period, of which 2,701 were asylum seekers.

In **Hungary**, pre-removal detention was ordered against 50 people during the reporting period, while asylum detention was applied to two single men (Dublin transferees) in April, according to the Office of Immigration and Asylum and the National Headquarters of the Police. Given that transit zones have become the only locations 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 were almost empty.

According to an interview with the Ombudsperson's Office in **Croatia**, the conditions for children and vulnerable persons in the Ježevc Detention Centre and the Tovarnik Transit Detention Centre were sub-standard. Following a visit, the Ombudsperson's Office reported his observations to the relevant state bodies. The Asylum and Foreigners Service introduced a new practice making the approval of visits of NGOs to detention facilities more cumbersome, the Croatian Law Centre reported.

The police in **Croatia** detained fourteen family members of an Afghan family in the Tovarnik detention centre, including three adults and eleven children between the ages of three and 14, when trying to enter Croatia for the third time. Before this, the police had twice returned them to Serbia without providing medical assistance or registering their requests for international protection, according to an interview with Welcome Initiative and a statement of [Are You Syrious](#) on Facebook. When the family came to Croatia for the first time, they lost their 6-year-old daughter in a train accident, as numerous [media channels reported](#). Croatian authorities did not allow the family's lawyer to visit them in the detention facility because they refused to recognise the power of attorney, given that the family had signed it outside of Croatia in Serbia. The lawyer filed a request to the European Court of Human Rights for severe human rights violations and the denial of access to a fair trial, according to [media reports](#) and the Centre for Peace Studies.

The [coalition agreement](#) of the new government in **Germany** paved the way for enhanced use of pre-removal detention.

In **the Netherlands**, the State Secretary for Security and Justice responded to Amnesty International's findings on immigration detention in the Netherlands (see [March highlights](#)), underlining that immigration detention was in fact used as a measure of last resort. The Immigration Detention Hotline [stated](#) that information the government provided about the practice of strip searches in immigration detention was in parts incorrect and unclear. Moreover, the Immigration Detention Hotline [found](#) that six cases of placements in isolation cells in the Detention Centre Schiphol were disproportionate and unjustified, and looked like a punitive measure.

In **France**, the absence of real alternatives to immigration detention, including for families with children, and the often substandard detention conditions continued to cause grave concerns, according to the new [annual report](#) of the General Controller of Places for Deprivation of Liberty. According to NGOs and the [Public Defender of Rights](#), France continued to put children in immigration detention (e.g. ten accompanied children were placed in non-winterised detention facilities in March 2018).

In **Sweden**, the [government tasked](#) the Swedish Migration Agency with increasing the capacity of the immigration detention centres. The current capacity of 357 places will be increased up to 456 places until end of the year. Also in Sweden, some 20 detainees [escaped](#) from two immigration detention centres; in both cases the detainees managed to escape through the windows of the computer rooms.

A [Unicef study](#) raised concerns over the detention of asylum-seeking children in the Nordic countries. In the case of **Finland**, Finnish law expressly forbids placing children in police or border guard custody – however, accompanied and unaccompanied children can be, and are being, held in special detention facilities (so-called family units). According to an interview with the Finnish Immigration Service, a total of 51 children were placed in immigration detention in 2017. The Finnish Ombudsperson for Children had stressed in a [report to the Parliament](#) that detention of asylum-seeking children should be applied only as a measure of last resort and for the shortest possible time.

## Return

Returns to Afghanistan continued from several Member States, including **Denmark**, **Finland**, the **Netherlands** and **Sweden** (they restarted in April after a moratorium of a few months).

After monitoring a return flight from **Italy** to Tunisia, the Authority for the Protection of People who are Detained or Deprived of their Personal Freedom claimed in a [press statement](#) that some steps of the return procedures did not meet the necessity and proportionality criteria.

The police in **Greece** carried out some 1,300 removals, in application of readmission agreements. The main countries of destination were Albania, Algeria, Pakistan and Turkey. As reported in interviews, IOM Greece conducted more than 800 voluntary returns in the framework of their Assisted Voluntary Return and Reintegration programme (the majority of the returnees originated from Pakistan, Iraq and Georgia).

