

MIGRATION: KEY FUNDAMENTAL RIGHTS CONCERNS

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QUARTERLY BULLETIN

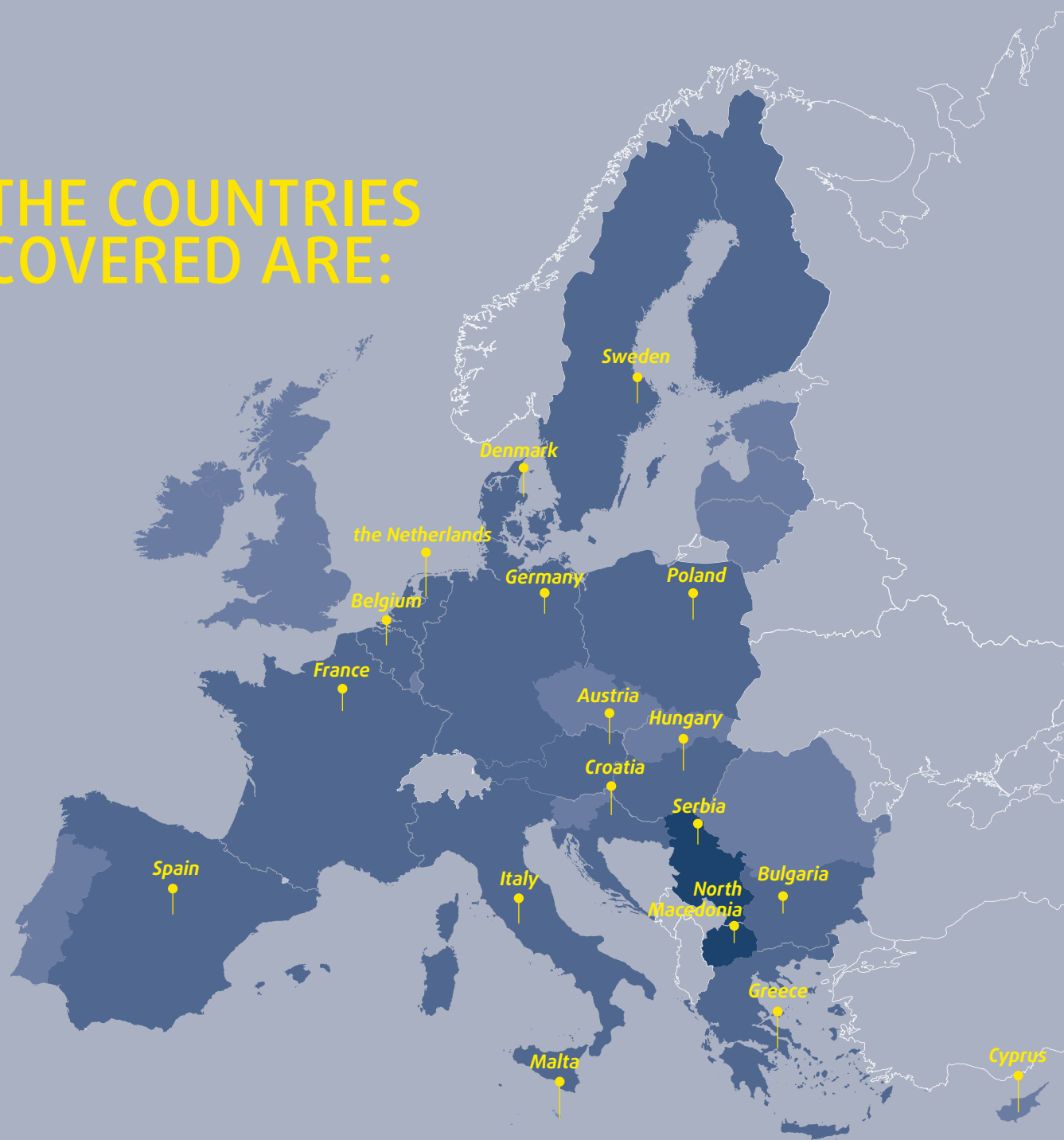
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The EU Agency for Fundamental Rights has been regularly collecting data on asylum and migration since September 2015. This report focuses on the fundamental rights situation of people arriving in Member States and EU candidate countries particularly affected by migration. It addresses fundamental rights concerns between 1 April and 30 June 2020.

THE COUNTRIES COVERED ARE:



Note on sources

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 during the COVID-19 pandemic

In **Greece**, following amendments brought by Law 4674/2020, as of 1 June, some 9,000 international protection beneficiaries were requested to leave the reception facility in which they had been staying as applicants. Another 11,000 refugees will transit from cash assistance schemes for asylum applicants to general social welfare. The **Ministry of Migration and Asylum** announced the easing of access to rights and services available to Greek nationals and a review of the Helios Project (Hellenic Integration Support for Beneficiaries of International Protection) to facilitate the rental of accommodation by refugees.

UNHCR expressed deep concern about the premature ending of the assistance, stressing that forcing people to leave their accommodation without a safety net and measures to ensure their self-reliance may lead to poverty and homelessness. Noting the particular hardships during the covid-19 epidemic, 61 NGOs raised the same issue in a **joint letter** to the Minister of Migration and Asylum, the European Commissioner for Home Affairs, and the Vice-President of the European Commission. According to **media reports**, refugee families from Lesvos ended up homeless in **Victoria Square** in Athens. The police transferred some of them to camps on the mainland and to the Amygdalasa detention centre in Athens.

In **Italy**, Article 103 of **Law-Decree No. 34 of 19 May 2020** introduced a new type of residence permit issued for work purposes. It is valid for six months for third-country nationals irregularly residing or holding residence permits that expired before October 2019 and who are employed in agriculture, care, and as domestic workers. Persons considered a threat for public security and order, those who have received a return order, as well as those involved in criminal proceedings, are excluded. Employers have to pay a EUR 400 fee and further EUR 160 for the administrative costs of the procedure. The **Association for Legal Studies on Immigration** (ASGI) and the **Italian Refugee Council** called for extending this option to all job-seeking third-country nationals who are in an irregular situation.

The Ministry of the Interior released the first **monitoring report** on the regularisation process. It indicates that, two weeks after its start, almost 32,000 requests had been filed. ASGI sent a **formal letter** to the Ministry of Labour and Social Policies, and to the Italian National Labour Inspectorate, reporting that many employers are refusing to regularise irregular workers in the concerned economic sectors.

Poland adopted measures allowing foreigners staying in Poland, including failed asylum seekers and returnees under voluntary return schemes, to remain legally in Poland during the covid-19 epidemic and 30 days after its end. The **anti-crisis shield 2.0** expanded the categories of foreigners with expired permits who are allowed to remain on Polish territory to include visa-free travellers, Schengen visa holders, holders of visas and residence documents issued by other Schengen countries, long-term visas holders, and holders of residence document issued by another Member State. The **anti-crisis shield 3.0** facilitated the provisions on work-permits for foreigners who remained on Polish territory and simplified their access to the labour market by removing the obligation to apply for new work permits. Under the **anti-crisis shield 4.0**, international protection beneficiaries are entitled to receive, for up to three months, the special "solidarity allowance" of PLN 1400 (approx. EUR 325) introduced for persons who have lost their jobs or whose work contracts have expired as a result of covid-19.

Bright spots

UNHCR issued **recommendations for the European Union** to ensure refugee protection during the COVID-19 pandemic and beyond. These call for access to assistance for all, financial assistance globally, preserving access to asylum, ensuring solutions for refugees, and empowering refugees to assist in the response.

Bright spots

In **Bulgaria**, the **Refugee-Migrant Service of the Bulgarian Red Cross** opened an information hotline. It focuses on measures against COVID-19, as well as on possible support the Bulgarian Red Cross may offer.

In **Spain**, a **Royal Decree-Law 13/2020 of 7 April** introduced urgent and temporary measures for the employment in the agricultural sector, giving priority to the employment of young third-country nationals as well as migrant workers whose work permit has expired. Under Royal Decree-Law 19/2020 of 26 May, those hired pursuant to Royal Decree-Law 13/2020 will receive a two-year residence permit. In the same vein, the Ministry of Health issued an **Order** providing for a three-month extension of those residence and work permits that expired during the lockdown. With three internal instructions, the Ministry of Inclusion, Social Security and Migration simplified procedures for the issuance and renewal of some types of residence permit, namely **social roots, family reunification and renewal of residence permits** procedures (e.g. reducing the minimum income requirements for family reunification).

After **closing down the transit zones** at the southern border with Serbia, **Hungary** enacted a new law governing asylum procedures as part of a legislative package on **'the transitional rules and epidemiological preparedness related to the cessation of the state of danger.'** The law also provides for the immediate removal from the territory of any person who crosses the Hungarian border unlawfully and indicates an intent to seek asylum. Duly mandated international and regional bodies will determine the compatibility of these provisions with the EU Charter, the EU asylum acquis and international refugee law. The law introduces a new procedure, in effect until 31 December 2020, requiring individuals to express their intent to seek asylum abroad, at **designated** Hungarian Embassies: in Belgrade (Serbia) and Kiev (Ukraine). This 'declaration of intent' is to inform the asylum authority that the person wishes to enter Hungary to submit an asylum claim.

In case of a positive decision on the 'declaration of intent', the designated Hungarian Embassy issues an entry visa valid for one entry within 30 days of its issuance. Within 24 hours of entry into Hungary, the border police must bring the person to the asylum authority to lodge the asylum claim. The rights of and support granted to applicants for international protection become accessible only after that. Applicants will initially be placed in a closed detention centre. If the asylum authority does not decide on the claim within four weeks, and the conditions to order asylum detention are not met, the authority will place the applicant in an open refugee camp. UNHCR **heavily criticised** the new legislation and **called on Hungary** to provide for entry to asylum seekers into the country.

In **Austria**, Caritas Styria observed that asylum applicants were not properly informed on issues related to their asylum application during the reporting period. While they were well informed about COVID-19-related health issues, there was a lack of information on procedural aspects of the asylum procedure, for example when hearings were cancelled. However, the Austrian Red Cross observed that non-German speaking asylum applicants were not well informed about measures to contain COVID-19, including because of fake news circulating. The NGO **Asylkoordination** and **media** criticised the incomplete information provided to asylum seekers about the regulations applicable to contain COVID-19 during the first phase of the pandemic.

In **France**, the **government shortened the time limits** to appeal against certain immigration-related decisions (return, Dublin transfers, and rulings by the National Court of Asylum), delinking them from the end of the state of health emergency set by a **previous government order** (10 July). The newly introduced date when the clock starts ticking for the appeals is 24 May 2020. According to the NGO **La Cimade**, this measure is at variance with access to justice and the rights of those who are in a most precarious situation.

In **Belgium**, although the Federal agency for the reception of asylum seekers (Fedasil) **re-opened the arrival centre for asylum seekers** on 3 April, the limited number of appointments assigned via the **online registration and appointment system** created a significant backlog. By mid-May, nearly 900 new requests for appointment were registered, but only 350 invitations to register were sent out. Among these, only 270 asylum seekers could actually meet the authorities to lodge their claim for international protection, **media reported**. For prioritised cases, the average waiting time between the request in the system and the appointment was roughly seven days for unaccompanied children and 12 days for families with children.

In **Germany**, the Berlin Refugee Council reported that persons living in several reception centres previously under quarantine had to wear green bracelets in public, indicating that they are inhabitants of a previously quarantined reception centre, but had tested negatively. As a result, they were denied access to supermarkets and stores. The **Bavarian Refugee Council** reports that in one reception centre the quarantine applied only to Sub-Saharan asylum applicants, without justified reasons. The Berlin Refugee Council and **ProAsyl** point out that, in some cases, the quarantines have been excessively prolonged (chain-quarantine). For example, in one **Bavarian reception centre**, the quarantine was prolonged several times, amounting to a total of two months because the hygiene and distance measures could not be applied in the centre and the inhabitants were not moved elsewhere. The Federal Working Group of Psycho-Social Support centres for Refugees and Victims of Torture reports an increase in the number of incidents involving psychological distress, due to the limited psychological care and the aggravated insecurity in the quarantined accommodation centres.

In **Germany**, limited access to the internet and language barriers resulted in asylum applicants having poor access to information on Covid-19, as UNHCR, the German Bishops Conference, the Berlin Refugee Council and the Jesuit Refugee Service all reported.

In **Sweden**, Save the Children reported that internet access is available only at the Migration Agency's accommodation centres, not in their apartments, where many applicants attending upper secondary schools had difficulties to connect to online lessons.

Situation at the border

In **Italy**, following the closure of Italian ports until 31 July 2020 due to the COVID-19 pandemic pursuant to **Interministerial Decree No. 150**, the **Italian Refugee Council** released a public statement underlining that this act cannot suspend international obligations to rescue people in distress at sea. In particular, the statement referred to the "Alan Kurdi" vessel, which was waiting for the authorisation to disembark in international waters with 156 rescued people on board. The Head of the Italian Civil Protection signed an **order** appointing the Department of Civil Freedoms and Immigration as the public authority in charge of managing the healthcare assistance of the people rescued. According to this order, the Department may identify a vessel to isolate rescued people for 14 days.

According to the **media**, the 156 rescued migrants were transferred to a ferry off the shores of Palermo, where they started the 14-day isolation period and underwent a COVID-19 test. According to the **media**, a further 36 migrants, rescued by the NGO vessel "Aita Mari", were transferred on the same vessel. As reported by the **media**, all 222 persons tested for COVID-19 were negative.

In **Italy**, following inspections carried out by the Italian Coast Guard, the NGO rescue vessels “**Alan Kurdi**” and “**Aita Mari**” were subjected to administrative seizure in Palermo due to operational and technical irregularities. According to the **media**, at the end of June, the “**Alan Kurdi**” vessel was released and allowed to leave for Spain.

In **Malta**, according to the **media**, the government commissioned four cruise vessels owned by two different private companies to quarantine 425 asylum seekers rescued at sea. On 21 May, **UNHCR** and IOM called on EU Member States, including Malta, to bring to safety the migrants who remained on two boats. **Media** reported that the boats were brought to shore on 6 June, due to rough sea conditions and following the eruption of tensions on board. On 1 May, the **media** reported that the government sent an open letter to the European Commission, lamenting that the 128 pledges by EU Member States to relocate migrants rescued by Malta had yet to materialise.

Following a **statement** by the Office of the Prime Minister on 28 May 2020, concerns have also emerged regarding the government’s relationship with Libya, and an increase in pushbacks, particularly following the signing of a Memorandum of Understanding between Malta and Libya to establish units to coordinate operations to curb irregular migration.

In **France**, a **group of NGOs and trade unions** expressed criticism about the practice of the border police refusing entry to the country at airports without formally issuing a decision, also leading to situations of deprivation of liberty. In particular, it was argued that travellers were repeatedly forced to remain in the departure areas and were at times put in holding places at Roissy-Charles de Gaulle International Airport, after the police *de facto* had refused them admission to the country.

