

Hotspots at EU external borders

State of play

SUMMARY

The 'hotspot approach' was presented by the Commission as part of the European Agenda on Migration of April 2015, when record numbers of refugees, asylum-seekers and other migrants flocked to the EU. The 'hotspots' – first reception facilities – aim to better coordinate EU agencies' and national authorities' efforts at the external borders of the EU, on initial reception, identification, registration and fingerprinting of asylum-seekers and migrants. Currently, only Greece and Italy host hotspots. Other EU countries can also benefit from the hotspot approach upon request, or in cases where the Commission believes that additional assistance is necessary.

As migration continues to be one of the EU's main challenges, the hotspots are a key element of EU support for Greece and Italy to help them face the challenges of the humanitarian and border management crisis. However, reception conditions remain a concern. The majority of the hotspots suffer from overcrowding, and concerns have been raised by stakeholders with regards to camp facilities and living conditions, in particular for vulnerable migrants and asylum-seekers. The European Parliament has repeatedly called for action to ensure that the hotspot approach does not endanger the fundamental rights of asylum-seekers and migrants.

The EU-Turkey Statement from March 2016, which is closely linked with the implementation of the hotspot approach in Greece, aims to reduce the irregular migration flows from Turkey to the EU. In parallel, the Commission proposed a temporary emergency relocation mechanism that began in October 2015, to assist the states facing increasing pressure from migrants' arrivals.

This is an updated version of a [Briefing](#) drafted by Anita Orav, published in March 2016.



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Background

The [hotspot approach](#) was introduced by the European Commission in the [European Agenda on Migration](#) in April 2015, at the height of the migration crisis, as a means of providing emergency assistance to frontline Member States that were faced with the arrival of disproportionate numbers of migrants. The approach was formally endorsed by the Justice and Home Affairs Council meetings of 25-26 June 2015. With the creation of '[hotspots](#)' – facilities for initial reception, identification, registration and fingerprinting of asylum-seekers and migrants arriving in the EU by sea – at the external borders of the EU in Greece and Italy, the EU aims to better coordinate European aid in areas with high migratory pressure. In addition, hotspots also serve to channel newly-arrived people into procedures such as international protection or return.

The hotspot approach is a [key element](#) in the EU's support for Member States on the external borders of the EU. The approach is already established in Greece and Italy, but other Member States can also benefit upon request, or in cases where the Commission believes that additional assistance is necessary, based on a joint assessment by Frontex and EASO.

Experts from [EU agencies](#), the European Asylum Support Office (EASO), Europol, the European Border and Coast Guard Agency (Frontex) and Eurojust, are deployed to the hotspots in support of national authorities. Operational support is provided by EASO to process all migrants' applications as quickly as possible,¹ and newly-arrived asylum-seekers are immediately directed to an asylum procedure. EASO provides information on asylum procedures and relocation, while it also matches asylum-seekers with the appropriate Member State for relocation. Frontex supports EU Member States by coordinating the return of irregular migrants that are refused asylum, or do not have the right to remain in the EU. Frontex additionally deploys Joint Screening Teams to support EU Member States with registration and identification procedures. Investigations aiming to disassemble smuggling and trafficking networks are addressed by Europol and Eurojust, in cooperation with the host EU Member State. In addition, euLISA provides ICT expertise, on the basis of its operational management of the Eurodac system, for fingerprinting of asylum-seekers.

State of play in the EU hotspots in Greece and in Italy

Hotspots in Greece and in Italy



Source: [European Union Agency for Fundamental Rights](#).

Greece

There are currently five hotspots in Greece³ (on the islands of Chios, Kos, Leros, Lesvos and Samos), with a total capacity of 6 338 places.⁴ However, the total number of migrants present in the Greek islands indicates serious overcrowding. In March 2018, a Commission [report](#) noted the creation of 700 places in the Moria camp on Lesvos and additional capacity was also created in the Kos hotspot. According to the Greek police forces, until the beginning of June 2018, the total [number of refugees and migrants](#) present in the Greek hotspots amounted to over 16 500.

