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3.6.1.2. Adjusting reception capacity and impact on reception conditions

3.6.1.2. Adjusting reception capacity and impact on reception conditions

The significant pressure on the majority of reception systems throughout 2023 had an impact on the conditions in reception. The reasons for challenges were multifaceted and not always caused by a simple increase in the number of applicants.

In some EU+ countries, such as Croatia, Czechia, Slovakia and Slovenia, more applicants arrived but many of them also continued their route after a short time. In others, bottlenecks appeared between different levels of the reception system, for example between the federal state and the federal provincial level in Austria or between the federal and cantonal levels in Switzerland.517 Increased occupancy in Greek mainland structures slowed down transfers from the islands.518 Slow outflow from reception centres was a major issue in many countries, including in Belgium, France, Ireland, Luxembourg and the Netherlands, due to longer asylum procedures, difficulties for recognised beneficiaries of international protection to move to private housing or challenges in implementing Dublin transfers or returns.

The Belgian government and Fedasil continued to look for and adopt measures to ease the pressure on the reception system. In spring 2023, the Council of Ministers approved an increase to reception capacity through the use of EUAA containers, a continued search for new sites, the creation of additional emergency places in Brussels and financial incentives to create small-scale accommodation (ILA/LOI) through social services (CPAS/OCMW). Staff recruitment continued throughout 2023 as well. Exits from reception centres were sped up for rejected applicants and people who had been in the reception system for more than 3 years. The government confirmed that three new public contracts were awarded to private operators and temporarily extended another contract until 15 September 2023.519

Still, at the end of August 2023, the State Secretary decided to temporarily not accommodate single men in the reception network, anticipating the increase in the number of families and children seeking international protection520– a decision which was shortly afterwards suspended by the Council of State as contrary to national legislation. In September 2023, Fedasil needed to resort to emergency accommodation in hostels for families as well.521In order to address these challenges, the Council of Ministers established a special task force with the objective of finding and opening at least 2,000 new temporary places, in addition to the initiatives that were foreseen in the Winter Plan.522 By the end of 2023, over 2,500 asylum

seekers were waiting to be included in the reception network.[523]

In Croatia, the reception centre in Zagreb worked over capacity and was overcrowded, while the centre in Kutina – originally established to care for applicants with special needs – started to accommodate applicants with other profiles as well. Containers were set up to prepare for emergencies. Authorities planned to open new centres in 2024, including one near the border and under the management of the border police. Reception staff were often overburdened, so the Croatian Red Cross organised a dedicated workshop on the mental health of helpers.[524]

Expanding reception capacity and improving living conditions were objectives of the Cypriot Ministry of the Interior's migration management plan, including building a new accommodation and pre-departure centre in Limnes (within 24 months with a capacity of 800-1,000 places) and expanding the centre in Kofinou.[525]The Pournara First Reception Centre was upgraded throughout 2023 with funding from the European Commission, including maintenance, new prefabricated housing units and new equipment.[526]In its input to this report, ECRE highlighted the urgent need for these works, as reception conditions continued to raise concerns and many applicants remained at risk of destitution and homelessness.[527]

France opened 4,900 additional reception places in 2023. In its instruction published on 19 April 2023, the Ministry of the Interior determined its priorities: to open as soon as possible the new places created by the budget law, to guarantee the availability of all operators of state-financed places and to reduce the undue presence of beneficiaries of international protection or rejected applicants in the reception system.[528]The National Assembly noted that nearly 20% of reception places were occupied by residents who should not be accommodated there.[529] Informal settlements continued to exist in several parts of the country, where both applicants and undocumented migrants gathered. The 2024 national budget foresees a further increase in reception places and a reduction in the unauthorised presence of other groups of residents.[530] To alleviate the pressure in certain regions, additional ad hoc places were created in 2023, with a total capacity of 500 places.[531]

The Finnish Immigration Service tendered 17 new reception centres in two rounds in autumn and spring 2022, and decided to end the contract with centres in summer 2023.[532]The Oulu reception centre was transformed into a registration centre and used by the security authorities due to the situation at the Eastern border (*see Section 3.1*), so displaced Ukrainians needed to be moved to other reception centres. The agency acknowledged that the move was organised on a tight schedule and there were some inconveniences to residents, affecting distance to school and employment for example.[533]