In **Austria**, under a **Ministerial Decree**, third-country nationals who are not residing in the country are only allowed to enter the territory if they hold a negative COVID-19 test that is not older than four days or if they sign a declaration that they will self-quarantine at a specific address at their own costs. It remains unclear how this provision will be applied to asylum applicants, as refusing asylum applications from individuals who cannot present a health certificate or who do not have a place for self-quarantine would be contrary to EU law.

In **Poland**, according to the **Border Guard**, due to the suspension of rail connections and other traffic restrictions, between April-May 2020, no one submitted an asylum application at the border crossing with Belarus in Terespol. The Ombudsman, however, pointed out that in the **regulation on the suspension and limitation of border traffic** persons intending to apply for asylum were not included as persons allowed to enter the Polish territory, making access to the asylum procedure impossible in practice. In the **opinion** of the Commission of Experts of the Ombudsman, the lack of effective access to the asylum procedure during a pandemic is a violation of international and national law. As of 11 May 2020, asylum applications are registered again but not at the border crossing in Terespol.

In **Bulgaria**, the entry ban on all third-country nationals, introduced by the **Minister of Health** as a preventive measure against the Covid-19 outbreak, remained in force. However, as of the end of June, the ban did not apply to third-country nationals travelling for humanitarian reasons (i.e. when there is a serious risk to the person’s health or life, to maintain the integrity of their family, or the best interest of children) or to those with valid residence permits.

Asylum procedure

According to EASO's **special report "Asylum trend and COVID-19"**, there was a sharp decrease in asylum applications in the past months due to COVID-19-related travel restrictions and health measures. Only 8,730 asylum applications were registered in April 2020. This represents the lowest rate since 2008 – and a decrease of almost 90 % compared with pre-COVID-19 levels in January and February, when more than 60,000 asylum seekers applied.

According to **EASO**, despite the slow lifting of containment measures across most EU+ countries, asylum applications remained significantly reduced (-84 %) in May compared to pre-COVID levels. At the same time, the number of cases awaiting a decision continue to decrease as national authorities redeploy staff to clear backlogs.

Greece suspended all administrative procedures (registration of asylum applications, interviews, submission of appeals, etc.) until 15 May, as a preventive measure against Covid-19. On 18 May 2020, the Asylum Service reopened its offices. To ensure a smooth re-operation of the service, the **Ministry** and the **Asylum Service** extended asylum seekers' cards for six months from their expiration date, and allowed for online registration of new asylum applicants and for the electronic submission of certain types of applications (e.g. applications to rectify personal data, applications for legal aid).

HIAS Greece and other NGOs providing legal aid in Lesbos lodged a **complaint** before the Greek Ombudsman, as lawyers could not cope with the need for legal assistance following the notification of a high number of rejections taken during the lockdown. In addition, certain applicants hosted at Moria's Reception and Identification Centre, who went to the town to visit lawyers, were issued 150 Euro fines for violating coronavirus-related restriction measures.

In **Italy**, pursuant to the **Decree of the Ministry of the Interior of 2 April 2020**, interviews and assessments carried out by the Territorial Commissions for the recognition of the right to international protection were suspended until mid-April. All other activities were carried out remotely. Interviews gradually resumed as of mid-June.

In **Cyprus**, according to UNHCR, despite the announcement by the Ministry of Interior about the possibility to submit asylum applications as of 21 May, in practice, very few applicants had access to the procedure. On several instances, access was denied because of lack of space to accommodate new applicants, as the immigration authorities only allowed the registration of applicants who could be placed in quarantine. Since there was no space in the Pournara camp, many people – including unaccompanied children – remained unregistered, as reported by UNHCR.

In **Austria**, the number of asylum applications has fallen significantly. The most recent **Austrian Asylum Statistics** reveal that in April 2020, a total of 338 asylum applications were filed in Austria. This is a decrease of almost 66 % compared to April 2019. In May 2020, a total of 631 asylum applications were filed – a decrease of almost 39 % compared to May 2019. Official numbers for June 2020 are not available yet, but the Federal Ministry of the Interior reports that, at the end of June 2020, the number of asylum applications has risen again – to around 300 per week.

In **Austria**, the temporary suspension of deadlines for appealing asylum decisions came to an end on 1 May 2020, as the **Federal Office for Immigration and Asylum reported**. The Austrian Red Cross observed that some asylum applicants had difficulties understanding the information on the time limits provided by the Federal Office for Immigration and Asylum.

Bright spots

The European Asylum Support Office (EASO) issued **recommendations** providing practical guidance on conducting remote interviews for international protection.

UNHCR issued its thematic paper on **"Remote interviewing-Practical considerations for states in Europe"**. It highlights a number of considerations on remote interviewing modalities during the Covid-19 pandemic.

In **Croatia**, second-instance asylum proceedings were suspended, the NGO Rehabilitation Centre for Stress and Trauma reported.

In **Poland**, the temporary suspension of most judicial and administrative deadlines **came to an end on 24 May 2020**. At the **Office for Foreigners**, direct customer service resumed on 22 May 2020, receiving foreigners in accordance with the **sanitary rules** applied due to COVID-19.

In **Bulgaria**, on 14 May 2020, the **State Agency for Refugees** resumed all pending asylum procedures, which had been suspended during the state of emergency.

In **Spain**, pursuant to **Royal Decree 537/2020 of 22 May 2020**, the suspension of the procedural deadlines was lifted starting from June 2020, meaning that it is now possible to obtain an appointment before the Office for Asylum and Refuge in order to apply for international protection. The **Office of Asylum and Refugee** and the **Ministry of the Interior** published an information factsheet on frequently asked questions about the international protection system during the pandemic. The note announces that, following the re-opening of the Foreigners' Offices to the public, asylum procedures will restart. The validity of documents that expired during the lockdown has been automatically extended: the validity of the "white card" confirming the lodging of the asylum application (resguardo de solicitud) is now extended for nine months and the "red card" confirming the asylum seeker's status is automatically renewed for additional seven months. All documents allow the holder to work after six months from issuance. Reception services are back to the usual rules.

In **Germany**, the **Federal Office for Migration and Refugees informed** the bar association on 9 April 2020 that it had partly suspended issuing negative decisions on asylum applications until 19 April 2020. According to its website, the **Federal Office for Migration and Refugees** resumed serving all decisions to asylum applicants represented by a lawyer on 20 April 2020 and to unrepresented applicants on 11 May 2020.

In **Sweden**, Save the Children and the Red Cross reported delays for applicants in accessing the asylum procedure due to the COVID-19 pandemic, with many asylum applications being on hold after their registration. The Swedish Refugee Law Centre is concerned over conducting asylum interviews via video link, especially for vulnerable groups, such as children and persons with poor mental health.

In **Denmark**, the Danish Refugee Council reported that, following the lock down, the Danish Immigration Service did not conduct physical interviews with asylum seekers until 15 June 2020. Instead, interviews continued by Skype, concerning mostly Dublin cases. The **Danish Refugee Appeals Board** resumed physical meetings on 15 May 2020, and the **Danish National Police** resumed processing immigration cases on 18 June 2020. According to the Danish Red Cross, the lockdown has caused delays in the asylum process.

In the **Netherlands**, the Government informed the Parliament by **letter** that the asylum procedure, which had been suspended on 16 March 2020 due to COVID-19, resumed on 28 April 2020. On 1 May 2020, the **Immigration and Naturalisation Service** (*Immigratie en Naturalisatiedienst*) started to interview asylum applicants by using video conferencing systems. In addition, the Aliens Circular **will be amended** to extend the period for the Immigration and Naturalisation Service to issue decisions on asylum applications by 6 months. The reason for extending the deadlines is the temporary suspension of all asylum procedures due to COVID-19.

In **France**, the **Council of State declared unlawful** the suspension of the registration of asylum applications in the Île-de-France region due to the practical difficulties caused by the COVID-19 outbreak. The Council of State stressed that processing claims for international protection and social distancing are not incompatible. It thus ordered the Minister of the Interior to restore the system for registering asylum applications in Île-de-France, as a priority for vulnerable persons, within five days and in accordance with the public health measures required by COVID-19. The **Public Defender of Rights**, who intervened in the legal proceedings, noted that the system has resumed by June, adding that he remains vigilant as to the effective access to asylum by those in need.

In **Serbia**, according to the Belgrade Centre for Human Rights, the Asylum Office resumed the examination of asylum procedures on 25 May 2020. All **deadlines** that would have expired during the state of emergency were extended until 30 days after its end, until 6 June 2020.

Extension of expired residence permits

Several countries allowed certain third-country nationals whose residence permit expired during the COVID-19 measures to remain legally in the country until the end of the pandemic. These include, for example, **Croatia, Greece, Italy, France**, and **Hungary**.

Reception

In **Greece**, the **Ministry of Migration and Asylum** announced that the restriction of movement of residents at all Reception and Identification Centres on the islands and at a few accommodation sites on the mainland will be extended until 19 July 2020 to prevent the spread of Covid-19. Similar measures for the local population have been lifted. **Médecins sans Frontières** had previously stated that the restrictions in the Reception and Identification Centres are not justified and will further reduce the already limited access of asylum applicants to basic services and medical care. According to the **European Centre for Disease Prevention and Control**, there is no evidence that quarantining whole camps effectively limits the transmission of COVID-19 in settings of reception and detention or provides any additional protective effects for the general population, outside those that could be achieved by conventional containment and protection measures.

In **Greece**, according to UNHCR, new arrivals entering the country from the land borders are not immediately transferred to the Reception and Identification Centre of Fylakio due to lack of accommodation capacity and quarantine areas. This leads to prolonged detention in police stations prior to their transfer. The reception capacity in the country is insufficient for the number of those entering. After their stay in Fylakio, the majority of applicants are still not referred to accommodation centres.

On Lesbos, in June, new arrivals were placed in quarantine for a few days either in Megala Therma or in Kara Tepe, depending on the place of disembarkation, before they were transferred to the Reception and Identification Centre of Moria. According to UNHCR, the uncoordinated testing for Covid-19 and the lack of services in the quarantine site of Megala Therma led to a situation where people who arrived on different dates were not properly separated. In some cases, the transfer of new arrivals from Megala Therma to Moria was also delayed due to road blocks by protesting local residents.

Bright spots

In **Austria**, **UNHCR** started implementing the project "Bridge – Cooperation in the Asylum Sector", co-financed by the Asylum, Migration and Integration Fund (AMIF) and the Federal Ministry of the Interior. The project produced a video providing information about the psychological effects of COVID-19 on refugees, as well as a self-check tool to assist all staff, judges, legal advisers, legal representatives and interpreters involved in the asylum procedure.

Bright spots

In **France**, a **new law** extended the 'asylum seekers' allowance' until the end of May 2020 for those who stopped being eligible for this benefit as of March. For beneficiaries of international protection, the payment of this allowance was extended to 30 June 2020. The **Minister responsible for relations with the French Parliament** explained: "it is necessary to avoid any stopping of the payment of the asylum seekers' allowance, which constitutes, for these persons, the only source of income, the only means of subsistence".

The same law also authorised foreign students to work more (80 % of the annual working time instead of 60 %). In addition, it eased the residence conditions for seasonal workers – until six months following the end of the state of health emergency – with a view to responding to the lack of available work force, particularly in the agricultural sector.

In **Italy**, in April 2020 the Ministry of the Interior issued a Circular Letter regulating the situation of asylum seekers and international protection status holders accommodated in reception centres. According to it, at their arrival, they must undergo health screenings and a 14-day isolation period. For this purpose, specific isolation wards within the reception centres can be created. Those accommodated in the centres are not allowed to exit and transfers are allowed only once the isolation period is concluded. In addition, those whose accommodation period in the reception centres is about to end are allowed to remain in these facilities until the end of the emergency. Law No. 27 of 24 April 2020 confirmed that asylum seekers and humanitarian protection status holders are allowed to remain in the second-level reception centres until 31 December 2020.

In **Cyprus**, UNHCR and the Cyprus Refugee Council reported that, with few exceptions, third-country nationals who arrived in the country as of March were not registered. This resulted in lack of access to reception conditions and situations of homelessness, including for unaccompanied children. The Cyprus Refugee Council reported the case of a woman at the final stages of her pregnancy who was not registered by the immigration authorities and thus did not have access to health care. The Asylum Service reported that by 21 June, there were 90 unregistered people.

In **Cyprus**, according to the Cyprus Refugee Council and UNHCR, during the COVID-19 lockdown, the two refugee camps of Kofinou and Pournara were turned into closed facilities. The Cypriot Commissioner for administration and for protection of human rights issued a **report** positively noting the access of the camp residents to healthcare. However, the Commissioner also called for finalising the construction work in Pournara to allow for a dignified stay, for the daily presence of a doctor, for resuming asylum interviews, for accommodating unregistered individuals, for an effective identification of vulnerable persons and for maintaining the temporary nature of the restriction measures.

UNHCR **presented** the findings from its visit to Pournara to the Parliament, raising concerns about the lengthy stay of applicants, the conversion of the camp into a closed facility, the detention of unaccompanied children, as well as sexual abuse and harassment of children. UNHCR also noted that the biggest part of the camp consists of tents with no electricity and that many showers have no door. In the Kofinou camp, which hosts asylum applicants and recognised refugees, the social welfare services were out of operation from March until 21 May, as reported by the NGO Kofinou We Care.

In **Austria**, Caritas Styria, Caritas Vienna and the Austrian Red Cross report that asylum applicants were also among the many cases in which the police fined people for infringements of certain measures to contain COVID-19. Caritas criticised the lack of legal justification of some of the penalties. The **Federal Minister of the Interior** admitted to the Parliamentary Committee on Human Rights that, in the demanding exceptional situation, police officers may have issued controversial decisions.

In **Croatia**, non-removed rejected asylum seekers face a risk of homelessness, the NGO Centre for Peace Studies reported. Beneficiaries of international protection who are not entitled to subsidised accommodation and lost their jobs during the COVID-19 pandemic were transferred to the reception centre for homeless people.

In **Poland**, since 11 March 2020, due to the sanitary and epidemiological situation, **the Office for Foreigners** suspended access to the reception centres for foreigners. This decision also applies to persons and NGOs representatives who had previously received permission to enter the centres. However, asylum seekers can contact the outside world using private telephones and video-conferencing applications.

According to the Office for Foreigners in Poland, at the beginning of June 2020, 63 asylum seekers residing in the reception centre for women and children in Warsaw were diagnosed with the coronavirus. As of 23 June 2020, this number fell to 28, the symptoms of those who tested positive for the disease were mild, and no one was hospitalised. As of **8 July 2020**, all residents of the reception centre had recovered and the quarantine at the facility ended.