Hotspots in Greece ²			
	Start of operation	Total reception capacity	Occupancy
Lesvos	October 2015	3 000	8 500
Chios	February 2016	1 014	1 533
Samos	March 2016	648	3 276
Leros	March 2016	980	924
Kos	June 2016	816	968
Total capacity (May 2018)		6 458	15 201

Source: [European Commission, December 2017](#).

Hotspots in Greece function and are monitored under Law 4357/2016 that entered into force in April 2016. Currently, the hotspots in Kos and Leros are fully operational, while Chios, Lesvos and Samos remain overcrowded.⁵

The lack of sufficient shelters for unaccompanied minors remains an issue in the Greek hotspots, together with addressing the needs of vulnerable groups. Overcrowding has created additional pressure on infrastructure, on medical services, and waste management. The poor living conditions, combined with a lack of information, cause considerable tension among the refugee and migrant populations, that also affect the local communities. On Chios and Lesvos, protests have erupted, due to insecurity and poor living conditions, between migrants and the local population. The Reception and Identification Service (RIS) on Samos faces a problem of identifying further appropriate accommodation facilities for new people arriving.

Italy

Another five hotspots were established in Italy (in Lampedusa, Messina, Pozzallo, Taranto and Trapani),⁶ with a total capacity of 1 850 places. Activities in the Taranto hotspot have been temporarily suspended since March 2018 to allow for maintenance work, and have been limited in Lampedusa due to refurbishment. Moreover, the Italian authorities confirmed their commitment to create three further hotspot locations in Calabria and in Sicily in 2018, as well as their aim to further increase their detention capacity. In addition, there are also several ports that function like hotspots in Brindisi, Cagliari, Catania, Catanzaro, Cosenza, Crotone, Lecce, Napoli, Palermo, Reggio Calabria, Salerno, Siracusa, Sassari, and Vibo Valentia.

Start of operation and capacity of hotspots in Italy		
	Start of operation	Total reception capacity
Taranto	February 2016	400 Temporarily closed in March 2018
Trapani	December 2015	400
Messina	September 2017	250
Pozzallo	January 2016	300
Lampedusa	October 2015	500 Limited activities since March 2018
Total capacity		1 850

Source: [European Commission, December 2017](#).

The total capacity of the hotspot in Lampedusa was affected by several incidents, including arson and inspections by several [organisations](#) and NGOs that underlined the [detention conditions](#). Furthermore, the Taranto hotspot was temporarily closed for restoration in March 2018, after the National Anti-Corruption Authority detected procurement [irregularities](#). The occupancy levels in the Pozzallo, Trapani and Lampedusa hotspots exceed the actual capacity of the establishments, resulting in overcrowding. Concerns have also been raised regarding material capacities in the Italian hotspots, such as the availability of sufficient beds.

Contrary to the situation in Greece, [no specific legislation or amendment](#) has been adopted to monitor the functioning of hotspots in Italy. Alternatively, the Italian Interior Ministry, in cooperation

with the European Commission, has adopted Standard Operating Procedures for the hotspots. Several NGOs have called upon the Italian government to put an end to abuses, such as administrative detention, use of force and the issuing of orders of expulsion, in the hotspots.

Link to EU-Turkey statement

The implementation of the [EU-Turkey statement](#) is closely linked to the implementation of the hotspot approach in Greece. In March 2016, the adoption of the EU-Turkey statement committing to 'end the irregular migration from Turkey to the EU', had a great impact on the hotspots in the Aegean islands.

With the introduction of the EU-Turkey statement, hotspot facilities were transformed into closed centres. After 20 March 2016, people arriving on the Aegean islands were detained on hotspot premises, to facilitate their re-admittance to Turkey in cases where they did not apply for international protection or their applications were rejected. Asylum-seekers subject to the EU-Turkey statement are issued with a 'geographical restriction', preventing them from leaving the islands, but no policy explicitly codifies this restriction. Asylum-seekers that receive a positive first/second instance decision can move to the mainland, whereas those who do not are directed towards the procedure for readmission to Turkey.

Both the European Commission and the European Council characterise the EU-Turkey statement to be a success, underlining the decline in the number of arrivals on the Greek islands. Moreover, since the introduction of the EU-Turkey statement and the Greece-Turkey bilateral protocol,⁷ 2 231 people have been [returned](#) from Greece to Turkey. As Turkey suspended the bilateral protocol between Greece and Turkey in June 2018, this no longer in force. Return procedures from Greece to Turkey have been [slow](#), mainly as a result of the lengthy administrative procedures in place, and the number of returns continues to be much lower than the number of arrivals.