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 or in Nyírbátor) pending their removal, the Ministry of the Interior stated.

According to [media reports](#), **Austria** sent two well-integrated Afghan sisters and their children back to Croatia after they had lived in Austria for more than two years following a judgment of the [Court of Justice of the EU](#) in July 2017. According to the CJEU, the fact that Croatia was responsible for assessing the asylum claims under the Dublin Regulation, as Croatia was the EU country the asylum seekers had first irregularly entered, would not prevent Austria from examining the application for international protection in a spirit of solidarity under the so-called 'sovereignty clause'. Human rights lawyers and NGOs [criticised](#) the return for not taking into account any humanitarian aspects.

Authorities in Lower **Austria** requested asylum seekers who had received a final negative decision but had not left the country and lived in private accommodation, to move to an organised asylum centre, without the possibility to legally challenge this request, Caritas Vienna reported. If they refused to do so, their social benefits would be cut. The official [press release](#) of the responsible provincial member of parliament of the Freedom Party stated that the aim of this measure was to ensure a "noticeable break in living conditions" as a consequence of non-participation in the return.

Authorities in **Croatia** threatened to return a well-integrated 20-year-old Moldovan citizen, who has lived in Croatia for nine years and completed his elementary and high school education in Pula. The local community launched a [petition](#) requesting the institutions to allow him to remain in Croatia.

Systematic assessments of special vulnerabilities as well as adequate identification procedures and support in the process of returns were missing in **Germany**, according to the Federal Working Group of Psycho-Social Centres for Refugees and Victims of Torture. According to Caritas, staff of the Federal Office for Migration and Refugees advised asylum seekers from safe countries of origin that they only had a choice between returning voluntarily or being added to the list of forced returns.



According to Save the Children, many people who were forcibly removed from **Sweden** to Afghanistan were young adults who had never lived in Afghanistan or who had spent the majority of their lives in Iran. In the interview, this NGO also reported cases of returnees being handcuffed during the entire seven-hour flight to Afghanistan.

**The Netherlands** returned a second rejected asylum seeker to Sudan, despite an unofficial moratorium on deportations to Sudan, as pointed out by Amnesty International in an interview. Dutch authorities continued to return persons to Afghanistan, which [civil society organisations](#) do not consider a safe country, as *Vluchtelingen Werk Nederland* pointed out in an interview. NGOs [called](#) on all 380 Dutch municipalities to make a statement against the returns to Afghanistan. Seven municipalities adopted [symbolic motions](#) to stop the returns. Additionally, NGOs started a [public campaign](#) to stop the returns.

The Danish Refugee Appeals Board [announced](#) that it would reassess a decision to return an asylum seeker and his minor son from **Denmark** to China after receiving criticism from the United Nations Human Rights Committee. The Danish Ministry of Immigration and Integration [adjusted](#) the administrative practice on issuing humanitarian residence permits to the ECtHR's requirements set out in *Paposhvili v. Belgium* (see [March highlights](#)). This means that, when deciding on the issuance of the permits, authorities are required to take into account returnees' access to medical treatment upon their return.

The **Finnish** Police stated at a [press conference](#) that the number of returns was expected to increase in the near future, since around 10,000 rejected asylum seekers were still registered at reception centres (some 7,000 were however appealing their decisions). The Non-discrimination Ombudsman, who monitors the returns, [pointed out](#) issues observed during return operations, such as the inadequate provision of interpretation and the limited possibility of returnees to prepare for departure.

## Legal responses

### Case law

#### *Court of Justice of the European Union*

In response to a preliminary ruling request by a **Dutch** court, the CJEU [ruled](#) that an unaccompanied child who reaches the age of majority during the asylum procedure and is later granted refugee status must still be considered as a minor under the Family Reunification Directive.

#### *European Court of Human Rights*

The ECtHR [found](#) that **Croatia** violated Article 8 of the European Convention on Human Rights (ECHR) by not providing for an effective and accessible procedure to enable a stateless migrant to resolve his residence status.