In **Bulgaria**, according to official data of the **Ministry of the Interior**, at the end of June, the occupancy rate of the reception centres was approximately 7 %. The anti-epidemic measures, introduced by the **State Agency for Refugees** in March, were revised on 14 May 2020, after the lifting of the temporary suspensions of procedures and deadlines. The ban for visitors to enter reception centres was extended, except for persons directly involved in proceedings. The anti-epidemic measures also included daily measurement of body temperature of personnel and applicants, regular disinfection, provision of personal protective equipment and disinfectants, as well as information sessions.

In **Spain**, the **National Ombudsman** and the **NGO Spanish Commission for Refugees** expressed concerns regarding the situation of migrants in the Centres for Temporary Stay of Migrants (*Centros de Estancia Temporal a Inmigrantes*) in Ceuta and Melilla. Given the overcrowding, to contain the spread of COVID-19, they call for the acceleration of transfers to the mainland. The NGO Spanish Commission for Refugees CEAR also sent a **letter** to the President of the Government asking for their immediate transfer.

In **France**, a **new law** further extended the winter eviction truce until the official end of the state of health emergency on 10 July. Similarly, asylum applicants who should have left their accommodation during the public health crisis were allowed to remain there, the **Minister responsible for relations with the French Parliament** announced.

In **Belgium**, the Federal agency for the reception of asylum seekers (Fedasil) **ordered the testing of all asylum applicants** for COVID-19 before they are assigned a place in a reception centre. If a person tests positive, the person is kept in the isolated medical block of the reception centre. If tested negative, they are assigned a regular bedroom in the facility. **Masks are also required** in certain areas of reception facilities. Fedasil also announced the **opening of a new reception centre** in Herbeumont, with a capacity of 400 beds.

In **Belgium**, the Brussels Labour Court ordered Fedasil to provide shelter to two asylum applicants (judgments **2020/756** and **2020/888**) whose reception benefits had been limited to medical care, as without shelter they would not be able to comply with social-distancing measures, the NGO **Vluchtelingenwerk Vlaanderen reported**.

In **Denmark**, SOS Racism **reports** of an outbreak of COVID-19 at the departure centre 'Kærshovedgård' (*udrejsecenter Kærshovedgård*).

In the **Netherlands**, from 16 March 2020 to 12 May 2020, asylum applicants were initially housed in an emergency shelter in Zoutkamp and later moved to the regular asylum application centre at Ter Apel. The accommodation of asylum applicants in the emergency shelter was part of the suspension of the asylum proceedings from 16 March 2020 to 28 April 2020. The application centre at Ter Apel was temporarily closed due to this suspension. According to researchers from Utrecht University, during their stay in Zoutkamp emergency shelter, asylum applicants **were denied** access to lawyers, social workers and volunteers. The emergency shelter in Zoutkamp **was closed** on 12 May 2020, when the regular asylum process was restarted. When admitted to a reception centre, applicants receive **information** on how to prevent a COVID-19 infection.

In the **Netherlands**, the District Court of The Hague (*Rechtbank Den Haag*) **ruled** that a rejected asylum applicant at heightened COVID-19 risk because of his underlying health condition is still entitled to housing in one of the reception centres. The applicant was evicted from a reception centre after his application was found inadmissible. The District Court held that the Central Agency for the Reception of Asylum Seekers has to readmit the applicant in one of its reception centres.

In the **Netherlands**, the Central Agency for the Reception of Asylum Seekers issued a **press release** on 12 May 2020 on the results of testing 350 residents and 40 staff members at the reception centre in Sneek. Some 26 residents were diagnosed with COVID-19; the agency decided to transfer these residents along with their families and housemates (some 90 persons) to another location for quarantine. On 25 May 2020, the last residents **left quarantine** and moved back to the reception centre in Sneek.

In **Serbia**, on 7 May, one day after lifting restrictions for the general population, the Minister of Health enacted an **Order** restricting entry to and exit from reception centres for migrants and asylum centres. Exit was only allowed in exceptional cases like medical reasons and with the approval of the Commissariat for Refugees and Migration. The Belgrade Centre for Human Rights criticised the order as unjustified and disproportionately restricting the rights of migrants. On 14 May 2020 and after pressure by NGOs, the authorities abolished the Order and the police replaced the army in guarding the reception centres.

Two temporary centres, which had been opened in the first half of April, had no more residents by the end of May, UNHCR reported. According to **UNHCR**, the occupancy rates in all operational asylum and reception centres – except the Reception Centre in Subotica, which was closed for quarantine purposes during the state of emergency – decreased significantly after the state of emergency and restriction of movement were lifted. The Belgrade Centre for Human Rights explains that more people left the centres when they regained freedom of movement so there were more places in regular centres. Also, people were accommodated where conditions are better in an attempt to close down the temporary centres.

Child protection

In **Italy**, the Italian Refugee Council released a **technical report**, assessing the impact of COVID-19 on unaccompanied migrant children living in the reception facilities. The report stresses that children were not clearly informed and that insufficient prevention devices, such as facial masks, were provided. It also reports issues with children who turn 18 during the emergency, as they are supposed to be transferred to adult centres. Without official authorisation from the public authorities, reception centres that allow them to instead remain are not reimbursed for the costs. The report also includes recommendations to the public authorities, such as the adoption of specific protocols regulating reception centres hosting unaccompanied migrant children and formal guidelines to extend the reception until the end of the emergency phase.

In **Belgium**, UNICEF reported a number of shortcomings in the child protection system in connection with measures adopted in response to the COVID-19 pandemic. One issue of concern was restricted access to reception facilities for children who are not considered as 'priority cases' (e.g. unaccompanied boys over 15 years of age). Due to the introduction of the online registration system to apply for asylum, they were not invited for an appointment quickly and were at risk of ending up in a situation of homelessness. Another concern was the hindered access to education due to the lack of available online tools for remote schooling, which affected not only migrant students but all students in the country. According to the Ministry of Justice, guardians were not allowed to visit unaccompanied children placed in reception centres, and could only contact such children via alternative means of communication, such as messaging apps. Visits restarted progressively in May.

The educational system in **Croatia** faced serious challenges during the COVID-19 lockdown, as online schools did not pay special attention to those who are still learning Croatian, including asylum applicants and refugees. Language and training courses for beneficiaries of international protection were also suspended, the NGO Jesuit Refugee Service reported.

In **Germany**, the Federal Association for Unaccompanied Minors and the Berlin Refugee Council highlight that the restrictions due to the Covid-19 pandemic affected particularly refugee children. The Berlin Refugee Council reports about re-traumatising effects and depression due to the lack of daily routine as schools remained closed and due to the shutdown of public life. The Federal Association for Unaccompanied Minors and UNHCR emphasise that access to online schooling for refugee children has been restricted during the Covid-19 pandemic due to weak or lacking Wi-Fi in the reception centres. The Berlin Refugee Council reports that, in quarantined reception centres, schooling was non-existent due to these limitations.

In **Sweden**, the National Board of Health and Welfare and Save the Children report that the closing of the upper secondary schools and the online schooling have been a major concern for asylum-seeking children and newly arrived children who lack the necessary support at home. Furthermore, the National Board of Health and Welfare reports that the voluntary homework support that many of these children rely on was suspended, partly because many facilities closed and partly because many volunteers who were over 70 years old and thus at high risk could not continue working. On the other hand, Save the Children reports that their activities targeting this group of children, as well as groups of parents, increased during the pandemic. These include activities such as youth groups, outdoor activities, digital groups for children, and food handouts.

In the **Netherlands**, the 'Working Group on Children in Reception Centre', (*Werkgroep Kind in azc*) **informed** the State Secretary for Justice and Security that a lot of children in the reception centres for asylum applicants have no access to online education. The results of an inventory among schools that children in reception centres attend indicated that one third of the 45 schools that responded to the enquiry have troubles in contacting their pupils because of the poor internet connection at the reception centres.

In **Spain**, UNICEF launched an **online blog** aimed at supporting professionals working with children in the reception centres during the COVID-19 epidemic. The **NGO Save the Children** expanded its migrant childcare programmes during the COVID-19 emergency. For instance, Save the Children initiated a programme called "Next to you", which provides a number of services for children and families in need. These include the delivery of food and psychological and educational support, including remote school services. These provide children in need with technological tools, such as internet connections and tablets. The organisation also extended the time slot of its **Helpline service** supporting unaccompanied migrant children.

Detention

In **Italy**, the Ministry of the Interior issued a **Circular Letter** providing instructions on the prevention of the COVID-19 propagation in pre-removal centres. Among other measures, it requires periodic health screenings of the detained migrants, the sanitisation of the centres, and the provision of protection equipment and adequate information about preventive measures. It also requires ensuring contacts with detainees' relatives if visits are banned.

In **Spain**, according to the **media**, all the migrants in the Alien Internment Centres were released given the impossibility to return them during the COVID-19 pandemic. For the first time in thirty years, the Spanish Alien Internment Centres are completely empty.

In **France**, the **National Consultative Commission on Human Rights**, the **Public Defender of Rights**, and the **Controller General of Places of Deprivation of Liberty**, as well as a **group of NGOs and trade unions**, reiterated their call to the authorities to release all migrants in an irregular situation from pre-removal detention centres, including holding places at the border, pending an improvement of the COVID-19 situation in the country. In addition, the **Public Defender of Rights** called for the immediate ending of new placements in pre-removal detention centres and reinforcing measures to protect the detainees. These should include the adequate distribution of masks, sanitising gels, and protective clothing to everyone; testing all persons likely to have been exposed to the virus; systematic isolation of all people with symptoms; and adequate medical care for those tested positive for COVID-19. In this context, the **Administrative Court in Paris** ordered in mid-April that no new placements could take place for two weeks in the detention centre at Paris-Vincennes, where three detainees tested positive for COVID-19.

In **Belgium**, authorities released many detainees from pre-removal detention, given the lack of realistic prospect of their removal due to the COVID-19 pandemic and related flight restrictions, **Myria (the Federal Migration Centre) reported**. According to the Immigration Office, new detention cases were limited to those refused entry at the borders, former criminal convicts released from prisons, and other sporadic cases. The same public body also reported that the number of new detainees in April and May was 72, while the total number of returnees kept in detention facilities amounted to 181 as of the beginning of June. NGO visits to detention facilities were still suspended, the NGO CIRÉ reported.

In **Sweden**, Amnesty International Sweden witnessed a decrease in detainees approaching the organisation for counselling, as these changed to virtual meetings. They approached all detention facilities, requesting that the privacy of all digital meetings must be ensured.

In **Denmark**, rejected asylum seekers who do not cooperate with the police in return procedures continue to be **administratively detained during the COVID-19 pandemic**.

In the **Netherlands**, six NGOs – Amnesty International, the Dutch Refugee Council, Stichting LOS, *Médecins du Monde*, *STIL Utrecht*, and the *Dutch Association of Asylum Lawyers* – sent a **letter** on 28 April, urging the Dutch Government to release immigrants from detention centres, stating that their deprivation of liberty exposes them to COVID-19.

Return

In **Austria**, the Federal Ministry of the Interior reports that, as of the end of June, Austria is increasingly conducting returns after only a few individual returns took place during the lock-down. There were 150 individual returns (voluntary and forced) in April 2020, and 242 such returns in May 2020. **Media** reported about a return flight to Georgia at the beginning of May. According to Caritas Vienna, another return flight to Afghanistan was planned, but could not be conducted as it did not receive landing permission.

In **Poland**, the **Border Guard** stopped all transfers under the Dublin III Regulation as well as forced returns by air due to the COVID-19 pandemic. However, it continued returns by land as well as voluntary returns, with all safety measures, including compliance with quarantine measures – as required by the country of return.

Belgium stopped most returns due to COVID-19, although 128 migrants in an irregular situation departed voluntarily in April and May, **Fedasil reported**. A decreasing number of forced returns took place, with only 22 persons removed to a third country in April and 28 removed in May, according to the Immigration Office. (By comparison, 239 forced returns took place in March.)

In **Spain**, the Aliens Unit of the State Prosecutor General's Office issued an **Internal Note** providing instructions on the detention and expulsion of migrants during the COVID-19 epidemic. It provides that, given the closure of borders, pre-removal detention must be limited to exceptional cases when expulsion is possible in practice.

Legal developments

Case law of the Court of Justice of the European Union (CJEU)

In **C-897/19 PPU (*Ruska Federacija v. I.N.*)**, the CJEU ruled that nationals of the European Economic Area (EEA) can benefit from the EEA Agreement, as integral part of EU law, to get protection from extradition to a third country. The CJEU stated that in case of an Icelandic national, a former Russian refugee, whose extradition was requested by the Russian Federation, Croatia as the EU Member State deciding upon extradition must offer to the EEA national protection under Article 19 (2) of the EU Charter of Fundamental Rights (principle of *non-refoulement*). In this case, the CJEU applied the doctrine already established in **Petruhhin (C-182/15)**.

In joined cases **C-924/19 PPU and C-925/19 PPU (*FMS and Others*)**, the CJEU ruled that amending the country of destination in the initial return decision is so substantial that it must be regarded as a new return decision. The CJEU underlined that, at a certain stage of the procedure, a person subject to a return decision must be able to challenge its lawfulness before at least one judicial body, in accordance with the right to an effective remedy guaranteed by Article 47 of the **Charter of Fundamental Rights**. Furthermore, the CJEU held that the persons' stay in the Röske transit zone, which lasted for several months, constituted a detention measure. The CJEU also clarified that under the Reception Conditions Directive (**2013/33/EU**) (Article 8) and the Return Directive (**2008/115/EC**) (Article 15), an applicant for international protection or a person subject to a return decision cannot be detained solely on the ground that he or she cannot meet their own needs.

In **C-448/19 *WT v. Subdelegación del Gobierno en Guadalajara***, the CJEU interpreted Article 12 of the Long-term Residents Directive (**2003/109/EC**) as precluding national measures that provide for automatic expulsion of long-term residents with criminal conviction of more than one year without examining whether they pose a sufficiently serious threat to public order and security. The national authority deciding on expulsion has to take into account, inter alia, the duration of residence of the person, their age, family situation and ties to the country of origin. The court underlined that **Directive 2001/40/EC** on mutual recognition of expulsion decisions cannot justify another interpretation.

In **C-36/20 PPU (*Ministerio Fiscal v. VL*)**, the CJEU interpreted Article 6 (1) of the Asylum Procedures Directive (**2013/32/EU**) as meaning that a judicial authority – in the particular case, an investigating judge deciding upon detention pending deportation of a third-country national in an irregular situation – is to be regarded as an 'other authority' who may receive applications for international protection despite not being competent under national law. In this regard, a judge who receives an asylum application should provide an asylum seeker with relevant information on where and how to submit the application and should also forward the file to a competent authority for registration so that the applicant can benefit from material reception conditions. Moreover, the third-country national who expressed his willingness to seek international protection before the 'other authority' cannot be detained for any other reasons than provided in Article 8 (3) of the Asylum Procedures Directive. The CJEU underlined that the lack of places in a reception facility cannot justify holding an applicant for international protection in detention.

