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Section 4.7. Reception of applicants for international protection

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The recast RCD sets the standards for the conditions which must be met for the reception of an asylum applicant and aims to ensure that applicants' rights and obligations are harmonised across all Member States.

The reception of applicants for international protection encompasses rules on material reception conditions (such as housing, food and clothing which are provided in kind, through financial allowances or in vouchers – or a combination of these three – and a daily expense allowance), freedom of movement, access to health care, education for children, access to the labour market, language instruction for children and socio-cultural orientation. The directive applies to all applicants throughout the whole asylum procedure from the moment an application is made and for all types of procedures until they are allowed to remain on the territory.

The recast RCD describes the conditions and processes under which applicants need to be informed about reception benefits and duties *(see Section 4.9)*. The directive also outlines the circumstances when Member States may reduce or exceptionally withdraw material reception conditions.

Member States must have appropriate guidance, monitoring and controls to ensure that the EU standards are upheld. They also need to provide suitable staff training and allocate sufficient resources. Member States are required as well to take into account the specific situation of vulnerable applicants (*see Section 5)*. Furthermore, the directive lists the criteria, guarantees and conditions for the detention of applicants *(see Section 4.8)*. The standards in the directive, however, can be imposed differently in national laws, and thus, variations exist in reception conditions across countries.

2022 was an extremely challenging year for reception authorities in EU+ countries, which experienced a rise in the number of applicants for international protection and received millions of persons in need of temporary protection – and thus, of shelter and accommodation. The main issue remained the lack of sufficient places, even though Member States continued to significantly invest in increasing reception capacity. Some countries surpassed all previous capacity records, but this still was not enough to offer adequate accommodation for all

applicants. The challenges were multifaceted and included, for example, inadequate funding and issues with collaborating with municipalities. Only Nordic countries and a few transit countries (from where applicants often move towards another EU+ country) did not report issues with capacity.

Member States explored different ways to address the issue. Some reached out to new stakeholders to strengthen the reception system, for example, through the closer involvement of civil society organisations, municipal actors, disaster management or private actors. Among 13 operating plans in 2022, the EUAA assisted to enhance the reception system for 10 countries, increase the integrity of the asylum procedure *(see Section 4.2)* or its efficiency *(see Sections 4.3 and 4.4)*. Some measures which were implemented by national authorities, for example limitations on family reunification, are currently being scrutinised by the courts.

Reception conditions deteriorated in overcrowded centres and led to sub-standard conditions in many EU+ countries, as widely documented by civil society organisations. Courts stepped in to reiterate the obligations of Member States. The European Commission sent letters of formal notice to several countries for failing to properly transpose the recast RCD.

As the focus remained on immediate needs, such as finding enough reception places and ensuring adequate living conditions, less initiatives seemed to have been implemented to facilitate applicants' entry into employment, orientation in the new society or accessing education and health care. National authorities tried, but sometimes struggled, to ensure at least the basic services.

In these circumstances, the European Parliament's rapporteur of the revised RCD noted that the agreement reached in December 2022 between the European Parliament and the Council on the legislative proposal was a breakthrough that can ensure high and consistent reception standards.530

Section 4.7.1 Entitlement mrc

4.7.1. Entitlement to material reception conditions

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icon for organisation in reception system

4.7.2. Organisation and functioning of reception systems

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icon for the applicants daily life in reception

4.7.3. Applicants' daily life

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- 530European Parliament. (2022, December 15). Asylum: Deal on reception conditions for applicants to international protection. https://www.europarl.europa.eu/news/en/press-room/20221214IPR64716/asylum-deal-on-reception-conditions-for-applicants-to-international-protection

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