The ECtHR [held](#) that the length of time it took to lodge an application for international protection in the case of a Sudanese asylum seeker in **Greece** was a violation of Article 13 (right to an effective remedy) in conjunction with Article 3 of the ECHR (prohibition of inhuman or degrading treatment). The applicant

could not apply for international protection between 2009 and 2012 due to shortcomings in the Greek asylum procedure at the time.

The ECtHR [ruled](#) that **Germany** did not violate the right to respect for private and family life (Article 8 of the ECHR) by not granting a residence permit based on family ties to a Nigerian national who was issued a final expulsion order. The applicant had previously been denied international protection and had served among others an eight-year prison sentence for drug trafficking in Germany. Taking into account the facts in the respective case, the domestic authorities did not exceed their margin of appreciation and the general interest in controlling immigration outweighed the applicant's right to family life with his daughter.

Lawyers representing shipwreck survivors lodged an [application](#) against **Italy** at the ECtHR. Italy was allegedly involved in the Libyan Coast Guard's intervention in a sea rescue by the NGO vessel Sea-Watch, in which at least 20 migrants died. The survivors were 'pulled back' to Libya, where some of them were detained and ill-treated.

**Poland** violated the right to respect for private and family life (Article 8 of the ECHR) by detaining a Russian national and her three underage children for almost six months in a secure centre and failing to justify the reasons for doing so, as [established](#) by the ECtHR.

### ***National case law***

The [Constitutional Court](#) in **Austria** found unconstitutional the rules of Lower Austria providing more limited social benefits to persons who had stayed in Austria for less than five years.

The Regional Court of Harmanli, **Bulgaria**, started the [trial](#) of the 21 asylum seekers accused of causing a riot in the local reception centre on 24 November 2016. The damages caused by the incident were assessed at about BGN 85,000 (approximately € 42,500), according to [media reports](#).

The **Greek** Council of State [annulled](#) the decision of the Asylum Service Director that imposed geographical restrictions on asylum seekers arriving on the five islands where 'hotspots' are operating after 20 March 2016. The Council of State held that imposing geographical restrictions resulted in the unequal distribution of asylum applicants across Greece and put significant pressure on the islands compared to the mainland. The ruling, however, does not have retroactive effect and does not apply to people who arrived on the islands prior to the decision. In reaction to the judgment, the newly appointed Director of the Asylum Service issued a [new decision](#), now with detailed justification of the legal grounds, reinstating geographical restrictions on newly arrived asylum seekers. 21 human rights NGOs heavily [criticised](#) this action of the administration to outmanoeuvre the binding ruling of the Council of State.

The Supreme Court of **Hungary** [ordered the government](#) to stop using billboards portraying masses of migrants walking in a field, which were posted across the country during the recent election campaign. The Supreme Court emphasised that the government, by using these billboards, unduly supported the campaign of the governing party, as it was impossible to distinguish the core message of the billboards from the main campaign slogan of the ruling party.

The Migration Supreme Court in **Sweden** delivered a number of asylum-related rulings. These include rulings [authorising](#) the family reunification of an Eritrean family; [confirming](#) Syrian asylum seekers' status as beneficiaries of subsidiary protection instead of granting them refugee status; and [refusing to grant](#) international protection to a young adult and making possible his removal to Afghanistan.

The **Finnish** Supreme Administrative Court [ruled](#) that the rejection of an application for family reunification solely on the ground that the sponsor can return to the country of origin or another country to live with their family there, if all the family ties can be considered to lie there, was not in line with the Family Reunification Directive, as it includes an exhaustive list of grounds for rejection.

The Council of State [ruled](#) that the **Netherlands** does not have to grant asylum to Afghan asylum applicants merely because of the security situation in Afghanistan. While it recognised that the security situation is worrisome, it noted that a citizen is not at risk simply because of his or her presence there. Nine NGOs issued a [press release](#) in response, raising concerns about returns to Afghanistan and making a strong appeal to the Secretary of State for Justice and Security to stop them. In the case of an Algerian asylum seeker, the Dutch Council of State [ruled](#) that his asexuality could not be included in the exception for LGBTI applicants, since it was not punishable in Algeria and data did not show that asexual persons are mistreated in Algeria.