In **C-554/19 (F.U.)**, the CJEU interpreted Article 67 of the **Treaty on the Functioning of the European Union** and Articles 22-23 of the Schengen Borders Code (**Regulation (EU) 2016/399**). The CJEU stated that the above-mentioned provisions do not impede national legislation, which enable police to conduct identity checks in an area of 30 kilometres from Schengen internal borders aiming to prevent irregular crossings or to prevent offences threatening border security. Also, identity checks can take place regardless of the behaviour of the individual concerned. However, these measures cannot have an equivalent effect to border control.

Case law of the European Court of Human Rights (ECtHR)

In ***Sudita Keita v. Hungary***, the ECtHR reviewed the case of a stateless person who was unable to regularise his stay for 15 years and found a violation of his right to respect for private life under Article 8 of the European Convention on Human Rights (ECHR). The court ruled that Hungary did not fulfil its positive obligation to provide an effective and accessible procedure enabling the applicant to have his status as stateless person determined.

In ***Muhammad Saqawat v. Belgium***, the applicant complained about the lawfulness of his detention pending his removal from Belgium. After arriving at Zaventem International Airport in 2017, the applicant lodged an asylum request, which was later rejected. Mr Saqawat was detained in a transit centre near the airport. The ECtHR recognised that the consecutive detention orders lacked a legal basis under national law read in combination with EU law and that the applicant did not have a possibility to challenge the lawfulness of his detention.

Moustahi v. France concerns two children apprehended after irregularly entering the French overseas territory of Mayotte and detained together with unrelated adults with whom they were arbitrarily associated with for administrative purposes. The unaccompanied children were subsequently returned to the Comoros islands without having their cases carefully examined. The ECtHR underlined that detention of the children, aged three and five, even if for a very short period, caused them stress and anxiety with traumatic repercussions on their mental state, which violated Article 3 of the ECHR. The court also found violations of their right to liberty (Article 5 of the ECHR) due to the lack of any legal basis for their detention and the fact that the children were arbitrarily associated with an unrelated adult, making it impossible for them to challenge the lawfulness of detention. Their arbitrary detention without a family member and the lack of possibility to reunite with their parents also amounted to violating their right to family life under Article 8 of the ECHR.

Policy developments

In **France**, the Court of Auditors **published a report** analysing French immigration and asylum policy. The report found, among others, that the system of residence permits is complicated, requiring frequent renewals, and that the government failed to modernise it. Integration was found to be hampered by the lack of reception facilities, as well as insufficient language courses. Recommendations include modernising the current immigration and asylum system, including the simplification of the accommodation regime, adjusting decision-making deadlines, and facilitating the renewal of residence permits.

The government in **Hungary secured some € 29 million in additional financial resources** to “handle the extraordinary migration pressure”.

Situation at the border

Figures and trends

According to **IOM**, between April and June 2020, some 7,226 migrants and refugees irregularly entered Europe by sea in Italy, Malta, Greece and Spain. The number of arrivals significantly dropped compared with the numbers recorded between January and March 2020, when 15,610 people arrived. In comparison with the previous reporting period, the number of arrivals increased in **Italy** with 3,604 arrivals (while 2,795 individuals arrived between January and March 2020). By contrast, the number of arrivals decreased in Greece, Malta and Spain. In Greece, 482 people arrived between April and June 2020, while 7,404 individuals entered Greece by sea during the previous reporting period. In **Malta**, the number of arrivals halved (545 arrivals compared with 1,135 during the previous reporting period).

In **Greece**, according to UNHCR, since March 2020, the officially recorded arrivals at land borders have been low. Between March and June, 562 people entered Greece through Evros, where border control measures continue to be significantly enhanced.

In **Greece**, UNHCR mentioned a continued practice of convicting persons of irregular entry, in particular by the Courts of Orestiada and Alexandroupolis. The penalties include imprisonment and fines. According to the NGO HIAS, **criminal proceedings** were also brought against 850 people who reached Lesbos in March, including unaccompanied children, a woman who lost her child in a shipwreck, pregnant women and other vulnerable people.

In **Bulgaria**, according to official data of the **Ministry of Interior**, the number of apprehended third-country nationals between April and June was the lowest since the beginning of 2016.

In **Austria**, the **Federal Minister of the Interior** reported that between 1 March and 30 April 2020, 1,763 migrants in an irregular situation were apprehended in Austria.

In **Spain**, the number of arrivals decreased from 4,496 during the previous reporting period to 2,595 from April to June 2020. However, according to the **media**, arrivals in the Canary Islands increased significantly: 883 people arrived, in comparison with 221 in the same period in 2019.

In **Serbia**, the Government abolished the **Decision** of closure of all borders in May. Border **crossings** and **commercial flights** restarted on 21 May. According to UNHCR, the border-police station at the Belgrade Airport Nikola Tesla did not issue any certificates of registration of foreigners who expressed the intention to seek asylum in Serbia during the reporting period.

Search and rescue (SAR)

IOM reported that, between January and June 2020, 377 people died or went missing in the Mediterranean Sea (134 between April and June 2020).

In **Malta**, according to the **NGO Alarm Phone**, the alleged push back incident of a boat in distress in **Maltese** territorial waters resulted in 12 casualties (five died due to hunger and dehydration, and seven went missing as they jumped off the boat). A merchant vessel picked up the boat in the Maltese Search & Rescue (SAR) Zone and returned the rescued people to Libya. According to the survivors, the crew of the fishing vessel let them believe that they would be brought to safety in Europe. On 15 April, the Maltese authorities issued a

EUROPE
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April – June 2020

7,226
MIGRANTS



statement explaining how the operation was conducted. On 29 April, in the context of criminal investigations launched against Maltese officials, a **former employee of the Office of Prime Minister** admitted under oath that he had coordinated the push back of 51 people to Libya on instructions of the Office of the Prime Minister.

IOM issued a statement calling on the EU to establish a clear and swift disembarkation mechanism to end returns to Libya. **UNHCR** stated as well that people rescued at sea should not be taken to Libya. 28 NGOs issued a **joint statement** addressing the Maltese government on its failure to save lives at sea.

In the North of **France**, an increasing number of migrants in an irregular situation continued to attempt to cross the Channel in makeshift boats, according to the **Maritime Prefecture of the Channel and the North Sea**. Nearly 250 migrants were rescued off the French coast in the reporting period (an increase compared to the previous period), the data provided by the same authority show. According to the **Home Office of the United Kingdom**, the daily record number of crossings was 166 in early June; the intercepted people were then put in detention.

In **Germany**, the **Statute on Ship Safety** and the **German Statute on Sea Leisure Yachts** were amended on 3 March 2020, which led to changes for search-and-rescue vessels flying a German flag. The amended statutes define leisure yachts as vessels exclusively used for the purposes of sports or recreation, thus excluding vessels deployed for search and rescue. So far, NGO vessels up to a length of 24 meters flying the German flag and involved in search and rescue or monitoring missions in the Mediterranean, such as the 'Mare Liberum', were registered as leisure yachts, to be exempted from stringent safety requirements. The German flag state authority **contacted** German NGOs operating leisure yachts in April 2020, reminding them to comply with the need for a safety certificate and pointed out that non-compliance would lead to a fine of up to EUR 100,000. Mare Liberum, Mission Lifeline and Resqship **criticised** these amendments, noting that they obstruct their work given the difficulty to comply with the higher safety requirements.

Challenges at land borders

In **Austria**, the **Ministry for Defence** reported that, since 15 June, around 1,800 soldiers have been deployed to support the police in border surveillance in Styria, Carinthia, Burgenland and Tyrol. About 800 of them are reservists. The NGO **Asylkoordination** criticised the deployment of reservists at the borders. According to this NGO, such a sensitive operation would at least require training on asylum law by the UNHCR or other independent institutions.

In **France**, the **media** reported about decreasing interceptions at land, especially near Calais and next to the Channel Tunnel. The British border police, which perform tasks in the Calais region, started taking fingerprints from migrants intercepted when attempting to cross the Channel aboard Eurotunnel trains. This is to make possible Dublin transfers back to France, of those who later succeed in reaching British soil, **media reported**.

In **North Macedonia**, a 15-year-old unaccompanied boy from Afghanistan was found shot in the leg in an area close to the border with Serbia, according to the **Ministry of Interior**.

In **North Macedonia**, as reported by the **Ministry**, a migrant trying to transit the country lost his life after being hit by a train. According to the Ministry's **bulletin**, a few days later, in another accident, a car carrying migrants crashed, causing the death of one person and injuring seven.

Legal corner

The principle of *non-refoulement* is the core element of refugee protection and is enshrined in international and EU law. Article 33 (1) of the 1951 Refugee Convention and the authentic interpretation of Article 3 of the European Convention on Human Rights (ECHR) prohibit returning an individual to a risk of persecution, torture, inhuman or other degrading treatment or punishment. EU primary law reflects the prohibition of refoulement in Article 78 (1) of the Treaty on the Functioning of the EU (TFEU) and in Articles 18 and 19 of the EU Charter of Fundamental Rights.

The non-legal term *pushback* is used when a person seeking international protection is apprehended and returned back to a neighbouring country without being granted access to the territory and to a fair and efficient asylum procedure.

Risk of *refoulement* and police violence at borders

In **Greece**, **UNHCR** and **IOM** urged the government to investigate the multiple and persistent reports of pushbacks at the country's sea and land borders. According to UNHCR, allegations have increased since March and reports indicate that several people may have been summarily returned after reaching Greek territory. According to an article published in the **media**, the Hellenic Coast Guard took the engine and the gas from a boat, leaving the migrants in distress at sea. The article includes a reply by the Hellenic Coastguard with audio-visual material showing Turkish coast guard vessels escorting migrant boats towards the Greek territorial waters.

The Border Violence Monitoring Network **published** testimonies and evidence allegedly indicating the existence of violent pushbacks also from camps on the mainland. According to the same source, between March and May 2020, at least 194 people were removed from the Diavata camp and the Paranesti pre-removal centre and sent back to Turkey. The testimonies refer to the use of violence, such as beatings with batons, use of tasers, and stripping of clothing.

In **Italy**, based on several witness accounts from people returned to Slovenia by Italian authorities, the Association for Legal Studies on Immigration sent an **open letter** to the Ministry of the Interior, the Prefecture of Trieste and the Police Headquarters of Trieste, as well as to UNHCR, asking them to stop these unlawful practices. The letter stresses that once returned to Slovenia, these people are usually transferred to Croatia and, eventually, to Serbia or Bosnia. The Association formally asked the Ministry of Interior to provide public information about the instructions issued to police border authorities on the management of the Italian Eastern border.

In **Croatia**, several local and international NGOs, including **Amnesty International**, the **Border Violence Monitoring Network** and the **Centre for Peace Studies**, reported about pushbacks, also of children, and excessive use of force by the Croatian border police along the land border with Bosnia-Herzegovina. According to **testimonies** received by the 'Welcome! Initiative', police officers humiliated people while pushing them back to Bosnia-Herzegovina, physically marking them by spraying orange cross signs on their heads. **The Danish Refugee Council** confirmed these testimonies.

UNHCR Croatia asked the Croatian government to investigate all allegations of human rights violations at the border and urged the establishment of an independent monitoring mechanism. The UN Special Rapporteurs on torture and other cruel, inhuman or degrading treatment or punishment and on the human rights of migrants made a similar **request** to the government to investigate police brutality. The NGO Centre for Peace Studies filed a **criminal complaint** against unknown police officers for torture and degrading treatment of 33 people and their violent removal to Bosnia-Herzegovina.

In **Italy**, the Association for Legal Studies on Immigration released a **report** on the human rights situation at the Italian borders. The Association – in the framework of the "In Limine" project – monitored the conditions of people in the hotspots, ports, airports and detention centres. According to the report, detention, isolation and restrictions to access to information and to the right to defence, are used by Italian border authorities to prevent third-country citizens from applying for asylum in border areas.

In **Italy**, the Association for Legal Studies on Immigration together with other organisations issued a **press release** informing the Committee of Ministers of the Council of Europe that Italy had not yet adopted the measures established by the ECtHR in the case *Sharifi and others v. Italy and Greece*. The monitoring activity carried out by these associations shows that informal refusals of entry and readmissions from Italy to Greece continue without any individual assessment of potential vulnerability and without due access to adequate information. The Committee decided to continue the procedure for supervising the implementation of the judgment.

REPORTED ALLEGATIONS OF REFOULEMENT



Note: Unlawful refusals of entry at airports are not included.

Source: FRA, 2020

Pushback practices continued along the alpine border between France and Italy, **several NGOs pointed out**, including ANAFÉ, *Médecins du Monde* and Amnesty International France.

In **Cyprus**, 24 civil society organisations from around the world issued a **statement** condemning the pushback of a boat carrying Syrians by the Cypriot authorities in March and stating that it amounted to *refoulement*. The boat had ended up on a shore in the area where the Government of the Republic of Cyprus does not exercise effective control, from where the people were transferred to Turkey. According to the Cyprus Refugee Council and UNHCR, in June, the authorities conducted another pushback of a boat with Syrians. According to UNHCR, the boat tried to reach the Cypriot shores but was pushed back and later landed in an area where the Government of the Republic of Cyprus does not exercise effective control. The people from the boat, including families with children, later managed to cross the UN buffer zone and enter the Republic of Cyprus, where they applied for asylum.

In **Hungary**, the police prevented more than 1,190 people from crossing its southern border (fewer compared to the previous period), according to the **National Headquarters of the Police**. In addition, the police reported to have apprehended 3,624 migrants in an irregular situation during the reporting period; they were escorted back to the outer side of the border fence. As of the end of May – when the transit zones were officially closed down – the **police direct these people to the Hungarian diplomatic missions** located in the closest non-EU country (either Serbia or Ukraine) if they wish to ask for asylum. Authorities do not register or fingerprints these individuals prior to escorting them to the border, nor do they record them as new arrivals or asylum applicants in the official statistics.

In **North Macedonia**, the practice of collective expulsions at the border with Greece continues, according to the Ombudsperson, the NGO Legis, Jesuit Refugee Service and the **Border Violence Monitoring Network**. The NGO Legis reported 416 unlawful returns to Greece in April, 1,324 in May, and 3,783 in June.

In **Serbia**, according to UNHCR, there were 853 observed arrivals in the first two months of this reporting period (270 in **April**, 583 in **May**). Arrivals rose in May as the state of emergency was lifted. UNHCR also reported 27 alleged pushbacks to North Macedonia in April. This is a decrease from the 73 alleged pushbacks reported in the first three months of 2020, likely attributed to the COVID-19 state of emergency.

Human smuggling

Human smuggling remained a persisting concern in **Hungary**, with an increase of detected cases in the reporting period, especially after the COVID-19-related border restrictions have been gradually lifted. According to the police, in May and June 2020, the authorities placed into custody 52 human smugglers. In most cases, people were smuggled in **cars**, the **cargo space of lorries**, as well as **cargo wagons** of trains crossing the border from Serbia and Romania, while several people were also **apprehended in the fields** close to the Serbian-Hungarian border. A new **underground tunnel** was also discovered along the border fence at the border with Serbia.