Relocation

The hotspot approach also contributes to the implementation of the emergency relocation mechanisms, which were proposed by the Commission and adopted by the Council of the EU on

14 and 22 September 2015, after consulting the Parliament. The temporary [emergency relocation mechanism](#) was set up by Member States in legally binding Council decisions (Council Decisions 2015/1523 and 2015/1601), outlining the transfer of 160 000 asylum-seekers from Greece and Italy to other EU Member States. The mechanism, applied between [September 2015 and September 2017](#), had an important role among EU policies, aiming to reinforce European solidarity and sharing of responsibility for asylum-seekers among the Member States, while relieving some of the pressure from the frontline States.

Since the introduction of the hotspot approach, one of its operational functions has been the identification of potential candidates for relocation. Relocation decisions only cover the nationalities that demonstrate an asylum recognition rate of 75 % or higher. The country of relocation is responsible for processing the applications for international protection. The majority of EU Member States have fulfilled their pledges on relocations. The only exceptions amongst EU Member States are the Czech Republic, Hungary and Poland, against which infringement procedures were launched.⁸

EASO is coordinating the relocation efforts under the [EASO hotspot operating plan](#). According to the Commission's [progress report on the implementation of the European Agenda on Migration](#) of May 2018, relocation has been a success, with 96 % of eligible persons having been relocated by the end of March 2018. As of 31 May 2018, 34 689 asylum-seekers have been [relocated](#) from Greece and Italy, including 21 999 from Greece (33 % of the total number planned) and 12 690 from Italy (32 % of the total number planned).⁹

The Court of Justice of the EU has ruled on the need for support for Italy and Greece, as well as for provision of access to [protection](#) for asylum-seekers. According to the [UNHCR](#), relocation, together with fast registration and transfer of candidates, is of great importance to unaccompanied and separated children, since they tend to live in poor living and security conditions in the hotspots.

Stakeholders' concerns

This section aims to provide a flavour of the debate and is not intended to be an exhaustive list of the diverse views on the 'hotspot approach'.

According to a [report](#) published by the EU Agency for Fundamental Rights (FRA), during winter 2017-2018, preparations in the Greek hotspots, particularly in Lesbos, Samos and Chios, were made to address persistent issues in the Reception and Identification Centres. Moreover, several [humanitarian and human rights organisations](#) have criticised the slow transfer of asylum-seekers from the islands to the Greek mainland. In another [report](#), the FRA indicated capacity constraints, unequal conditions within the same Member State, and the living conditions as the main challenges for the Italian reception facilities.

For Amnesty International the [security](#) of asylum-seekers and migrants remains a concern. Many of those staying in the hotspots are unaccompanied minors and other people belonging to vulnerable groups. Another issue in the discussion has been the differential treatment of specific nationalities. The [European Court of Human Rights](#) has underlined the need for better conditions for unaccompanied migrants, including the proper treatment of children, detention in separate locations to those for adults, as well as counselling and educational assistance.

The [UN Human Rights Committee](#) has criticised the prolonged detention of refugees and migrants in the hotspots, while [calling](#) on the Greek government to improve conditions and expand reception capacity. It also [criticised](#) the extended detention of refugees and migrants at the hotspots. Moreover, [UNHCR](#) expressed concerns about reports by asylum-seekers regarding sexual harassment and violence in reception centres on the Greek islands. The [Council of Europe's Committee for Prevention of Torture and Inhuman or Degrading Treatment or Punishment](#) (CPT) has published a [report](#) on the situation of foreign nationals in the Italian hotspots. According to the report, living conditions in the hotspots of Pozzallo and Trapani were good, and sufficient for short

stays at Lampedusa. The CPT also made [observations](#) concerning the detention facilities in Greece, particularly in the Moria pre-removal centre on Lesbos.

Interviews conducted by Amnesty International in 2016 [confirmed](#) that the above-mentioned practices were ongoing throughout 2016 in Italy and that expulsion orders were still issued. After the report was published by Amnesty International in November 2016, the Government denied these allegations, as well as the [accusations](#) concerning illegal detention and the coercive measures used in fingerprinting migrants, claiming them to be false. As UNHCR has stated, living conditions for [unaccompanied minors](#) remain a concern on Lesbos, as they have to share a common space with adults.