**France** prevented a Dublin transfer of two Afghan asylum seekers and their children to **Finland**, where their applications for international protection had previously been rejected and they had been issued an entry ban. In the [court's](#) opinion, a risk of *refoulement* to Afghanistan existed if the applicants were to be returned to Finland.

### **National legislation**

A [draft law](#) was tabled in the parliament in **Greece** to transpose the recast Reception Conditions Directive ([Directive 2013/33/EU](#)). Amongst others, the bill seeks to prolong the validity of residence permits for beneficiaries of international protection (from two to three years), to be issued in a simplified procedure; and to reduce the time limits under the fast-track asylum procedures.

The **Austrian** government submitted a draft for an [Amendment of Asylum and Alien Law](#) to the parliament. [UNHCR](#) expressed concerns, particularly about the provisions to confiscate cash money that asylum seekers bring with them; to analyse asylum seekers' mobile phone data; and about changes in the Austrian Citizenship Act foreseeing a longer waiting time for applying for citizenship. The Chancellor [proposed](#) a ban on headscarves for children in kindergarten and primary school.

In **France**, the National Assembly (the lower house of the parliament) [voted in favour of the bill](#) "for controlled immigration, an effective right to asylum and successful integration". It will be debated in the Senate in May and June, before deciding on its formal adoption. The new legislation plans to introduce fines of up to € 3,750 or a 1-year imprisonment term for people who illegally cross the borders within the EU; double the time asylum applicants can be held in

detention to 90 days; halve the time for appeals in case of rejection of the asylum claim; and reduce the average length of the asylum procedures from 11 to six months. Although the [Commissioner for Human Rights of the Council of Europe](#) welcomed some positive elements of the draft law (e.g. extended validity of residence permits for beneficiaries of international protection and stateless persons; more favourable conditions for family reunification), many other aspects were subject to harsh criticism by the same Commissioner and various NGOs (e.g. [La Cimade](#) and [GISTI](#)).

## Policy responses

The [coalition agreement](#) between Social Democrats and Christian Democrats in **Germany** provides that Germany will not allow more than 180,000 to 220,000 asylum seekers into the country per year. It also proposes centralised reception facilities where housing, decision processes and preparations for returns can be implemented simultaneously (so called *AnKER Centres - zentrale Aufnahme-, Entscheidungs- und Rückführungseinrichtungen*). NGOs [criticised](#) this approach because of the constraints on asylum seekers' mobility, their integration perspectives, the lack of educational opportunities, the limited accommodation of the special needs of children, the potential for violence, limited access to legal consultation and the lack of privacy.

The State Secretary for Justice and Security informed the Speaker of the Lower House of Parliament in a [letter](#) that the **Netherlands** will no longer send take back or take charge requests under the Dublin Regulation to **Hungary**.

## Responses by civil society, local and political actors

After the European Commission registered the European Citizens' Initiative titled '[We are a welcoming Europe, let us help!](#)' in February, the organisers of the initiative kicked off with campaign launches in April in **Italy** and **France**; the aim is to boost the collection of 1 million signatures across Europe by February 2019. One of the [objectives](#) of the initiative is to change EU law so that no one can be prosecuted or fined for offering humanitarian help or shelter for migrants in an irregular situation who are on the move. The petitioners want the Commission to initiate legislative changes banning Member States from punishing volunteers who engage with migrants and asylum seekers out of solidarity.