In **Germany**, the German Bishops Conference is concerned that the Federal Office for Migration and Refugees in its assessment often does not detect when asylum applicants require special protection. Repeatedly, cases of victims of human trafficking went undetected and did not have access to support, especially in Bavarian “*AnKER*” reception centres. They were subsequently deported to places where they were exposed to significant risks of forced prostitution.

Asylum procedure

Figures and trends

According to the **Eurostat Asylum quarterly report**, between January and April 2020, the number of first-time asylum applications in the EU-27 amounted to 150,200 (2 % more compared with the same period in 2019). However, it decreased by 12 % compared with the fourth quarter of 2019. **Spain** ranked first with 36,600 first-time applicants (24 %), followed by **Germany** with 32,300 (22 %), **France** with 28,100 (19 %), and **Greece** with 20,000 (13 %). In **Croatia**, according to the Ministry of the Interior, from April to June 2020, there were only 57 applications for international protection, compared to 283 applications in the same period of 2019.

In **Germany**, according to the **Federal Office for Migration and Refugees**, a total of 129,567 decisions following revocation review procedures (*Widerrufsverfahren*) were taken from January to May 2020; this marks an increase of 168 % compared to the same period in 2019. The revocation review procedures especially concerned Syrian (81,234) and Iraqi (18,896) nationals. In 2.9 % of the cases reviewed, international protection was revoked. On 31 May 2020, a total of 166,746 revocation procedures were pending.

In **Spain**, according to the **NGO Spanish Commission for Refugees**, in 2019, the Spanish recognition rate of asylum applications reached only 5.2 %, in comparison with 24 % in 2018.

Asylum procedures

In **Greece**, a new **law** was adopted to accelerate the processing of asylum applications and to address practical challenges. It provides for the creation of closed multi-purpose facilities on the islands, a unified registration procedure for asylum applicants by the Reception and Identification Service, the use of electronic means in various steps of the procedure, including for the notification of decisions, the creation of a registry of assistants to the asylum case workers, and for expanded use of detention. In his observations, the **Greek Ombudsman** expressed concerns regarding certain provisions that do not resolve administrative issues in a fundamental rights-compliant manner. **UNHCR** raised concerns over the increased number of categories of applications declared as manifestly unfounded, the way decisions will be notified, and the use of detention. The Council of Europe Commissioner for Human Rights also shared her concern about the legal reform. Before the adoption of the law, twenty civil society organizations **highlighted** the impact of the provisions on unaccompanied children and **noted** the restrictions of procedural guarantees.

In **Spain**, given the increase in applications for international protection and to compensate delays in the issuance of the certificates attesting the status as asylum seeker, the **Directorate-General of the Police of the Ministry of the Interior** extended the validity of the document confirming the asylum-seeker status ("red card"), for additional seven months. The document allows the asylum seeker to work after six months from its issuance.

Also in **Spain**, the NGO Jesuit Migrant Service filed a complaint before the National Ombudsman concerning various cases in Valencia, where the police required asylum seekers to present the registration document at the local council where the person is staying to reserve an appointment to register the asylum application. The National Ombudsman recognised that this practice does not comply with the law.



In the **Netherlands**, the State Secretary for Justice and Security informed the House of Representatives, in a **letter**, about plans to adopt a special emergency law to abolish the possibility for asylum applicants to claim civil judicial penalty payments (*dwangsommen*) when faced with serious delays in the asylum procedure. The **bill** was sent to Parliament on 28 May 2020. The State Secretary estimates that the Immigration and Naturalisation Service will have to spend between € 30-40 million on civil judicial penalty payments in 2020. On 31 January 2020, there were already **approximately 8,900 individual cases** outside the statutory deadline.

In **Belgium**, the Commissioner General for Refugees and Stateless Persons **launched a pilot project** to interview asylum-seeking unaccompanied children via videoconference due to social distancing measures. The Council for Alien Law Litigation has also progressively **resumed its hearings** since mid-May while imposing various sanitary measures to contain the spread of COVID-19.

In **Cyprus**, on 18 June, the Minister of the Interior presented a **new immigration policy**. It introduces a number of measures: increasing requirements for the registration of third-country nationals in colleges and for marriages between third-country and EU nationals; introducing an extensive list of safe countries of origin and examining applications from such countries within ten days; shortening the timeframe for the examination of appeals from 42 to ten days; and announcing the creation of a new reception centre in Menoya.

UNHCR noted that the majority of asylum applications are at risk of being classified as manifestly unfounded and expressed concern that the list of 'safe countries' includes seven or eight countries that do not appear in the lists of other Member States. The NGO **KISA** also criticised the new policy for failing to address issues of integration or labour rights violations and for implicitly suggesting the creation of a closed facility for the stay of applicants until the examination of their asylum application. The Cyprus Refugee Council also expressed concerns over the timelines to examine applications from safe countries.

Family reunification

According to the **Greek Council for Refugees**, family reunification requests by **Greece** are recurrently rejected by some Member States as, following the CJEU's judgment in case C-670/16, those Member States calculate the three months' deadline included in Article 21 (1) of the Dublin Regulation from the initial registration with the Hellenic Police upon arrival when the applicant expressed his/her willingness to seek international protection – and not from the registration of the asylum application by the Greek Asylum Service. In case of significant delays with the actual registration of the application, applicants would thus lose the option of family reunification in another Member State under the Dublin Regulation.

In **Cyprus**, the Cyprus Refugee Council reported that problems with family reunification persist, as the authorities tend to grant subsidiary protection (which does not entail the right to bring family members) rather than refugee status. In addition, the Cyprus Refugee Council raised concerns about the long delays and additional obstacles experienced by recognised refugees. In some cases, the Asylum Service required the sponsor to meet financial criteria. This practice, which appears to contradict EU law, has been challenged before the court. The Cyprus Refugee Council reported that, even in cases where the application for family reunification is accepted by the Ministry of the Interior, the Cypriot Consulate in the country of residence of the family members may refuse to issue the entry visas without any justification.

In **Austria**, the Austrian Red Cross (*Österreichisches Rotes Kreuz*) reported that family reunifications were not possible since the diplomatic and consular representations abroad closed at the end of April. Therefore, it was impossible to apply for visas there.

In **Germany**, the lack of access to family reunification procedures persists due to restrictive COVID-19-related measures. **ProAsyl** and the **German Red Cross** report that many German missions in foreign countries have been closed due to the pandemic since mid-March (e.g. Kabul), while others only accept online requests (e.g. Beirut). According to the Federal Association for Unaccompanied Minors, the closures and technical barriers (such as lacking server capacities for the online applications) pose hurdles for family reunification. This is especially problematic for unaccompanied children who are about to turn 18 years of age, as the delay may disqualify them from applying for family reunification with their parents under German law. The Berlin Senate Department for Education, Youth and Family further reports that the question on whether the right to family reunification lapses in cases where the child reaches maturity during the proceedings is still pending before German Courts. The **Federal Administrative Court** decided to refer preliminary questions to the European Court of Justice.

Furthermore, family members who already obtained a visa have not been allowed to travel. The **resolution of the special "Corona Cabinet"** of the Federal Government from 6 April 2020 prohibits the entry of foreign nationals unless "valid" reasons prevail. According to **the Federal Ministry of Interior, Building and Community**, family reunification does not constitute a "valid" reason. Visas about to expire will not be extended for technical reasons, the **Foreign Office** confirmed, and new visa applications take time. The Berlin Refugee Council has criticised that the costs for already issued visas are not refunded and that families need to pay again for a new application.

Reception

Reception capacity

Sufficient reception capacity was available in **Austria, Bulgaria, Croatia, Denmark, Germany, Hungary, Poland, Sweden** and **North Macedonia**.

In the reporting period or part thereof, reception facilities in **Belgium, Cyprus, France, Italy, Malta**, the **Netherlands, Spain**, and **Serbia** were (almost) full or overcrowded. In **Greece**, they remained severely overcrowded.

In **Italy**, in the framework of the project MED-RES, the Association "Aidos" has produced various outputs for staff working in reception centres that host migrant women and asylum applicants who are victims of gender-based and sexual violence. These outputs include a toolkit, a factsheet, a guide on EU legislation, and a leaflet available in nine languages.

The reception system in **France** can accommodate more than 108,000 people, but it can provide shelter to only two-fifths of the persons concerned, according to the NGO **La Cimade**. A **group of 92 NGOs**, including *La Cimade*, Amnesty International France and *Médecins du Monde*, jointly referred the situation of people deprived of accommodation to seven United Nations Special Rapporteurs, highlighting the difficulties that people without adequate accommodation face in accessing water and food.

In **Poland**, according to the **Head of the Office for Foreigners**, at the end of June 2020, 1,137 asylum applicants were residing in the reception centres. Another 1,948 asylum applicants were receiving assistance outside the centres. The numbers show that there is no issue of overcrowding. At the end of June 2020, 3,086 people in total were under the care of the Head of the Office for Foreigners – they receive social assistance (e.g. housing, providing information on health issues). An asylum applicant can obtain assistance in the form of a financial allowance to live outside these centres only upon request examined by the Head of the Office for Foreigners. It **can be granted** for organisational, safety or family reasons or to prepare asylum applicants for an independent life after they have been granted any form of protection. The **amount** of these funds is PLN 750 / € 180 per person per month (PLN 25 per day).

In **Hungary**, after the closure of the transit zones located at the southern border with Serbia, in reaction to the **CJEU judgment in FMS** qualifying holding people in transit zones as 'detention', all asylum applicants detained there (some 300 people) **were transported to open accommodation facilities** (*Vámoszabadi and Balassagyarmat*). The media reported on how their living conditions improved compared to the transit zones, based on **testimonies** from **asylum applicants**.

In **Spain**, in the **2019 National Report**, the National Ombudsman expressed concern over the management of the reception centres. In particular, the report stresses deficiencies in the coordination of the ministerial departments and the lack of involvement of the autonomous communities in the management of the reception centres.

Reception conditions

In **Greece**, a **Joint Ministerial Decision** was adopted regulating the “Greek and Foreign NGO Registry” and the “Greek and Foreign NGO Members Registry”. The Ministerial Decision lays down the requirements for the registration of NGOs, their members, staff and volunteers working in the field of international protection, migration and social inclusion. According to the **Ministry of Migration and Asylum**, the legal amendments would allow for transparency and a more systematic and strict control of the NGOs. It is the first time that a registry of individuals working in this field is created.

The Expert Council on NGO Law of the Conference of INGOs of the Council of Europe highlighted, among other things, that the legislative provisions raise procedural and substantive issues with respect to freedom of association and the protection of civil society space and **recommended** their revision so that they are brought in line with European standards. The NGOs **Refugee Support Aegean** and **HIAS Greece** raised similar concerns.

In **Malta**, the Ministry of Health quarantined the Hal Far Open Centre on 5 April 2020, due to the outbreak of a number of coronavirus cases. According to the **media**, Hal Far has had over 50 cases of coronavirus, with 43 having recovered (as reported on 13 May 2020). On 13 May 2020, the Superintendent for Public Health **announced** that the quarantine of the Centre expired at midnight and residents were allowed to leave if they had no exposure to someone who had tested positive for COVID-19 during the past 14 days.

In **France**, the **National Consultative Commission for Human Rights** reported that it remained “extremely difficult” to guarantee minimum access to water and sanitation in the informal camps in Paris and in Calais. In Paris, activists **engaged in strategic litigation** helped reopen closed water supplies in the city’s northern and eastern parts. Meanwhile, the municipality of Calais opposed the distribution of food and the installation of water points. According to the NGO **La Cimade**, many asylum seekers in particular could not be accommodated despite the intensified efforts to create new places in reception facilities. Some 1,200 migrants were living in informal camps in Calais, which is double the number last year, the NGO Service centre for migrants in Calais and **the press** reported. According to **media reports**, more than 300 migrants were living in informal camps in Grande-Synthe, with no showers or toilets since the city council decided to remove sanitation for migrants in an irregular situation to prevent the formation of new camps.

In **Croatia**, the NGO Rehabilitation Centre from Stress and Trauma raised concerns about the reception conditions of applicants for international protection. These included the lack of effective identification mechanisms for possible torture victims; restricted freedom of movement to prevent the spread of COVID-19; suspended integration activities on the spot; and restricted access to education for those young applicants who are outside the regular educational system.

In **Croatia**, the NGO providing free legal aid to asylum applicants (Croatian Law Centre) did not have access to the Porin Reception Centre due to COVID-19 related restrictive measures and the ending of their funding from the EU Asylum, Migration and Integration Fund. Hence, they were not able to provide legal assistance in person – but provided online counselling, with limited outreach.

In **Bulgaria**, the **Council of Refugee Women in Bulgaria** reported difficulties faced by status holders in finding a place to live in Sofia after losing their right to stay at the local reception centres, which they had as applicants. Refugees are often referred to shelters for homeless persons, but the number of such shelters was recently reduced to three. In addition, asylum applicants and beneficiaries of international protection encounter difficulties in finding a job due to the high unemployment rate in the country and given that most employers require good knowledge of the Bulgarian language, as reported by UNHCR Bulgaria.

In **Germany**, the Berlin Refugee Council, the Migration Commission of the German Bishops Conference, the Federal Association for Unaccompanied Minors and several other NGOs urged the abolishment of mass accommodation for asylum applicants, especially in light of Covid-19. They maintain that it puts the health of the inhabitants at risk, hinders access to education for children, prevents access to independent legal counselling, and violates the right to adequate accommodation for asylum applicants. Examples of mass infections were reported by the media in reception centres in **Ellwangen**, affecting over 400 of the 600 inhabitants and 30 staff members; and in **Bremen**, where 120 out of 374 inhabitants tested positive.

The national institute responsible for the prevention of transmissible diseases (**Robert Koch-Institut**) and **UNHCR** issued separate guidelines to prevent infections in mass accommodation. A **study of the University of Bielefeld** recommends decentralised accommodation in small units and a procedure to identify and specially protect people at high health risk. The German Bishops Conference reports that some facilities, vacant during the pandemic, offered temporary private shelter for asylum applicants. However, for administrative reasons and due to the legal obligation to live in mass accommodation, regional authorities did not accept these offers.

In the **Netherlands**, the State Secretary for Justice sent by letter an **overview** of incidents at and around the reception centres registered by the Central Agency for the Reception of Asylum Seekers (*Centraal Orgaan opvang asielzoekers*) and the Police in 2019. The COA registered 17,487 incidents in 2019 (up from 13,451 incidents in 2018). The number of breaches of house rules in asylum seeker centres rose to 10,366 (7,472 in 2018). Incidents of aggression and violence increased from 4,270 in 2018 to 5,331 in 2019. The number of reports about incidents recorded by the police rose from 3,934 in 2018 to 4,999 in 2019.

