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3.6.1.1. Adapting reception systems

3.6.1.1. Adapting reception systems

National authorities kept addressing immediate reception needs throughout 2023, but some simultaneously revised their reception models to implement structural changes.

For example, the reform of the Lithuanian reception and accommodation system continued in 2023 and draft amendments were approved by the government. Under the Ministry of Social Security and Labour, an agency would be in charge of the reception of and support for applicants at the Refugee Reception Centre, while other reception-related tasks would remain with the SBGS under the Ministry of the Interior.487UNHCR welcomed the proposal and underlined that the creation of the agency is key in ensuring a successful reform of the reception system.488Another amendment to the law stipulates that the decision for an applicant's accommodation must be made by the Migration Department. Applicants must be accommodated without restriction of their freedom of movement, if certain conditions are met. When assessing restrictions on the freedom of movement, the authorities must also assess the applicant's age, health, family situation and other relevant circumstances. The amendments also establish the process to appeal the decision on accommodation within 14 days before the district court.489Concerns on the emergency provisions allowing applicants to be placed in closed centres were raised by UNHCR and civil society organisations (*see Section 3.7*).

The Lithuanian Red Cross Society observed that the number of residents in the Foreigners' Registration Centre decreased at the beginning of 2023 and services were assessed overall to be of good or sufficient quality. However, the organisation pointed out that the number of residents increased again in summer 2023, and as all newly-arrived people were quarantined, other parts of the centre were transformed into quarantine facilities where the organisation's employees could not enter.490

The Greek Emergency Support to Integration and Accommodation (ESTIA) II scheme, which was designed for the accommodation of vulnerable applicants,491ended on 31 December 2022 and residents were transferred to larger mainland structures.492The civil society organisation Refugee Support Aegean noted that government-managed facilities were the only form of accommodation offered to applicants and only persons in reception camps were eligible for financial support, but the facilities were often established in remote, isolated areas without any organised transportation facilities, making it difficult for applicants for example to attend asylum interviews.493

In addition, the Committee of the Ministers of the Council of Europe continued to monitor the execution of the *M.S.S. v Greece* judgment from 2011.The government submitted a communication detailing the efforts made in 2022 and the first quarter of 2023 to improve living conditions for applicants, underlining that it had taken “serious steps in effectively dealing with issues raised in the M.S.S. group of cases”.494The Committee of the Ministers welcomed these improvements and noted that there had not been any reports of overcrowding by civil society sources, but concerns were expressed about the quality of services offered. The committee also noted that a serious lack of psychosocial and medical staff was observed on the islands, food and water were reported to be of poor quality, and on certain occasions, basic necessities were missing. The committee based these findings on a detailed report of the situation of reception in the Aegean islands, published by Refugee Support Aegean and ProAsyl.495

The ECtHR found again a violation of the ECHR, Article 3 in several cases due to inadequate reception conditions, for example, for pregnant women who had arrived in Samos in 2019 and 2020, an HIV-positive applicant who had arrived to Lesvos in 2019, and a group of 67 people staying in the Moria camp in Lesvos in 2017-2019.496The securitised character of Closed Controlled Access Centres (CCACs) continued to cause concern, for example for the European Ombudsperson,497UNHCR498and several civil society organisations.499In light of increased arrivals over summer 2023, 25 civil society organisations sounded the alarm over the lack of reception services on sea entry points, including those that lacked a dedicated reception facility, for example in Rhodes.500In December 2023, the ECtHR granted interim measures to two Afghan women and their five children due to the conditions in the CCAC in Kos.501

The Finnish Immigration Service decided to terminate the municipal model for reception at the end of 2023, which had been a temporary response to the exceptional situation caused by the aggression of Russia against Ukraine in the spring 2022. The reception system was expanded since then and considered to be sufficient to cope with the current situation.502

Institutional changes were undertaken in some countries to reflect a clearer division of tasks and more efficient cooperation among stakeholders. For example, the Spanish Directorate General responsible for reception changed its name and became the General Directorate for the Management of International and Temporary Protection Reception Systems (DGGSAPIT) to reflect its responsibility for managing reception centres for persons with temporary protection. The civil society organisation CEAR took stock a year after significant changes were introduced to the organisation and funding of the Spanish reception system.503It welcomed the more stable and transparent functioning of the system, which efficiently addresses changes in the number of applicants in need of reception.504

In Luxembourg, the responsibility for reception-related tasks moved under the Ministry of Family Affairs, Solidarity, Living Together and Reception of Refugees following the general elections at the end of 2023.