Several academics in **Italy** released a [public statement](#) criticising the Italian authorities for initiating criminal investigations against the Spanish NGO 'Open Arms' and their boat captain. Open Arms had refused to hand over 218 people it had rescued in international waters to the Libyan coast guard, while Italy claimed that the NGO was obliged to do so pursuant to the Italian Code of Conduct for NGOs. The petitioners called upon the Italian government to cease its policy of promoting, directing, and enforcing returns to Libya, as well as to stop prosecuting actors who bring people rescued at sea to safe places. Following the murder of a Senegalese street trader in Florence, Italy by a 65-year-old Italian citizen, members of the local Senegalese community demonstrated against rising racism in the city. A day later, some 500 people

gathered to commemorate the victim and to protest against racism and xenophobia. Other demonstrations in solidarity with the victim's family and to protest against racism followed.

At the **Italian** and **French** border in Montgenevre, extreme right-wing groups organised [demonstrations](#) against migrants, which were followed by a demonstration in support of migrants.

In **Greece**, nine human rights and humanitarian organisations [called on](#) the Greek government to lift the geographical restrictions on the freedom of movement of asylum seekers present on the islands and move people to the mainland, where they can find safety. *Médecins Sans Frontières* also [urged](#) the Greek authorities to put an end to the containment policy, which is highly detrimental to vulnerable people.

A museum in Vienna, **Austria**, cancelled the premiere of a theatre play about refugees after [criticism](#) that the play was full of racist stereotypes. The Federal Ministry of the Interior had commissioned the play in 2017 when it was still under the control of the conservative Austrian People's Party in the last government. The play has been presented over 70 times in schools.

According to the '[Human Rights Situation in Croatia: the Ombudsperson's Report for 2017](#)', there was a lack of adequate Croatian language courses, housing issues, limited access to health care for asylum seekers, and lack of adequate mental health services. In addition, a certain number of irregularities and human rights violations were found in police conduct towards migrants, especially push-backs and preventing access to the asylum system. Police behaviour towards irregular migrants has not been efficiently investigated, according to the report.

According to a [survey](#) of UNHCR **Bulgaria**, 93.2 % of Bulgarians have never been in contact with a refugee (compared to 81 % in 2013). About 51 % of respondents were of the opinion that Bulgaria should accept asylum seekers from countries in war; however, only 15 % thought the same about persons who are persecuted or whose human rights have been violated. The most widespread concerns related to refugees were that they commit crimes (60 %), disseminate their own cultural customs and religious beliefs (48 %) or spread diseases (39 %). 76.8 % of the respondents were of the opinion that asylum seekers should be detained during the asylum procedure (compared to 59 % in 2013). Caritas Bulgaria launched a [web platform](#) that provides information for refugees on their rights and obligations in different languages. It aims to change negative public attitudes by featuring the stories of refugees. The Bulgarian Helsinki Committee published its [2017 annual human rights report](#), in which it highlighted the [lack of refugee integration](#). Despite the adoption of new rules on integration, the measures remained ineffective in practice, mainly because no funding was allocated for the implementation of integration policies and measures at local level.

In **Germany**, some conservative to right-wing celebrities published a "[Declaration 2018](#)" expressing their concern about how "illegal mass migration damaged Germany". Over 160,000 people had signed the declaration by mid-May. Despite the rising fear of allegedly criminal refugees and asylum seekers, crime in Germany has dropped to the lowest level since 1992, including an

almost 2 % drop among non-German suspects in 2017 compared to the year before, according to a study presented in [media reports](#).

A Senegalese street vendor died of cardiac arrest, allegedly after the police chased him on a motorbike. His death sparked clashes in Madrid, **Spain**, between the police and protestors, according to [media reports](#).

Statistics **Netherlands** published the results of a [survey](#) on the Dutch population's attitude towards refugees. It showed, among others, that 77 % of the 3,339 respondents were of the opinion that the Netherlands should receive refugees, 15 % were neutral on the issue, and 8 % disagreed.

A [report](#) on ethnic profiling practices in **Finland** indicated that some acts by the authorities were of selective nature and partly based on the person's ethnicity. Persons belonging to racial minorities were surveyed by security authorities in many types of urban spaces more often than the general population. It found inadequacies in registering the grounds for stops and ID-checks. According to [media sources](#), the police maintained that they have intensified efforts to combat ethnic discrimination during the past years by issuing guidelines and conducting training. In Helsinki, the reasons for police controls will be recorded in a central system to increase transparency and *ex post* monitoring.