In the **Netherlands**, radio **programme Argos** of the Dutch public broadcaster VPRO in cooperation with newspaper 'NRC' revealed that 961 Nigerian asylum applicants disappeared in 2019. Of 2,461 Nigerian asylum applicants who arrived in the Netherlands last year, 961 persons cannot be traced. Furthermore, another 128 applicants who arrived in January 2020 are also not traceable. The programme used reports by the Central Agency for the Reception of Asylum Seekers as a source. According to the **programme**, the Nigerians who disappeared were forced into sex work, drug smuggling or trafficking.

In **North Macedonia**, the living conditions at the Reception Centre for Foreigners "Gazi Baba" were deemed poor by the Ombudsperson, the NGOs Legis and Eurothink due to the inappropriate infrastructure and lack of access to fresh air for migrants. NGO Legis noted cases of gender-based violence in the Reception-Transit Centre of Vinograd. According to Legis, safe houses for women are not willing to accept undocumented persons.

Bright spots

In **Bulgaria**, **UNHCR Bulgaria** set up a Refugee Advisory Board. It consists of 13 members from different refugee and migrant communities, and aims to foster participation in decision- and policy-making processes on the social inclusion of asylum seekers and beneficiaries of international protection.

Child protection

Figures and trends

According to **UNHCR, UNICEF and IOM**, 33,200 children arrived in Greece, Spain, Italy, Malta, Bulgaria and Cyprus between January and December 2019. Among them, 9,000 were unaccompanied or separated. In **Greece**, the number of children increased by nearly 50 % in comparison with the previous year (25,443 in 2019 and 17,100 in 2018). By contrast, in Italy and Spain, the number of child arrivals decreased by around 50 % in comparison with 2018. In **Italy**, 2,232 children arrived in 2019, with 1,680 of them unaccompanied or separated (UASC). By contrast, 4,278 children arrived in 2018. In **Spain**, 3,775 children arrived by sea (2,147 UASC) in 2019, compared with 7,800 estimated arrivals in 2018.

As of 30 June 2020, according to the **National Centre for Social Solidarity (EKKA)**, 4,684 unaccompanied children were estimated to be in **Greece**, including 257 separated children (who are accompanied by an adult other than their parents or legal caregivers). Only 1,520 were in appropriate and long-term accommodation (shelters and semi-independent living apartments); 622 were in temporary accommodation ('safe zones' and emergency hotels); 1,118 stayed in Reception and Identification Centres; 331 were in 'protective custody', mainly at police stations; and 211 were in open temporary accommodation facilities.

Meanwhile, 957 have been reported as living in informal or insecure housing conditions, such as living temporarily in apartments with others, living in squats, being homeless, or moving frequently between different types of accommodation. The total number of available long-term accommodation places for unaccompanied children in all of Greece is 1,703; for temporary accommodation, there are 779 places.

In **Italy**, according to the **Ministry of the Interior**, as of 30 June 2020, 1,004 unaccompanied children arrived in Italy and were registered by Italian authorities. According to the **network "Melting Pot Europa project"**, as of 31 December 2019, 5,383 children had absconded in Italy.

In **Austria**, according to the Federal Ministry of the Interior, the number of missing children registered in SIS decreased from May 2020 (253 missing non-EU children) to June 2020 (237 missing non-EU children). Caritas Styria reported about an increasing number of unaccompanied children being apprehended by the police since the beginning of June. In one case, an unaccompanied child was taken into detention pending removal, but was brought back to the caregiver after Caritas intervened.

In **France**, the **National Consultative Commission on Human Rights** and **the Public Defender of Rights** called on the authorities to accommodate all children who are living in the streets (whether unaccompanied or not) in suitable reception centres. The **National Consultative Commission on Human Rights** also noted that, despite **the law** prohibiting the removal from the child welfare system of any child reaching the age of majority during the COVID-19 pandemic, this oversight body continued to receive reports of children released from accommodation on the day they turned 18. Similarly, 36 civil society organisations joined by 88 lawyers sent an **open letter to the Prime Minister** underscoring that the obstacles that existed before the public health crisis persist.

Relocation

According to a [press release](#) by the European Commission, 11 Member States (**Belgium, Bulgaria, France, Croatia, Finland, Germany, Ireland, Portugal, Luxembourg, Lithuania** and **Slovenia**) and **Norway** participate in the relocation of unaccompanied children from **Greece**. The first relocation operations concern a very small number of children and took place in April, when 12 children were relocated to Luxembourg and 47 to Germany. In June, eight unaccompanied children were relocated to Ireland, based on a bilateral agreement, and six more unaccompanied children were transferred to Germany. The next transfers will take place later in July, with 18 children being relocated to Belgium, 50 to France, 106 (including siblings and parents) to Germany, four to Slovenia and two to Lithuania.

The German Bishops Conference, ProAsyl, and an alliance of the Refugee Councils of the federal states criticised the relocation as insufficient. [According to the German media](#), 18 of the 47 relocated children from Greece could probably have exercised the right to family reunification under the Dublin Regulation. [The media reports](#) further that the IOM and the UNHCR preselected them, according to criteria established by the German authorities. [According to the media](#), several federal states had requested that refugee minors are relocated to the corresponding municipalities in accordance with German law, and [offered](#) to receive 500 refugee minors. The Berlin Senate Department for Education, Youth and Family states that the state of Berlin agreed to accommodate 70 unaccompanied minors and is preparing to accommodate 300 vulnerable persons from the Greek islands. However, the Ministry of Interior, Building and Community has denied the necessary approval for relocating the children within Germany.

In the **Netherlands**, a group of over 100 politicians, celebrities and municipalities urged the Dutch government to relocate unaccompanied children from Greek camps. Their [appeal was published](#) in Dutch in the daily newspaper 'NRC' on 23 April 2020. Defence of Children, the Dutch Refugee Council (*VluchtelingenWerk Nederland*), and Netherlands Refugee Foundation (*Stichting Vluchteling*) [launched](#) an online petition urging the Dutch government to take unaccompanied children from Greece. In a [letter](#), sent to parliament on 7 May 2020, the State Secretary for Justice and Security stated that the Dutch government is not in favour of the relocation of unaccompanied children from Greece to the Netherlands. On 18 June 2020, the State Secretary for Justice and Security informed the Parliament by [letter](#) that the Dutch and Greek government signed a memorandum of understanding, which included agreement on sheltering 48 children on the Greek mainland as soon as possible and increasing the total capacity to 500 over the next three years.

Reception conditions

In **Greece**, according to the **Hellenic Police**, a 16-year-old, asylum-seeking boy was stabbed to death by a 20-year-old third-country national outside Moria's Reception and Identification Centre.

In **Cyprus**, UNHCR reported that unaccompanied children at the Pournara camp complained about sexual harassment and abuse while queueing for food or to visit the doctor or while taking a shower. UNHCR had previously expressed its concerns about lack of separation between adults and unaccompanied children in the camp. According to the same source, the children were never visited by the Social Welfare Services and were not aware of the existence of a guardian.

In **Cyprus**, due to problems with internet connections, asylum-seeking and refugee children staying in Kofinou camps could not benefit from online educational courses, as reported by the NGO Kofinou we Care. No arrangements were made for access to education for the children staying at the Pournara camp, as reported by UNHCR.

In **Poland**, following a **request** submitted by the **Ombudsman**, the Office for Foreigners **responded** that reception centres are not equipped with computers for remote learning that they could give to school-age children; they only have access to Wi-Fi.

In **Serbia**, in the Asylum Centre Bogovađa for unaccompanied children, a representative of the private security company employed in the centre physically abused children in one of the dormitories. The NGO Indigo-Group for Children and Youth and the **Belgrade Centre for Human Rights** (BCHR) legal officers came into possession of video evidence of this occurrence. They subsequently submitted a criminal complaint and informed the **Commissariat for Refugees and Migration** as well as the **Ombudsperson** who paid a visit to the centre on the next day. The person who had physically punished the children was removed from the centre.

Safeguards and specific support measures

In **Italy**, the Authority for the Protection of Childhood and Adolescence presented before the Parliament its **2019 annual report**, which also covers the situation of unaccompanied migrant children and the policies implemented by the Authority to support them. The Authority's activity in this field mostly focused on the implementation of the voluntary guardian system – introduced by the **Law No. 47 of 7 April 2017** – through an intense monitoring of the activities organised at local level to train voluntary guardians and ensure that unaccompanied children effectively benefit from this possibility. Moreover, 47 awareness-raising campaigns on the role of voluntary guardians were organised by the Authority, addressing citizens and civil-society organisations. The report also mentions the **Ethic Charter of Voluntary Guardians**, a document adopted by the Authority in cooperation with the NGO "Save the Children" and the Italian Association of Judges for Children and Families – which enshrines some of the basic principles that must guide the commitment and activities of voluntary guardians.

In **Italy**, the Italian Refugee Council released a **guide** – developed in the framework of the project "Xing – Crossing. Paths for the inclusion of young migrants". It aims to provide information to young migrants who are about to end their stay in the reception facilities and who are willing to find independent accommodation.

Bright spots

UNICEF published its report on **"Making the Invisible Visible: the identification of unaccompanied and separated girls in Bulgaria, Greece, Italy and Serbia"**. The report examines the situation of unaccompanied and separated girls, their experiences during and after their journeys, and the challenges to their identification. It includes practical tips for frontline workers, outlining ten signs that a girl might be unaccompanied or separated. Recommendations also address European institutions, United Nations agencies and national authorities.

Bright spots

In **Croatia**, the Ministry of Demography, Family, Youth and Social Policy published, in cooperation with other ministries and agencies, guidelines on the protection of unaccompanied migrant and asylum-seeking children in the context of a pandemic, to fully uphold their best interests.

Austria amended the **Immigration and Asylum Procedural Act** (*BFA-Verfahrensgesetz*). Unaccompanied children seeking asylum may now be transferred not only to a first reception centre in order to file the asylum application, but also to a regional directorate or branch office of the Federal Office for Immigration and Asylum for this purpose. This reduces the number of persons at the initial reception centre and helps protect their health. This is a temporary measure that will expire on 31 December 2020.

In **Spain**, in the **2019 National Report**, the National Ombudsman reported having received several complaints against the way age-assessment procedures were carried out. In particular, it expressed concerns about the insufficiency of medical evidence, the lack of intervention of forensic doctors during the assessment, and the lack of notification of the assessment decision. It also reported inconsistencies in the medical tests for age assessment. In addition, according to the **media**, the National Ombudsman expressed concerns on delays in the issuance of homelessness declarations (*desamparo*) and in the appointment of guardians.

In **Spain**, a recent judgment of the Supreme Court provides clarifications on the age-assessment procedure. The case concerned a child who was considered as an adult during the procedure despite official documents issued by the country of origin proving the opposite. The court reiterates that the priority criterion underpinning the age assessment must be the protection of unaccompanied children and national law must be interpreted in accordance with the Convention on the Rights of the Child. The court held that official documentation attesting the minority must be taken into consideration and the documents issued by the country of origin should prevail over the doubts raised in the Public Prosecutor's Office as to their reliability. Thus, the court recognised that the child should have been considered and protected as an unaccompanied child.

Bright spots

In **North Macedonia**, the Organization for Security and Cooperation in Europe (OSCE) **published** "Guidelines on the application of the principle of non-punishment of victims of human trafficking". The publication was prepared in cooperation with the National Commission for Combating Trafficking in Human Beings and Illegal Migration and the Academy for Training of Judges and Public Prosecutors "Pavel Shatev". It aims to help all competent authorities and professionals dealing with trafficking in human beings and trafficking in children to properly apply the principle on non-punishment.

Immigration detention

Detention capacity

In **Greece**, 4,174 persons were held in immigration detention in June; of these, 2,925 were asylum seekers, according to the Hellenic Police. This marks an increase compared to April 2020. The majority originated from Pakistan, Bangladesh and Afghanistan.

In **Italy**, according to the National Guarantor for the rights of persons detained or deprived of liberty's [periodic bulletin on the situation of the Italian detention facilities during the COVID-19 epidemic](#), as of 25 May, 178 migrants were detained in the pre-removal detention centres (195 were detained at the beginning of May and 425 in March). Some 525 places are available and only 30 % are occupied. Concerning the living conditions, compulsory quarantine and isolation wards have been arranged in the majority of the centres. Some of the centres have reduced contacts of detainees with the outside world, and others have completely suspended them. In general, the adoption of measures aimed at preventing the propagation of the COVID-19 contributed to a very low spread of the virus at centres.

In **Poland**, according to the [Border Guard](#), the number of foreigners placed in detention centres between April and June 2020 is lower than in the first quarter of 2020. Specifically, there was a decrease of 57 % – from 181 people placed in detention centres during the first quarter to 78 people placed there in the second quarter, which ended on 29 June. This is a result of using detention as a measure of last resort.

In **Hungary**, 108 people were placed in pre-removal detention during the reporting period, an increase compared to the previous period, according to the data of the National Directorate-General for Aliens Policing and the National Headquarters of the Police. In the same period, according to the same sources, asylum detention (in facilities other than the transit zones) was applied to three Dublin transferees. As of the end of June, five asylum applicants were being detained at the Nyírbátor asylum detention facility, according to the National Directorate-General for Aliens Policing.

In **Croatia**, a total of 36 people, including children, were placed in immigration detention in the reporting period, in facilities at Tovarnik, Ježevo and Trilj, according to the data of the Ministry of the Interior. The time of their detention varied between four and 27 days.

In the **Netherlands**, the State Secretary for Justice and Security informed the House of Representative in a [letter](#) about a decrease in the number of people in migration detention between 29 February 2020 and 25 May 2020. On 29 February, approximately 440 persons were being held in the migration detention centre Rotterdam; on 25 May 2020, approximately 270 persons were being held. No families or unaccompanied minors were being held in the closed family facility as of 25 May 2020.

Detention conditions

In **Cyprus**, during the lockdown, persons of African origin were apprehended by the police and transferred to the Pournara camp, as the Cyprus Refugee Council reported. Some of these persons were living in rented accommodation. The Cyprus Refugee Council said that many were apprehended on their way to work or to the offices of the Social Welfare Services. Most of them are still being held in Pournara, despite persistent efforts by UNHCR and the Cyprus Refugee Council for their release.

In **Croatia**, NGOs providing legal assistance to detainees held in pre-removal detention centres had access to these facilities only upon request by the person concerned, the Croatian Law Centre reported.

In **Bulgaria**, the poor living conditions in pre-removal facilities remain a concern. According to official information of the **Ministry of the Interior**, the centre in Elhovo remained closed due to poor conditions and lack of funding for its renovation.

Detention of children

In **Poland**, according to the NGO **Helsinki Foundation for Human Rights**, detention of foreign families with children is a persisting concern. On 4 June 2020, the ECtHR issued a judgment in the cases of **A.B. and Others** against Poland. The court found a violation of the right to family life (Article 8 of the ECHR) as the Polish authorities did not examine the child's well-being when deciding on the detention of the family, did not treat detention as a last resort, and did not examine the possibility of applying alternatives to detention. This is a third ECtHR judgment regarding the detention of foreign families with children in Poland (previous judgments: **Bilalova and Others** and **Bistieva and Others**).

