



Briefing on the fundamental rights situation on the ground Migration & Asylum, 24 September- 9 October 2020

Arrivals

Greece: From 21-27 September 2020, [79](#) people arrived on Aegean islands, the highest number of them on Crete.

Italy: 982 [persons](#) arrived between 28/9 and 4/10.

Spain: [683](#) people arrived between 28/9 - 4/10. Between 14 - 27 September [3,095](#) persons arrived by sea, representing a 106% increase compared to the same period last year.

Land borders

The Ministry of the Interior of **Croatia** is procuring [equipment](#) primarily intended to prevent irregular border crossings of migrants. The equipment is planned to be installed on the border with Serbia and Bosnia and Herzegovina. Besides thermovisual cameras, a new network router and network switch will be installed in each police headquarters to enable the transmission of images and video signals from cameras to the National Coordination Center in Zagreb. Over [200](#) migrants were apprehended by the police within two days at the end of September in **Slovenia**. Most of the migrants were from Bangladesh and Pakistan.

Search and rescue

The [UNHCR](#) estimates that 563 people have died or gone missing at the **Mediterranean** in 2020 as of 8 October. NGO Alarmphone [reports](#) that in several cases authorities had refused to immediately start search and rescue operations when alerted about people in distress. Civilian search and rescue capacities are limited with several vessels [remaining blocked](#) at ports.

Between [15](#) and [28](#) of September, almost 1,000 people intercepted at sea were returned to Libya. A recent report by [Amnesty International](#) presents further evidence of human rights violations in Libya.

[OHCHR](#) carried out a week-long mission to **Malta** on 21-26 September. The mission is part of a wider project by the OHCHR to look at issues concerning migrants in Libya and the neighbouring region, including the human rights protection of migrants in Libya, at sea, upon reception and in the context of return. Regarding disembarkation in Malta, some migrants said to the experts that they had been detained for several months, with little access to daylight, clean water and sanitation. They reported severe overcrowding, poor living conditions, and limited contact with the outside world, including lawyers and civil society organisations. Migrants also said they had been given only one change of clothing since arriving.

The Council of Europe's [Committee for the Prevention of Torture](#) (CPT) completed a six-day rapid reaction visit to **Malta** to examine the treatment of detained migrants. The visit took place from 17 to 22 September 2020. During the visit, the CPT's delegation examined the conditions of detention for, and treatment of, migrants deprived of their liberty, including families with young children and unaccompanied and separated minors. It visited various places where migrants are being held, notably the detention and reception centres, as well as two police stations.

Use of force and pushbacks

29 human rights and humanitarian aid organizations requested through [an open letter](#) to the **Greek** Parliament to urgently establish an inquiry into all allegations of unlawful returns of migrants to Turkey by law enforcement officers and others. They said that these returns are carried out mainly through pushbacks and collective expulsions and are often accompanied by violence. They asked the Parliament to



exercise its oversight authority and investigate the allegations and examine whether any illegal acts identified are part of a *de facto* government policy which would not comply with international, European, and Greek law.

According to [UNHCR](#), acts of violence during expulsion were reported in **Romania**, with twenty-five persons being severely injured during their expulsion from Romania to Serbia. According to [ECRE](#), violent pushbacks are common. A local NGO estimates that at least [50 people](#) are pushed back from Romania to Serbia every day. The incidences often include extreme violence.

Child protection and protection of other vulnerable groups

According to the [Ministry of the Interior](#), as of 29 September, 2,978 unaccompanied children have arrived in **Italy** in 2020. As of 30 September 2020, according to the [National Centre for Social Solidarity \(EKKA\)](#), 4,222 unaccompanied children were estimated to be in **Greece**. 1,501 were in appropriate and long-term accommodation (shelters and semi-independent living apartments and 1,019 have been reported as living in informal or insecure housing conditions. Greece's [Special secretary for the protection of unaccompanied children](#) said at the end of September that there were no children without a parent or guardian staying at the hotspots on the eastern Aegean islands or at the land border with Turkey in Evros.

On [7 October](#) the relocation of 91 asylum seekers from **Greece** to Germany took place, which has brought the total number of people relocated from Greece to other European Union (EU) Member States through a European Commission-funded programme this year to over 1,000. This was the 17th relocation flight organized under the EU programme implemented by [IOM, UNHCR and UNICEF](#) in cooperation with the Government of Greece through the Special Secretary for the Protection of Unaccompanied Children, and in close collaboration with the EASO. This year, a total of 1,157 asylum seekers have been relocated from Greece to Belgium, Finland, France, Germany, Ireland, Luxembourg and Portugal. Among the group were families with children with special health needs and unaccompanied children. In addition to the 1,600 unaccompanied minors in Greece, the European relocation program also includes another 928 asylum seekers – 243 children with health problems and their families.