## Hate speech and violent crime

Several incidents involving unidentified suspects occurred. Someone set the door of the Padua mosque in **Italy** on fire. Others threw stones against the windows of a reception centre in Ceprano (Lazio) and set the carpet in front of the main door on fire. The 20 asylum seekers living in the centre were not injured but left the facility immediately after the attack.

In Krypteia, **Greece**, a far-right organisation [attacked](#) the premises of the Afghan community in Athens, causing significant material damage; no one was injured. The Municipality of Athens [condemned](#) the attack and expressed its determination to curb far-right violence and threats. In Lesbos, a group of some 200 men chanting far-right slogans attacked asylum seekers in Mytiline who had been protesting on a nearby square against the appalling reception conditions in the Moria hotspot, according to [media reports](#). Charges were brought against several suspects.

The results of a special [Eurobarometer survey](#) on integration of immigrants in the EU showed that **Hungarians** expressed significantly stronger anti-immigrant sentiments than the EU average. While 38 % of all EU citizens considered migration as a problem rather than an opportunity for ageing European societies, this figure was 63 % in Hungary. Hungarian respondents also overestimated the total number of foreigners in the country (perceived as amounting to 9 % of the whole population, instead of the actual 2 %).

157 Islamophobic, Nazi and xenophobic online postings were reported via the Ban Hate app in **Austria**, according to the Antidiscrimination Office Styria.

In Zagreb, **Croatia**, the police started investigations against a young Croatian on counts of bodily harm and hate crime against a child refugee from Iraq. Unknown suspects attacked a 26-year-old Moroccan citizen in a bar in Zagreb, who sustained life-threatening injuries and was in a coma for several hours,

according to [media reports](#). While [media reports](#) claimed that the motive of the attack remained unknown, according to the Centre for Peace Studies, all available information about this case indicates that it was a hate crime.

In **Poland**, the number of online hate speech incidents against migrants was growing, the Ombudsman reported in an interview.

According to the [Amadeu Antonio Stiftung and PRO ASYL](#), there were 28 incidents connected to racist and/or xenophobic sentiments in **Germany** between January and April 2018. The two organisations list 18 bodily injuries, one arson attack and nine other attacks, including threats and throwing stones at asylum seekers.

In non-metropolitan **France**, interviewed NGOs reported a surge in acts of violence against migrants in Mayotte, a French overseas department in the Indian Ocean. Locals accused migrants of African origin, who are usually in an irregular situation, of being responsible for violence and attacked them, sometimes destroying their property, and forcing them to leave the island, [media reports](#) confirmed. Also in France, at the alpine border with Italy, a group of activists of the 'Generation Identity' [erected a symbolic border](#) out of plastic netting in the mountains where irregular migrants usually attempt to enter from Italy, and patrolled this border section. The local public prosecutor opened a preliminary investigation, which was closed without further action due to a lack of reported offences, according to [media reports](#).

In **Sweden**, the National Resistance Council, an extreme-right organisation, organised [demonstrations](#) in Boden and Ludvika on Labour Day. Although the official reason for the demonstrations was Labour Day, speeches predominantly focused on menacing migrants and asylum seekers.

A group of [rejected asylum seekers](#) squatted in some houses in Amsterdam, the **Netherlands**, which drew a lot of media attention. In protest of the presence of rejected asylum seekers, members of the [extreme right group](#) *Identitair Verzet* squatted in a house in the same street and displayed a banner stating 'Illegal is criminal'. However, they left the house on the same day when antifascist activists threw rocks and directed fireworks at the house.

The **Finnish** National Police Board observed in an interview that the trial of the Moroccan asylum seeker accused of [terrorist stabbings](#) in the city of Turku generated increased anti-immigration discussions and hate speech on social media.