Return

Figures and trends

Authorities in **Hungary** carried out 75 removals to third countries, as well as 239 intra-EU readmissions in application of readmission agreements, during the reporting period, according to the data of the National Headquarters of the Police. Pending removal, returnees were kept in either of the two transit zones (until their closure at the end of May); or in pre-removal detention centres at the Budapest International Airport and in Nyirbátor, according to the Ministry of the Interior.

Croatia implemented 41 forced returns to Bosnia-Herzegovina, Kosovo and Iraq; 48 migrants in an irregular situation departed voluntarily to Bosnia-Herzegovina, Serbia and Ukraine, according to the data of the Ministry of the Interior.

Fundamental rights concerns related to return

In **Italy**, the National Guarantor for the rights of persons detained or deprived of liberty – in cooperation with the ISMU Foundation – released the **report “Monitoring of forced returns in Europe: strategies, critical issues and best practices”**. The report – available in both English and Italian – offers an overview of the activities of national and European stakeholders and authorities involved in return procedures in Italy. The report highlights the most critical aspects of return procedures, including the use of coercive measures, and post-return monitoring. In addition, it lists best practices in other EU Member States.

In **Poland**, the **Ombudsman called upon** the Minister of Interior and Administration to introduce legal changes to the forced return monitoring mechanisms. **According to the Ombudsman**, the number of foreigners deported from Poland is increasing and those deported include families with children, the elderly, and people who are chronically ill or have disabilities. The Ombudsman underlined that deportations are a form of deprivation of liberty and that the Border Guard should publish reports on return procedures. He noted that the failure to place the Ombudsman – who acts as the *National Preventive Mechanism* under the Optional Protocol to the Convention against *Torture* – among entities allowed to monitor forced returns and the lack of relevant legal provisions preventing the Ombudsman from exercising his mandate in this regard is a violation of the law.

In **Hungary**, in **interim measures** adopted under Rule 39 of the Rules of the Court, the ECtHR obliged the authorities to give food to three Afghani men after several days of starvation, the **Hungarian Helsinki Committee** reported. Since August 2018, this has been the twenty-fourth case where the ECtHR has had to intervene to end the practice of denying food in the Hungarian transit zones. These people are often kept in the transit zones for a long period, given that their removal is in many cases impeded by practical or legal reasons (e.g. due to lack of identification or the prohibition of *refoulement*).

In **Austria**, **media** reported that, in the run-up to the only return flight to Georgia during the pandemic, two Georgian families with children were picked up by the police from their apartments in Upper Austria and taken to the detention centre for families in Vienna. The planned removal came as a complete surprise to them as both families had decided to leave Austria on their own initiative after having received a legally binding negative decision in the asylum proceedings. The NGO **Asylkoordination** criticised this procedure by the authorities.

Bright spots

The National Guarantor for the rights of persons detained or deprived of liberty released the **Guidelines for the Monitoring of Forced Returns**. The guidelines – in English and Italian – provide a toolbox for the network of monitors working for the Guarantor. The Guarantor also released an **online tutorial** – in English, Italian, French and Arabic. It focuses on protecting fundamental rights during forced returns operations.

In **France**, applications for assisted voluntary return have been increasing since the beginning of the COVID-19-related public health emergency, notably from those concerned about the consequences of the pandemic and who withdrew their asylum application, the **French Office for Immigration and Integration** reported.

In **Belgium**, a group of civil society organisations published a **report** assessing the Belgian return policy. The report shows that in 2014, 77.8 % of those detained were returned. In 2018, this rate dropped to 61.1 %, demonstrating that detention does not necessarily result in the implementation of returns, thus often being an ineffective and costly solution. The report recommends more use of alternatives to detention as well as a balanced return policy based on solidarity, personalised support, and the search for sustainable solutions for returnees.

In **Sweden**, Civil Rights Defenders **reported on 9 June** that the organisation has filed a complaint to the UN Committee on the Rights of Persons with Disabilities concerning a young man from Afghanistan diagnosed with a serious state of post-traumatic stress syndrome (PTSD) and whose asylum application was rejected. The young man received a temporary residence permit in line with the new upper secondary school law, but will be returned to Afghanistan when the permit expires due to his inability to work, the NGO states. According to this NGO, this highlights a general problem in the asylum system, which does not sufficiently take into account the rights granted by the Convention of the Rights of Persons with Disabilities. Few adjustments are made to meet the individual needs of persons with disabilities, which would give them the same opportunities as other asylum applicants; and psychosocial conditions, such as PTSD, are rarely investigated adequately.

In **Denmark**, the Danish Institute for Human Rights reports that the Minister of Immigration and Integration **announced** that the Government cancelled the cooperation with the Danish Refugee Council concerning the provision of counselling for rejected asylum seekers, an activity the Danish Refugee Council had been carrying out with government funds since 2012. The Danish immigration authorities are in the process of **establishing a new agency** ("the Deportation Agency", "Hjemrejsestyrelsen") located under the Ministry of Immigration and Integration. The work of the new agency will focus on foreigners who do not have legal residence in Denmark, such as rejected asylum seekers. The agency will also be in charge of **return counselling** of rejected asylum seekers.

In the **Netherlands**, an **article** published by the Dutch daily newspaper 'NRC' argued that the Immigration and Naturalisation Service failed to ask Dutch diplomats in Bahrain for information when assessing the case of an asylum seeker from Bahrain. The asylum seeker's request was rejected and, in consequence, he was deported on 20 October 2018. After his return, he was immediately arrested and is currently serving a life sentence in Bahrain. He belongs to the Shiite minority of Bahrain and was convicted of helping "refugees accused of belonging to a terrorist group". The State Secretary for Justice and Security commissioned an investigation by the Inspectorate for Security and Justice.

Return of children

In **Sweden**, the Swedish Association of Local Authorities and Regions and Save the Children reported in relation to children from Afghanistan and stateless Palestinians that they are going underground after ending upper secondary studies because they are not officially allowed to stay. They are not returned to their places of origin, because Afghanistan does not accept forced returns of families with children to their territory and stateless children are not accepted anywhere. The group in question ends up in limbo as they cannot be expelled, but at the same time lack residence permits, making their stay in Sweden especially difficult.

In **Sweden**, the Swedish Refugee Law Centre draws attention to difficulties the Migration Agency faces when assessing an unaccompanied child's family environment prior to their return. The centre observed cases of older children without residence permits who are simply allowed to stay until their 18th birthday, after which they are returned without any organised reception in the receiving country.

Hate speech and violent crime

In **Greece**, the Racist Violence Recording Network published its **annual report** for 2019. The Network continued to record attacks committed by organised groups, but also noted a growing trend in incidents by individual perpetrators. The recorded incidents involving law enforcement officials and civil servants remained high. In addition, attacks on human rights defenders remained alarming. Between January and December 2019, the Network recorded – through interviews with victims – 100 incidents of racist violence, with more than 104 victims. In 51 incidents, the targets were migrants, refugees or asylum seekers on grounds of ethnic origin, religion and/or colour, human rights defenders working with refugees and migrants, as well as accommodation sites for unaccompanied children.

In **Greece**, a prosecutor ordered an **investigation** into a video showing a soccer fan forcing a migrant to cross himself and repeat religious prayers in Greek in front of a church.

In **Italy**, the Observatory for the Security against Discriminations of the Italian Police issued a **press release** on racist episodes that occurred during the Covid-19 emergency: since the end of January 2020, 30 incidents have been registered by Italian police authorities. Half of them concerned physical assaults accompanied by the use of derogatory language; the rest concerned other type of misconduct, including verbal assaults and hate speech on social media. Most of the victims were Chinese, but citizens from the Philippines and Japan were also targeted.

In **Cyprus**, the Journalistic Ethics Committee issued four decisions against media for publishing articles with racist overtones and presenting false data on the number of migrants in the country. In addition, **UNHCR** noted a worrisome rhetoric in public and political debates, targeting refugees as a threat to national security. UNHCR also referred to some media as contributing to intolerant and hostile public opinion and cultivating racism and xenophobia. At the beginning of June, the Limassol mosque was **vandalised** by unknown persons who threw a Molotov cocktail and wrote messages against migrants and Muslims. A week later, unknown persons **hung a Byzantine flag** on the Larnaca mosque.

In **Hungary**, a research institute (SentiOne) analysed all comments posted by Hungarians on the main social media platforms in relation to the COVID-19 pandemic. The **research**, published in mid-May, found that every second comment (around 22,000) blamed some ethnic group for the pandemic. Of the comments, 16 % contained the word ‘migrants’ in relation to the COVID-19 outbreak, typically mentioning migrants in a racist context (‘Corona Arabs’, ‘Virus infected Iranians’ etc.).

In **Poland**, one of the leading anti-racist NGOs **‘NEVER AGAIN’** has published its latest report **‘Hate virus: Brown Book of Epidemic’**. It documents acts of racism, xenophobia and discrimination that have occurred in Poland in the context of the coronavirus in recent weeks and months. The report **underlines** that development of xenophobia and conspiracy theories have translated into a wave of hatred toward people of Asian descent as well as hostility towards other groups of foreigners, migrants and people from minority groups.

In **Poland**, **the Ombudsman appealed** to the Polish Prime Minister regarding the need to counteract hate crimes. The Ombudsman underlined that the recent crisis has evoked xenophobic sentiments in parts of society, which contributes to an increase in behaviour that, according to the Polish Penal Code, constitutes hate-motivated crime.

In the **Netherlands**, a **report on discrimination** incidents discloses that MiND, the Dutch Reporting Point for Discrimination on the Internet, handled 92 reports of discriminatory texts on the internet or social media targeting refugees last year. This is an increase compared to the year before. In 2018, MiND handled 18 reports of such texts. No explanation is given for this increase.

In **France**, the **National Consultative Commission on Human Rights** stated that the COVID-19 related public health crisis has reinforced stigma and discrimination against migrants. For instance, it reported cases of denial of access to public transport and the establishment of separate lines in some stores, as well as security checks in food distribution lines. The Commission also expressed concerns about reports of harassment of migrants and volunteers during the lockdown. Similar xenophobic attitudes appeared in the French overseas department of Mayotte, where residents started blocking access to health care for injured or sick foreigners as a measure to fight against the influx of migrants, primarily from the Comoros. Locals blamed migrants for coming to Mayotte to benefit from the health care system, making it more difficult for residents to access medical care, the **media reported**.

In **Spain**, the Council of Ministers approved the **proposed Organic Law for Comprehensive Protection of Children and Adolescents against Violence**. In relation to hate crimes it solves certain previous impunity loopholes. Some articles of the Criminal Code relating to hate crimes were amended and new aggravating circumstances were included – for example, for discrimination on the basis of age.

In **Spain**, the Council for the Elimination of Racial or Ethnic Discrimination published **Recommendations** for avoiding discriminatory attitudes and discourse in the context of the current health, social and economic crisis. These recommendations include the need of avoiding discriminatory discourse and stigmatization of groups, stopping fake news, ensuring equal treatment by public administrations, creating anti-racism solidarity networks and developing a reporting mechanism. The recommendations focus in particular on discrimination against Roma and Asian people. The NGO Accem launched a **hotline service** on WhatsApp, offering support to the victims of racial or ethnic discrimination and hate crimes during the COVID-19 emergency.

In **Serbia**, at the beginning of April, **media** reported that one person was arrested on charges of racial discrimination, as he called for an attack on the migrant population in the reception centre in his town near Belgrade. Another case that gained significant **public attention** occurred in May in the town of Obrenovac. A young man tried to enter the reception centre in that town by car. He managed to drive through the gates, but the army then stopped him. While driving, he was recording himself screaming that he does not want migrants to attack his girlfriend and that he „won't take this anymore“. **Media** reports that the man was arrested, which provoked anti-migrant demonstrations in front of the Reception Centre, organised by the extremist organisation *Levijatan*. On 6 June, **media** reported that the case was closed, with the man convicted to eight months of imprisonment.

Bright spots

In **Germany**, the Berlin Refugee Council reports that, in the past, racist police attacks on unaccompanied children were not documented systematically – especially in the course of deportations. According to the Berlin Refugee Council, a new monitoring system will be put in place in Berlin to report cases of racist attacks on, and racial profiling of, unaccompanied children in youth accommodation centres.