The draft Migration Code presented by the Belgian State Secretary at the beginning of 2024 includes the act on reception as an integral part of migration and aims to modernise and adapt current provisions to the actual context and practices. For example, the code aims to clearly include tasks that Fedasil has already been carrying out, such as providing support to find employment or resettlement (*see Section 3.6.3.2*).505

Criteria to distribute applicants across regions of a country were addressed. The criteria to redistribute applicants among Italian regions was revised due to a significant increase in arrivals.[506]In the Netherlands, discussions were ongoing in the Dutch parliament and senate about a new Distribution Act, which would proportionally divide the responsibility for reception places among municipalities. When occupancy is low, the places could be used for other target groups in need of accommodation, such as students, migrant workers or the homeless.[507]The Central Agency for the Reception of Asylum Seekers (COA) and other stakeholders, such as the Association of Dutch Municipalities and the Interprovincial Consultation, expressed their strong support for the new law and urged its adoption.[508]COA carried out an application test of the draft implementation legislation, the results of which fed into the discussions on improving the law.[509]The Council of State delivered its opinion on the draft legislation in January 2024 and suggested further clarification on the differences between an application facility and an application centre, the roles of chain partners and the definition of the minimum number of reception places.[510]The act entered into force on 1 February 2024.[511]

In addition, to find structural solutions to the Dutch reception crisis, the Council of Ministers agreed to more stable funding for the reception agency, allowing COA to maintain a fixed reception capacity of 41,000 places.[512]Previously, the organisation was funded based on occupied places.

To further improve the provision of material reception conditions, the Dutch COA undertook a satisfaction survey with its residents, an exercise that will be regularly repeated every 2 years. The survey covered both regular and emergency shelter locations. The results were deemed to be satisfactory, but the details would be discussed with COA staff and residents at specific locations.[513]The agency also conducted a survey of employees' psychosocial workload and work experiences. 84% of employees were (very) satisfied to work at COA. However, around 75% employees were faced with undesirable behaviour from a resident at least once, and 29% experienced some form of undesirable behaviour from a co-worker.[514]

As part of its Innovation Agenda, COA continued to look for new concepts, products, services and forms of collaboration in accommodation for the future.[515]

Temporary changes in funding were introduced in Austria, where federal provinces were granted additional reimbursement for their costs for beneficiaries of material reception conditions from October 2022 to March 2023 to cover for the impact of inflation and higher living costs. Operators of collective reception facilities and hosts of private accommodation were granted increased reimbursements per person.

In order to ensure a systematic evaluation of reception conditions, Standard Operating Procedures were developed in Romania for the implementation of an assessment process, based on the EUAA’s Practical Tool for the Assessment of Reception Conditions (ARC).

By increasing funding, Fedasil continued to encourage municipalities to open local reception initiatives (ILA) for applicants with high chances of being recognised.[516]

In France, the asylum directorate launched in March 2023 the revision of the national scheme for the reception of asylum applicants and the integration of refugees for the period 2024-2027.

Several thematic meetings with all stakeholders of the reception system were held to discuss the current challenges, the need for improvements and the way forward for the following years. Questionnaires were also sent to local state representatives and operators of all reception facilities to collect information and opinions on the French reception system.

In Sweden, the Supreme Administrative Court interpreted the provisions on the reimbursement of costs for municipalities when renting extra school premises for asylum applicants. The facts of the case related to the situation in autumn 2017, and the court concluded that the costs did not have to be linked to a particular child's special support.

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