## ANNEX – Stakeholders interviewed in April 2018

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>• Antidiscrimination Office Styria (<i>Antidiskriminierungsstelle Steiermark</i>);</li> <li>• Caritas Vienna (<i>Caritas Wien</i>);</li> <li>• Caritas Styria (<i>Caritas Steiermark</i>).</li> </ul>
Bulgaria	<ul style="list-style-type: none"> <li>• 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>);</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>• Prosecution Office of the Republic of Bulgaria (PORB) (<i>Прокуратура на Република България, ПРБ</i>);</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>
Croatia	<ul style="list-style-type: none"> <li>• Ministry of Demography, Family, Youth and Social Policy (<i>Ministarstvo za demografiju, obitelj, mlade i socijalnu politiku</i>);</li> <li>• Ministry of Interior (<i>Ministarstvo unutarnjih poslova</i>);</li> <li>• Ombudsperson's Office (<i>Pučka pravobraniteljica</i>);</li> <li>• Croatian Government's Office for Human Rights and Rights of National Minorities (<i>Ured za ljudska prava i prava nacionalnih manjina Vlade RH</i>);</li> <li>• Doctors of the World (<i>Médecins du Monde</i>);</li> <li>• Welcome Initiative (<i>Inicijativa Dobrodošli</i>);</li> <li>• Rehabilitation Centre for Stress and Trauma (<i>Rehabilitacijski centar za stres i traum</i>);</li> <li>• Croatian Law Center (<i>Hrvatski pravni centar</i>);</li> <li>• Centre for Peace Studies (<i>Centar za mirovne studije</i>);</li> <li>• Jesuit Refugee Service (<i>Isusovačka služba za izbjeglice</i>);</li> <li>• Centre for Missing and Abused Children (<i>Centar za nestalu i zlostavljano djecu</i>).</li> </ul>
Denmark	<ul style="list-style-type: none"> <li>• Danish Ministry of Justice (<i>Justitsministeriet</i>);</li> <li>• Danish National Police (<i>Rigspolitiet</i>);</li> </ul>



Country	Stakeholders interviewed
	<ul style="list-style-type: none"> <li>• 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;</li> <li>• SOS against Racism (<i>SOS mod Racisme</i>).</li> </ul>
<b>Finland</b>	<ul style="list-style-type: none"> <li>• Amnesty International – Finnish Section (<i>Amnesty International – Suomen osasto/Amnesty International –Finländska sektionen</i>);</li> <li>• Central Union for Child Welfare (<i>Lastensuojelun keskusliitto/Centralförbundet för Barnskydd</i>);</li> <li>• Finnish Human Rights Centre (<i>Ihmisoikeuskeskus/Människorättscentret</i>);</li> <li>• Finnish Immigration Service (<i>Maahanmuuttovirasto/Immigrationsverket</i>);</li> <li>• National Police Board (<i>Poliisihallitus/Polisstyrelsen</i>);</li> <li>• Non-discrimination Ombudsman (<i>Yhdenvertaisuusvaltuutettu/Diskrimineringsombudsmannen</i>);</li> <li>• Ombudsman for Children (<i>Lapsiasiavaltuutettu/Barnombudsmannen</i>);</li> <li>• Parliamentary Ombudsman (<i>Eduskunnan oikeusasiamies/Justitieombudsmannen</i>).</li> </ul>
<b>France</b>	<ul style="list-style-type: none"> <li>• Ministry of the Interior (<i>Ministère de l'Intérieur</i>);</li> <li>• General Controller of Places for Deprivation of Liberty;</li> <li>• Public Defender of Rights (<i>Le Défenseur des droits - DDD</i>);</li> <li>• National Association of Border Assistance for Foreigners (ANAFÉ) (<i>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>• Service centre for migrants in Calais (<i>Plateforme de service aux migrants à Calais</i>);</li> <li>• The Immigrant Information and Support Group (<i>Groupe d'information et de soutien des immigrés - GISTI</i>).</li> </ul>
<b>Germany</b>	<ul style="list-style-type: none"> <li>• German Red Cross (<i>Deutsches Rotes Kreuz</i>);</li> <li>• 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>);</li> <li>• German Caritas Association (<i>Deutscher Caritasverband</i>);</li> <li>• German Institute for Human Rights;</li> <li>• Jesuit Refugee Service (<i>Jesuiten Flüchtlingsdienst, JRS</i>);</li> <li>• Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (<i>Bundesministerium für Familie, Senioren, Frauen und Jugend</i>).</li> </ul>
<b>Greece</b>	<ul style="list-style-type: none"> <li>• Greek Asylum Service (<i>Υπηρεσία Ασύλου</i>);</li> <li>• The Greek Ombudsman (<i>Συνήγορος του Πολίτη</i>);</li> <li>• Hellenic Police Headquarters (<i>Αρχηγείο Ελληνικής Αστυνομίας</i>);</li> <li>• Racist Violence Recording Network (<i>Δίκτυο Καταγραφής Ρατσιστικής Βίας</i>);</li> <li>• United Nations High Commissioner for Refugees Greece (<i>Υπατη Αρμοστέα του ΟΗΕ για τους Πρόσφυγες - Ελληνικό Τμήμα</i>);</li> <li>• International Organisation for Migration (<i>Διεθνής Οργανισμός Μετανάστευσης</i>);</li> <li>• Hellenic League for Human Rights (<i>Ελληνική Ένωση για τα Δικαιώματα του Ανθρώπου</i>);</li> </ul>