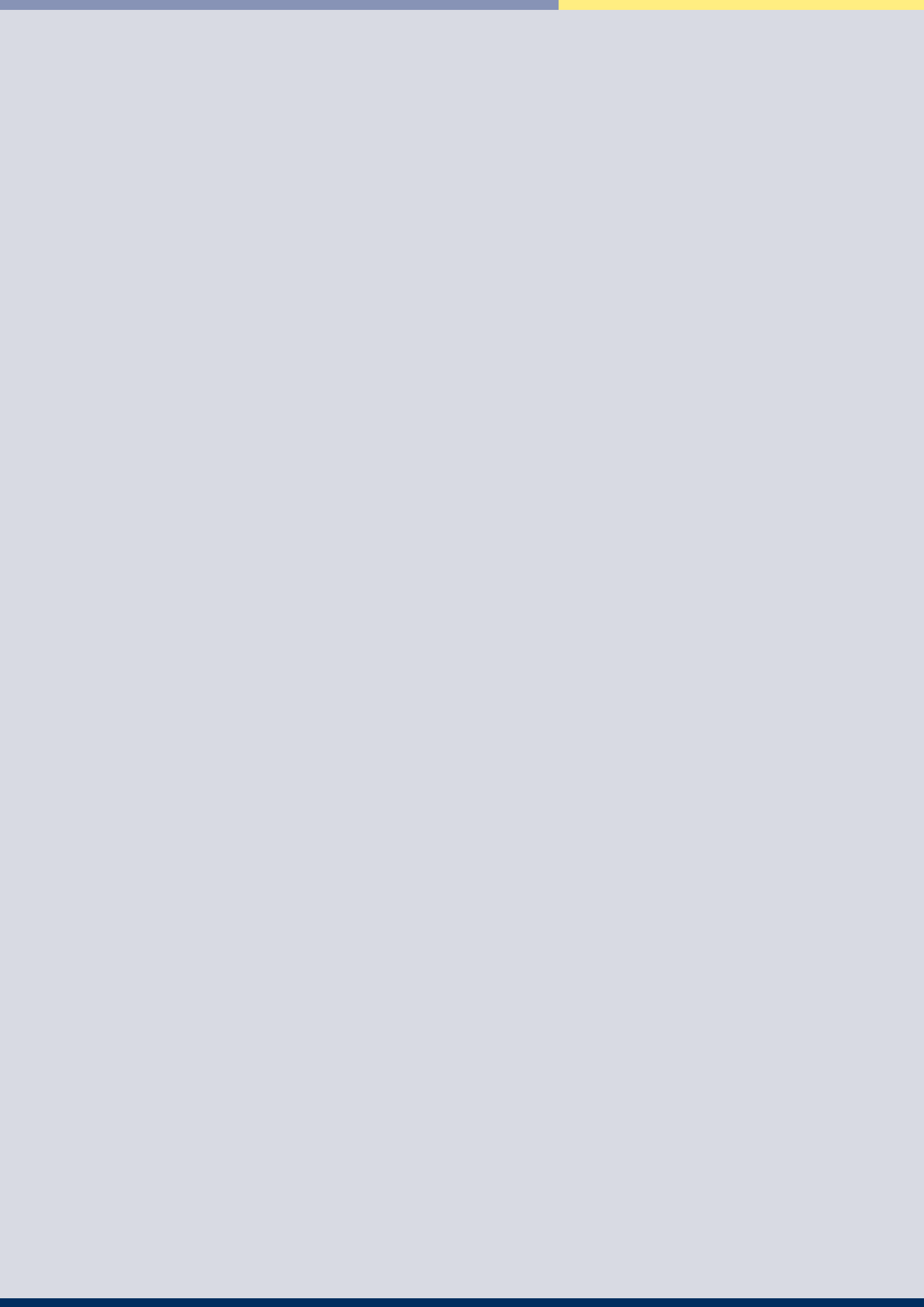
COUNTRY	STAKEHOLDERS CONSULTED
AUSTRIA	<ul style="list-style-type: none"> → Federal Ministry of the Interior, Department V/9/a (<i>Bundesministerium für Inneres, Abteilung V/9/a Grundversorgung und Bundesbetreuung</i>); → Federal Ministry of the Interior, Department V/8 (<i>Bundesministerium für Inneres, Abteilung V/8 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>); → Austrian Ombudsman Board (<i>Volksanwaltschaft</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>).
BELGIUM	<ul style="list-style-type: none"> → Immigration Office (<i>Dienst Vreemdelingenzaken/Office des Etrangers</i>); → FEDASIL – Federal Agency for the Reception of Asylum Seekers (<i>Federaal agentschap voor de opvang van asielzoekers/Agence fédérale pour l'accueil des demandeurs d'asile</i>); → Ministry of Justice (unaccompanied refugee children unit); → Federal Migration Centre (Myria) (<i>Centre fédéral Migration/ Federaal Migratiecentrum</i>); → UNICEF Belgium; → <i>Vluchtelingenwerk Vlaanderen</i> NGO; → <i>CIRÉ</i>, NGO.
BULGARIA	<ul style="list-style-type: none"> → State Agency for Refugees (SAR) (<i>Държавна агенция за бежанците, ДАБ</i>); → Ministry of the Interior, Directorate General Border Police (Mol – DGBP) (<i>Министерство на вътрешните работи, Главна дирекция „Гранична полиция“, МВР – ГДГП</i>); → Ombudsman of the Republic of Bulgaria, National Preventive Mechanism and Fundamental Human rights and Freedoms Directorate (<i>Омбудсман на Република България, Дирекция „Национален превантивен механизъм и основни права и свободи на човека“</i>); → State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>); → Ministry of the Interior, Directorate General National Police (Mol – DGNP) (<i>Министерство на вътрешните работи, Главна дирекция „Национална полиция“, МВР – ГДНП</i>); → UNHCR Bulgaria (based on weekly updates and other reports); → Bulgarian Red Cross, Refugee Migrant Service (BRC – RMS) (<i>Български червен кръст, Бежанско-мигрантска служба, БЧК – БМС</i>); → Center for Legal Aid Voice in Bulgaria (<i>Център за правна помощ – Глас в България</i>).
CROATIA	<ul style="list-style-type: none"> → Centre for Peace Studies (<i>Centar za mirovne studije</i>); → Croatian Law Centre (<i>Hrvatski pravni centar</i>); → Croatian Red Cross (<i>Hrvatski Crveni Križ</i>); → Jesuit Refugee Service (<i>Isusovačka služba za izbjeglice</i>); → Médecins du Monde Belgium (<i>Liječnici svijeta</i>); → Ministry of Demography, Family, Youth and Social Policy (<i>Ministarstvo demografije, obitelji, mladih i socijalne politike</i>); → Ombudswoman for Children (<i>Pravobraniteljica za djecu</i>); → Rehabilitation Centre for Stress and Trauma (<i>Rehabilitacijski centar za stres i trauma</i>); → Welcome Initiative (<i>Inicijativa Dobrodošli</i>).

COUNTRY	STAKEHOLDERS CONSULTED
CYPRUS	<ul style="list-style-type: none"> → Asylum Service (Υπηρεσία Ασύλου), Ministry of the Interior (Υπουργείο Εσωτερικών); → Ministry of Justice and Public Order (Υπουργείο Δικαιοσύνης και Δημόσιας Τάξης); → UNHCR Representation in Cyprus (Αντιπροσωπεία της Ύπατης Αρμοστείας του ΟΗΕ για τους πρόσφυγες στην Κύπρο); → Cyprus Refugee Council (Κυπριακό Συμβούλιο για τους Πρόσφυγες) (NGO acting as implementing partner of UNHCR, offering legal, social and other assistance to asylum applicants and refugees); → Kofinou We Care, platform of volunteers servicing the only reception centre for asylum seekers and refugees in Cyprus; → Legal expert of the University of Cyprus (Πανεπιστήμιο Κύπρου) advising the Ministry of Justice and Public Order (Υπουργείο Δικαιοσύνης και Δημόσιας Τάξης) on human rights; → KISA (Κίνηση για Ισότητα, Στήριξη και Αντιρατσισμό- ΚΙΣΑ) national NGO offering support to migrants and refugees; → Migration Office (Γραφείο Μεταναστών) of the Pancyprian Federation of Labour ΡΕΟ (Παγκύπρια Εργατική Ομοσπονδία); → Caritas Cyprus; → Cyprus Stop Trafficking.
DENMARK	<ul style="list-style-type: none"> → Danish Ministry of Justice (Justitsministeriet), including the Danish National Police (Rigspolitiet); → Danish Immigration Service (Udlændingestyrelsen); → Danish Refugee Council (Dansk Flygtningehjælp); → Danish Red Cross (Dansk Røde Kors); → National Prevention Centre, Danish National Police which is below the Ministry of Justice (Nationalt Forebyggelsescenter (NFC), Rigspolitiet under Justitsministeriet); → Amnesty International Denmark; → SOS Racism.
FRANCE	<ul style="list-style-type: none"> → Ministry of the Interior (Ministère de l'Intérieur); → Maritime Prefecture of the Channel and the North Sea (Préfecture Maritime de la Manche et de la Mer du Nord); → Public Defender of Rights (Le Défenseur des droits - DDD), General Authority and Department for the Protection of the Rights of the Child; → Controller General of Places of Deprivation of Liberty (Contrôleur général des lieux de privation de liberté - CGLPL); → National Association of Border Assistance for Foreigners (Association nationale d'assistance aux frontières pour les étrangers - ANAFÉ); → La Cimade NGO (Inter-Movement Committee for Evacuees - Comité inter mouvements auprès des évacués); → Doctors of the World (Médecins du Monde); → Service centre for migrants in Calais (Plateforme de service aux migrants à Calais).

COUNTRY	STAKEHOLDERS CONSULTED
GERMANY	<ul style="list-style-type: none"> → Jesuit Refugee Service (<i>Jesuitenflüchtlingsdienst – JRS</i>); → Federal Association for Unaccompanied Minors (<i>Bundesfachverband unbegleitete minderjährige Flüchtlinge – BumF</i>); → United Nations High Commissioner for Refugees Berlin (UNHCR); → Migration Commission of the Catholic German Bishops Conference - DBK's Migration Commission (<i>Migrationskommission der Deutschen Bischofskonferenz</i>); → Federal Working Group of Psycho-Social Support Centres for Refugees and Victims of Torture (<i>Bundesweite Arbeitsgemeinschaft der psychosozialen Zentren für Flüchtlinge und Folteropfer – BAfF</i>); → German Red Cross (<i>Deutsches Rotes Kreuz</i>); → Federal Workers' Welfare Association (<i>Bundesverband der Arbeiterwohlfahrt AWO</i>); → Berlin Refugee Council (<i>Flüchtlingsrat Berlin e.V.</i>); → The Berlin Senate Department for Education, Youth and Family (<i>Berliner Senatsverwaltung für Bildung, Jugend und Familie</i>).
GREECE	<ul style="list-style-type: none"> → Hellenic Police Headquarters - Migration Management Division (<i>Αρχηγείο Ελληνικής Αστυνομίας-Τμήμα Διαχείρισης Μετανάστευσης</i>); → The Greek Asylum Service (<i>Ελληνική Υπηρεσία Ασύλου</i>); → National Commission for Human Rights (<i>Εθνική Επιτροπή Δικαιωμάτων του Ανθρώπου</i>); → United Nations High Commissioner for Refugees (UNHCR) Greece (<i>Υπατη Αρμοστεία του ΟΗΕ για τους Πρόσφυγες</i>); → Racist Violence Recording Network (<i>Δίκτυο Καταγραφής Περιστατικών Ρατσιστικής Βίας</i>); → Greek Council for Refugees (<i>Ελληνικό Συμβούλιο για τους Πρόσφυγες</i>); → Hellenic League for Human Rights (<i>Ελληνική Ένωση για τα Δικαιώματα του Ανθρώπου</i>); → Solidarity Now (<i>Αλληλεγγύη για όλους</i>); → Greek Forum for Migrants (<i>Ελληνικό Φόρουμ Προσφύγων</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>); → National Directorate-General for Aliens Policing (<i>Országos Idegenrendészeti Főigazgatóság</i>); → UNHCR Hungary; → Migrant Solidarity Group of Hungary (<i>Migráns Szolidaritás – MigSzo</i>); → Hungarian Association for Migrants (<i>Menedék Migránsokat Segítő Egyesület</i>); → Cordelia Foundation (<i>Cordelia Alapítvány</i>).

COUNTRY	STAKEHOLDERS CONSULTED
ITALY	<ul style="list-style-type: none"> → Ministry of Labour and Social Policies; → Ministry of the Interior; → Public Security Department of the Ministry of the Interior – Directorate General for Immigration and Border Police (<i>Ministero dell’Interno Dipartimento della Pubblica Sicurezza - Direzione Centrale dell’Immigrazione e della Polizia delle Frontiere</i>); → National Commission for the Right of Asylum (<i>Commissione Nazionale per il Diritto d’Asilo</i>) of the 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>); → Authority for the Protection of Childhood and Adolescence (<i>Autorità Garante per l’Infanzia e l’Adolescenza</i>); → National Office against Racial Discrimination (<i>Ufficio Nazionale Antidiscriminazioni Razziali, UNAR</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>); → United Nations High Commissioner for Refugees (UNHCR); → ‘Melting Pot Europa’ project; → Observatory for the Security against Discriminations of the Italian Police (<i>Osservatorio per la Sicurezza Contro gli Atti Discriminatori – OSCAD</i>).
MALTA	<ul style="list-style-type: none"> → Ministry for Home Affairs, National Security and Law Enforcement – Hate Crime and Hate Speech Unit; → Office of the Refugee Commissioner; → Office of the Commissioner for Children; → NGO ‘KOPIN’; → NGO ‘African Media Association’.
NETHERLANDS	<ul style="list-style-type: none"> → Dutch Council for Refugees (<i>Vluchtelingenwerk Nederland</i>); → Amnesty International – Netherlands; → Netherlands Institute for Human Rights (<i>College voor de Rechten van de Mens</i>); → Defence for Children the Netherlands; → Ministry for Justice and Security: 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’); → Stichting LOS (knowledge centre for people and organisations that support migrants in an irregular situation); → UNICEF the Netherlands; → NIDOS (independent family guardian organisation, fulfilling the guardianship task for Unaccompanied Minor Asylum Seekers).
NORTH MACEDONIA	<ul style="list-style-type: none"> → Ministry of the Interior; → Center for Crisis Management; → Ombudsperson; → UNHCR North Macedonia; → IOM North Macedonia; → Agency for Audio-Visual Services; → Jesuit Refugee Service JRS; → NGO Legis (<i>HBO Лезус</i>); → NGO Helsinki Committee of Human Rights of the Republic of Macedonia (<i>HBO Хелсиншки комитет за човекови права на Република Македонија</i>); → NGO EUROTHINK – Center for European Strategies.

COUNTRY	STAKEHOLDERS CONSULTED
POLAND	<ul style="list-style-type: none"> → Ombudsperson (<i>Rzecznik Praw Obywatelskich – RPO</i>); → Ombudsperson for Children (<i>Rzecznik Praw Dziecka – RPD</i>); → United Nations High Commissioner for Refugees (UNHCR), Office in Poland; → Border Guard, Border Guard Headquarters (<i>Straż Graniczna – SG</i>); → Police, Police Headquarters (<i>Policja</i>); → Head of the Office for Foreigners (<i>Szef Urzędu do spraw Cudzoziemców – UDSC</i>); → Association for Legal Intervention (<i>Stowarzyszenie Interwencji Prawnej – SIP</i>); → Helsinki Foundation for Human Rights (<i>Helsińska Fundacja Praw Człowieka – HFPC</i>).
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>); → 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>); → Spanish Observatory for Racism and Xenophobia (<i>Observatorio Español del Racismo y la Xenofobia, OBERAXE</i>); → Spanish Refugee Aid Commission (<i>Comisión Española de Ayuda al Refugiado – CEAR</i>); → Jesuit Migrant Service (<i>Servicio Jesuita Migrantes</i>); → General Directorate for International Protection Programs of the Ministry of Labour Ministry of Labour, Migration and Social Security (<i>Subdirección General de Programas de Protección Internacional del Ministerio de Trabajo Ministerio de Trabajo, Migraciones y Seguridad Social</i>); → Chair of Refugees and Forced Migrants of Comillas ICAI-ICADE, INDITEX (<i>Cátedra de Refugiados y Migrantes Forzosos de Comillas ICAI-ICADE, INDITEX</i>).
SERBIA	<ul style="list-style-type: none"> → Asylum Office; → Asylum Commission; → Shelter for Foreigners; → INDIGO- Group for Children and Youth; → UNHCR Serbia.
SWEDEN	<ul style="list-style-type: none"> → Swedish Migration Agency, Statistics (<i>Migrationsverket</i>); → Swedish Migration Agency, Detention Department (<i>Migrationsverket</i>); → National Board of Health and Welfare (<i>Socialstyrelsen</i>); → Swedish Association of Local Authorities and Regions, Department of healthcare and care, (<i>Sveriges kommuner och regioner, SKR</i>); → Swedish Association of Local Authorities and Regions, Department of education and labour market, (<i>Sveriges kommuner och regioner, SKR</i>); → Save the Children Sweden (<i>Rädda barnen</i>); → Red Cross Sweden (<i>Röda Korset</i>); → The Swedish Refugee Law Centre (<i>Asylrättscentrum</i>); → Amnesty Sweden.





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