According to reports by the [European Court of Auditors](#) (ECA), the approach has positively contributed to migration management in Italy and in Greece, since hotspots have enforced the countries' capacity to receive and register migrants, while better cooperating with the EU agencies involved. However, at the end of 2016, the reception facilities in the two countries were still regarded to be inadequate, particularly in terms of accommodation and international standards for unaccompanied minors. The ECA also stated that slow follow-up procedures for migrants can impact the hotspots' functioning.

European Parliament's position

The European Parliament has underlined the need to ensure that the hotspot approach does not undermine the fundamental rights of asylum-seekers and refugees crossing the European borders. Parliament has aimed to identify and improve the detention and reception conditions for third country nationals in Europe.¹⁰

In an own-initiative [report](#) of the Civil Liberties, Justice & Home Affairs Committee (LIBE), adopted in [plenary](#) on 12 April 2016, on the situation in the Mediterranean and the need for a holistic approach to migration, the main purpose of the hotspots is stated as the provision of protection and of humanitarian aid to people in need, while underlining that fundamental rights should be respected for all migrants. In spite of this, the report recognised the importance of official identification of asylum-seekers once they enter into the EU.

Moreover, the European Parliament supported the two Commission proposals on relocation, as a means of demonstrating solidarity within the EU. However, it has been [noted](#) that the restriction on relocation decisions based on the asylum recognition rate (75 % or higher), may lead to cases where countries of first arrival have to deal with more complicated asylum applications. This would [result](#) in extended reception periods, and in some cases the need to face the procedure of returning applicants to their home countries.

On the other hand, a [study](#) for the Parliament's LIBE committee found that the hotspots have not contributed to relieving the pressure on Italy and Greece. Instead, their structural limitations and the increasing number of applications has led to increased stress on the two countries.

MAIN REFERENCES

[Council Decision \(EU\) 2015/1523](#) of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece.

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Apap J. and Dietrich C., [Arbitrary detention of women and children for immigration-related purposes](#), EPRS, European Parliament, March 2016.

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[Migration and Asylum: a challenge for Europe](#), European Parliament, June 2018.

[Own-initiative report](#) on the situation in the Mediterranean and the need for a holistic EU approach to migration, 2015/2095(INI), Committee on Civil Liberties, Justice and Home Affairs, European Parliament, 2016.

ENDNOTES

- ¹ See Commission Communication on [A European Agenda on Migration](#) of May 2015.
- ² Data provided by the [Reception and Identification Service](#) of the Ministry of Migration Policy of Greece on 14 June 2018.
- ³ Main data are provided by Greece's National Coordination Centre for Borders, Migration and Asylum (NCC) which took over data provision regarding reception in the islands from the Hellenic Police, as well as the UNHCR and the EEAS; see also the UNHCR [site profiles](#) report of May 2018.
- ⁴ According to the [progress report on the European Agenda on Migration](#) of May 2018.
- ⁵ The UNHCR [site profiles](#) report of May 2018 provides detailed information on Reception & Identification Centres (RICs) in Greece.
- ⁶ UNHCR, [Italy weekly snapshot](#), 10 June 2018.
- ⁷ Turkey [suspended](#) the existing bilateral agreement with Greece on migrant returns on 7 June 2018.
- ⁸ The European Commission decided to refer the Czech Republic, Hungary and Poland to the Court of Justice to the EU for non-compliance with their legal obligations on relocation on 7 December 2017. See Commission [press release](#).
- ⁹ UNHCR, [Europe monthly report](#), April 2018.
- ¹⁰ As demonstrated in the study commissioned by the European Parliament Committee on Civil Liberties, Justice and Home Affairs on [The conditions in centres for third country national \(detention camps, open centres as well as transit centres and transit zones\) with a particular focus on provisions and facilities for persons with special needs in the 25 EU Member States](#), December 2007.

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eprs@ep.europa.eu (contact)

www.eprs.ep.parl.union.eu (intranet)

www.europarl.europa.eu/thinktank (internet)

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