In Germany, the Association of Cities and Municipalities underlined that many cities and municipalities exceeded their limits to provide accommodation and care for applicants,[534]while media sources repeatedly reported on overcrowding and alarming conditions in reception facilities in various federal states throughout 2023.[535]

In its input to this report, ECRE noted that emergency facilities needed to be used for longer periods in some places.[536]The German authorities underlined that in some cases the available capacity in both the state reception centre and the municipal collective accommodation was temporarily exhausted, making it necessary to consolidate accommodation and create or set up

emergency accommodation at short notice. Not all emergency accommodation places could fulfil the standards of collective accommodation, but these were generally used only for a few days until suitable accommodation was found. The enormous efforts of the federal states and local authorities were emphasised, in addition to the willingness of the general population to provide support, especially to displaced Ukrainians.

The Irish government paused the provision of emergency shelter for adult asylum applicants in the City West transit hub in January 2023.[537]The Irish Human Rights and Equality Commission (IHEC) assessed that the state was in breach of its human rights obligations.[538]UNHCR called for urgent action to avoid that many applicants end up being homeless and destitute.[539]In an effort to provide a quick solution to the lack of reception places, the government established an Accommodation Working Group to assist the authorities in the agile delivery of accommodation.[540]

The Irish High Court declared that failure to provide accommodation to a minor applicant was a breach of the country's obligations under the recast RCD and the EU Charter of Fundamental Rights, Article 1. The court underlined that even when reception capacities are saturated, the government must find alternative measures. The IHEC intervened in two other cases in front of the High Court, underlining the government's obligation to ensure that the basic needs of applicants are met.[541]

The Irish Refugee Council published a report on homelessness among international protection applicants and reported that almost 1,400 applicants did not receive accommodation upon arrival between 24 January 2023 – when the government decision entered into force – and 4 June 2023.[542]In October 2023, UNHCR highlighted that hundreds of applicants continued to be accommodated in tents and underlined that long-term planning for accommodation did not seem to meet the needs.[543]The International Protection Integration Fund continued to support local initiatives which aimed to integrate applicants, and in 2023, 70 projects received EUR 1.2 million,[544]compared to 67 projects receiving EUR 1.6 million in 2022.[545]

Arrivals increased again in Italy, and the Lampedusa hotspot was particularly under pressure.[546]In order to facilitate the opening and operating of hotspots and government reception centres in Italy, Law No 50/2023 allows for the derogation of certain laws, such as some provisions on public procurement, until 31 December 2025 (similarly to the opening and management of return and repatriation centres (CPRs), *see Section 3.6*). As part of the derogation from the general legal framework, the law also allows the Italian Red Cross to manage the Lampedusa hotspot. To alleviate pressure on hotspots, the law foresees that foreigners can be transferred to similar facilities on the national territory to undergo identification and registration. When government reception centres are full, the prefect may identify temporary reception facilities.[547]UNHCR expressed concern about the measures and providing adequate reception conditions under the derogations.[548]

Due to the pressure in reception, Italy kept its notification from 2022 on not accepting Dublin transfers throughout 2023 (*see Section 3.2*). The ECtHR found violations of the ECHR, Articles 3 and 13 for an applicant who was transferred from Sicily to the Cona reception centre in May 2016, which was overcrowded, lacked basic facilities such as heating and hot water, and access to medical care, legal and psychosocial support lacked. Civil society organisations, such as the

International Rescue Committee, reported on an increased number of homeless applicants staying in informal settlements at the north-east border.549

Reception structures in Luxembourg reached near full capacity at the end of 2023 and a waiting list was established for single men. Access to accommodation is evaluated by priority criteria, with applicants with special needs to be included in the reception system with priority. Those on the waiting list are oriented to other social support structures.550

To respond to growing arrivals, a new reception centre was opened in Alūksne, Latvia, with a capacity of 252 places. The new centre accommodates single people, while the already-existing one, with 450 places, is intended mainly for families.551In Bulgaria, the construction of a third safe zone for unaccompanied children started in the Harmanli reception centre (*see Section 4.6.5*), without increasing the overall capacity of the centre.552

Challenges persisted in Luxembourg, mainly because recognised beneficiaries of international protection could not find accommodation on their own. Several new reception structures were opened throughout 2023, both for applicants for international protection and persons with temporary protection.