Country	Stakeholders interviewed
	<ul style="list-style-type: none"> <li>• Doctors Without Borders Greece (<i>Γιατροί Χωρίς Σύνορα-Ελληνικό Τμήμα</i>);</li> <li>• Doctors of the World Greece (<i>Γιατροί του Κόσμου-Ελληνικό Τμήμα</i>);</li> <li>• Greek Council for Refugees (<i>Ελληνικό Συμβούλιο για τους Πρόσφυγες</i>).</li> </ul>
<b>Hungary</b>	<ul style="list-style-type: none"> <li>• Ministry of the 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>• Office of the Commissioner for Fundamental Rights (<i>Alapvető Jogok Biztosának Hivatala</i>);</li> <li>• UNHCR Hungary;</li> <li>• MigSzol;</li> <li>• Hungarian Association for Migrants (<i>Menedék Migránsokat Segítő Egyesület</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>• United Nations High Commissioner for Refugees (UNHCR);</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>• Defence for Children - 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>• Head of the Office for Foreigners (<i>Szef Urzędu do spraw Cudzoziemców, UDSC</i>);</li> </ul>

Country	Stakeholders interviewed
	<ul style="list-style-type: none"> <li>• The Rule of Law Institute Foundation (<i>Instytut na rzecz Państwa I Prawa, FIPP</i>);</li> <li>• Ombudsman for Children (<i>Rzecznik Praw Dziecka, RPD</i>).</li> </ul>
<b>Spain</b>	<ul style="list-style-type: none"> <li>• Asylum and Refugee Office of the Spanish Ministry of the Interior (<i>Oficina de Asilo y Refugio del Ministerio del Interior, OAR</i>);</li> <li>• Diversity Management Unit of Madrid City Council (<i>Unidad de Gestión de la Diversidad del Ayuntamiento de Madrid</i>);</li> <li>• Spanish Ombudsman (<i>Defensor del Pueblo</i>);</li> <li>• UNHCR (<i>Oficina de la Agencia de la ONU para los Refugiados en España, 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>• Chair of Refugees and Forced Migrants at 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>• Ombudsman for Children in Sweden (<i>Barnombudsmannen</i>);</li> <li>• National Board of Health and Welfare (<i>Socialstyrelsen</i>);</li> <li>• Swedish Migration Agency (<i>Migrationsverket</i>);</li> <li>• Ombudsman for Children in Sweden (<i>Barnombudsmannen</i>);</li> <li>• Chief Guardian Committee of the City of Gothenburg (<i>Överförmyndarnämnden i Göteborg</i>);</li> <li>• Save the Children Sweden (<i>Rädda barnen</i>);</li> <li>• Swedish Red Cross (<i>Röda korset</i>).</li> </ul>