Europol helped to [identify 715 potential victims of labour exploitation in two pan-European joint action days](#) between 14 and 20 September 2020. The operation, also supported by Frontex, involved a wide range of law enforcement authorities, labour inspectorates, tax authorities and other respective national ministries.

Reception

According to [UNHCR](#), the site of the new temporary camp in Lesvos (close to Kara tepe), **Greece**, is due to its location near the seashore, exposed to challenging weather conditions and safety hazards. According to the authorities, by 2 October, some [8,500 asylum-seekers were hosted in the new emergency site](#) while several hundred vulnerable asylum-seekers had been transferred to safe accommodations on the island or relocated to the mainland.

Three police officers were injured in a revolt at a migrant reception centre in Agrigento, **Italy**. According to the [media](#), around 65 migrants, threw fire extinguishers and other objects at police and set fire. Six of the migrants, who were in COVID-19 quarantine at the reception centre, fled from the facility.

Spain has [8,000](#) asylum seekers awaiting reception. It is one of the countries with the greatest imbalance between the number of applicants for international protection and overall actual reception capacity. The Minister of Inclusion Social Security and Migrations has requested an external evaluation by the EASO to identify the actual needs of the system.

The upward trend of arrivals to the Canary Islands, **Spain**, continues. The first reception centres are [reaching full capacity](#) and new arrivals find themselves accommodated in tents in the port of Gran Canaria or transferred to other islands.

In **Serbia**, [UNHCR is concerned](#) after 775 asylum-seekers and migrants were observed sleeping rough outside centres in Belgrade or at the borders, without access to appropriate COVID-19 mitigation measures.

The Pournara/Kokkinotrimithia camp in **Cyprus** remains a closed facility with 265 residents as of 28 September, including 97 children, of which 28 are unaccompanied. [UNHCR](#) has re-established a presence in the camp since September, but with limited access to applicants.

160 NGOs are [urging Greek](#) authorities to revoke the decision to [close](#) the municipality run reception centre in Kara Tepe by 31 December, and the self-managed PIKPA camp by 31 October, both hosting [vulnerable people](#) on Lesbos.

As a result of decongestion efforts, the [Lampedusa](#) hotspot, **Italy**, hosted only 56 people as of 20 September. Ongoing works are expected to increase the facility's capacity to 400.

Covid-19 measures

In a key annual address to **UNHCR's** annual Executive Committee meeting in Geneva, Assistant High Commissioner for Protection, [Gillian Triggs](#), said measures enacted by governments in response to the Covid-19 pandemic ranged from some of the most humane through to blanket denials of access to asylum and forced returns to danger. She said that particularly shocking has been the denial of disembarkation of boats carrying asylum seekers adrift in the Mediterranean Sea. She highlighted that many countries have shown that there are ways to resume asylum systems, with more than 100 countries enabling asylum claims by adopting remote technologies in the processing of claims. Triggs further stated that lockdowns and increased family tensions have led to spikes in gender-based violence across the world. She advised the Executive Committee that UNHCR will shortly issue its first ever policy on Gender-Based Violence. She referred to the fact that UNHCR offices also reported increasing incidents of discrimination, stigmatization or xenophobia against refugees and displaced people, further exacerbating tensions with local communities.

Most new arrivals in **Italy** were disembarked in [Lampedusa](#) and followed the COVID-19 prevention protocol in place, including a 14-day quarantine either onshore or offshore one of the five ferries with an overall capacity for 2,400 people. As of 28 September, at least 2,247 people were in quarantine, of which 2,052 were offshore and 195 onshore.

General movement restrictions on refugee-hosting sites across **Greece** remain in place, but continue to be implemented [differently](#) in each site. In Samos and Kos, FRA observed that applicants can leave the camp in small numbers.

NGO criminalisation

The **Greek** accused [33 foreign nationals](#) from four different NGOs of a variety of serious crimes for allegedly facilitating the irregular entry of migrants on Lesbos from Turkey. According to [NGO Alarmphone](#), human rights violations reached a new level in the Aegean Sea since the beginning of March. This escalation in violations went along with acts of repression against NGOs and all sorts of solidarity structures for refugees and migrants.

The council of ministers in **Italy** adopted a decree, which among others, [significantly reduces the fines](#) for facilitating the irregular entry, for those ships that perform search and rescue at sea.

Asylum

The [new decree](#) in **Italy** reverses some of the policies imposed by the previous Minister of Interior, Salvini. It reestablishes the residency permit on humanitarian grounds. The decree allows people to convert short-term residency permits into longer-term residency permits based on employment, which will help prevent people falling into undocumented status. The decree reduces detention pending deportation to three months from six.