The need for reception places continued to significantly grow in the Netherlands as well. Based on the forecast at the end of 2023, COA needed to arrange for 96,000 reception places by 1 January 2025, including more places for unaccompanied children (8,000). As many emergency places were set to close, the forecast meant that COA needs to create 52,900 reception places by the end of 2024. COA noted that the expected increase was not necessarily due to a corresponding increase in the number of new applications for international protection, but rather residents staying longer in reception as there was an important backlog in the processing of applications (*see Section 3.4*). In addition, the number of beneficiaries of international protection stuck in reception was also expected to rise, to approximately 21,000 persons. The COA director noted that an important acceleration of outflow would be required.553The agency started a live blog in September 2023, in order to document the new arrivals and the arising needs for reception places as they happened, focusing on the situation at the Ter Apel application centre, where asylum seekers are directed to complete the first steps of the procedure.554

The pressure was especially hard on the central reception facility in Ter Apel, at times 700 people waiting for the identification and registration process.555Following up on the highly-mediatised tragedy when a baby died at the emergency shelter at Ter Apel, the Health and Youth Care and the Justice and Security Inspectorates found that a relationship could not be established between the conditions in the sports hall where the family was accommodated and the baby's death. The report also underlined that there was no connection to the care provided or access to care. The Justice and Security Inspectorate also indicated that COA employees did everything within their capabilities.556In June 2023, a waiting room was opened in Assen to accommodate new arrivals and relieve the pressure on Ter Apel.557Deteriorating reception conditions in emergency reception facilities raised alarm throughout the year.558

Difficulties in implementing Dublin transfers contributed to bottlenecks in the Netherlands, and several measures were undertaken to speed up procedures (*see Sections 3.2 and 3.4*). New process availability facilities (*proces beschikbaarheidslocaties*, PBL) were piloted to swiftly

process Dublin cases and efficiently implement transfers.559

Scaling up the reception capacity continued in Norway, and agreements were concluded for additional ordinary reception centres and emergency accommodation places.560To reflect changes in administrative practices, the Ministry of Justice and Public Security issued new instructions to the UDI on applicants' accommodation. The document outlines the roles and responsibilities of the different authorities involved in the reception process and highlights the need to provide suitable accommodation as part of an efficient and flexible reception system. 561Expanded reception capacity required more training, both for UDI staff acting as contact points for reception centres and staff employed in reception centres.

The Portuguese Santa Casa de Misericórdia de Lisboa (SCML) provides second-line reception for applicants, and the organisation observed increasing difficulties in ensuring accommodation for applicants in 2023, especially in urban areas. When contracted reception places are full, the organisation provides material reception conditions in cash, but due to a shortage in affordable rentals in the private housing market, applicants find it more and more difficult to secure decent living conditions.562

In Romania, capacity in regional reception centres was expanded with containers, and a new centre was planned to be opened in Crevedia, Dâmbovița County, with a capacity of 500 places. Renovation works were ongoing in several centres to maintain good conditions. The Romanian National Council for Refugees, a civil society organisation, observed that capacity and conditions remained stable in 2023.563UNHCR observed an important gap in essential services to applicants, when AMIF-funded services ceased in October 2023 due to the end of the funding cycle and were expected to re-start only later in 2024 with the new funding cycle.

Authorities in Slovenia also faced challenges to provide durable reception places for applicants. Several calls were launched throughout 2023, but no suitable tenders were submitted. UNCAT recommended that authorities intensify efforts to reduce overcrowding and improve material conditions in reception facilities.564

In Spain, authorities continued to work to increase reception capacity under the network of reception centres under the Ministry of Inclusion, Social Security and Migration (centres for international protection, *centros de acogida de proteccion internacional*, CAPI). In addition, several humanitarian assistance centres were opened throughout 2023, and works started for the operalisation of more centres in 2024. The civil society organisation CEAR welcomed these developments, as well as the rapid referrals and transfers from the Canary Islands to the mainland, which resulted in a stable situation.565Still, the Spanish Ombudsperson continued to receive complaints from applicants who were not assigned an accommodation.566

Cooperation with local municipalities has grown over the years across EU+ countries, resulting in innovative solutions for the reception of applicants for international protection.567 However, authorities at times faced hostilities – extensively documented in media sources – when trying to arrange new facilities, for example in Belgium, France, Germany, Ireland, the Netherlands and Spain.

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