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4.7.1.3 Reorganising and adapting reception systems

Previous deliberations on re-organising reception systems and addressing weak points led to the launching of new initiatives, for example in France, Ireland, Italy, the Netherlands and Norway. Earlier efforts continued to re-shape reception in Greece, which aimed to address long-standing issues reported by UNHCR and civil society organisations,[532] especially after the fires that destroyed the reception camp in Moria.

The new “National plan for the reception of asylum applicants and the integration of refugees” (SNADAR) was adopted in France and planned to be implemented during 2021-2023.[533] The plan aims to ease the burden on the Ile-de-France region, where most of the applicants would like to stay but where reception capacity is overstretched and leaves many to sleep out of accommodations.[534] This has been a persisting issue for many years, and for example, the ECtHR found in one case, where the applicants applied for asylum in 2013, that the French authorities violated the prohibition of inhuman or degrading treatment as the men were left more than 100 days without any financial or in kind support. However, in another case with facts also dating back to 2013, the ECtHR took into account the efforts of the authorities in providing the applicant family with all the necessary basic services and moving them quickly to a permanent reception structure from a temporary reception facility with tents in a parking lot. Thus, it found that there was no violation of the ECHR, Article 3, prohibition of torture and inhuman or degrading treatment, even though the conditions in general were unsatisfactory in the camp (see hereunder).

Other critical areas existed with the informal camps in northern France, for example in Lille and Calais, where potential applicants stay in hope of crossing the Channel to the United Kingdom. Police regularly evicted these sites and national authorities aim to guide applicants to formal reception facilities, but many will voluntarily return to these informal camps in order to prepare their attempt to cross the English Channel. Civil society organisations stepped in to provide support. Their activity gave rise to court cases, for example in Lille, where the court found the prefecture could prohibit the distribution of food and drinks in a certain area of the city, given that persons in need had access to an adequate amount and quality of food distributions in other parts of the city *(see Section 5)*.[535]

Based on the findings of the report of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process, the reform of the reception system continued in Ireland.[536] In 2020, the government committed in the Programme for Government to end Direct Provision and replaced it with a new international protection

accommodation policy centred on a not-for-profit approach. It also committed to publish a White Paper by the end of 2020, based on the recommendations of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process, which will set out how this new system will be structured and the steps to achieving it. A White Paper to End Direct Provision and to Establish a New International Protection Support Service was published 26 February 2021.[537] The White Paper sets out a new model which is distinctively different from the system currently in place. The new system will be called the International Protection Support Service and will be supported by accommodation solutions provided, on a not-for-profit basis, where possible. The model is centred on a human rights approach, with key supports geared towards ensuring integration with independence.[xxxv] The Department of Children, Equality, Disability, Integration and Youth will lead the development of the new system, which will come into effect in a phased process between 2021 and the end of 2024. UNHCR called on the government to urgently implement key recommendations from the Advisory Group's report instead of waiting for the outcome of the White Paper process.[538] It especially underlined that an independent inspectorate should be established to monitor compliance with the National Standards for Accommodation Offered to People in Protection Process, which were published in 2019[539] and became binding on 1 January 2021.

The Italian reception system underwent again some important changes, following a previous reform just 2 years ago. The System of Protection for Beneficiaries of International Protection and Unaccompanied Foreign Minors (SIPROIMI) opened again for asylum applicants and changed its name to System for Reception and Integration (SAI). However, some differences remained in the services which were provided according to the legal status of residents: only beneficiaries of protection can benefit from labour orientation and professional training. The legislative amendments also allow applicants to register in the public registry, which is necessary to obtain an ID card and have access to the labour market.[540] The amendments follow the Constitutional Court's ruling from earlier in 2020 that declared it was unconstitutional to prohibit the registration of applicants in the public registry, noting that the measures were discriminatory, stigmatising and inconsistent with the declared objectives of the previous law. However, previous concerns about the conditions in reception centres and the lack of places persisted and were considered to be a risk for COVID-19 contagion.[541]

The Dutch Central Agency for the Reception of Asylum Seekers (COA) published its new multiannual strategy, which defines its measurable targets for the next 5 years. The strategy aims for more cooperation, openness and flexibility within the reception system, focusing on the development of self-reliance and resilience in asylum applicants.[542]

The UDI in Norway reformed its reception system, building on a number of long-term contracts which cover the basic level of capacity needs (basic reception). Additional short-term contracts may be signed to fill the gap related to fluctuations in capacity needs.[543] In addition, the arrival centre was re-organised to include a wider range of stakeholders, including for example the asylum authority. Applicants stay at the arrival centre for 3 weeks, where they go through the identification and registration process, health checks and the asylum interview. The UDI aims to deliver a decision within this period for at least 70% of applicants.[544] To support this process, the MOT system was introduced for reception administration, and it is planned to be further developed in 2021.

The Council of Ministers in Portugal adopted a resolution establishing a single system for the reception and integration of beneficiaries of international protection.[545] The resolution foresees the creation of a Single Operative Group to ensure coordination among the different state authorities and underlined that the provision of material reception conditions needs to be adapted to the new approach.

Following the amendments from 2019, which require adult applicants to live in an initial reception centre for a maximum of 18 months (extendable to 24 months) instead of the previously-applicable maximum of 6 months,[546] German reception centres started to adapt their reception infrastructure and staff numbers.

An amendment in Switzerland settled the funding of security costs of federal reception centres when they are temporarily closed. The confederation pays a lump sum for a year, even when the centre is closed.[547]

A project was launched in Romania, aiming to develop a monitoring and evaluation system of the reception conditions in different facilities. However, its implementation was temporarily put on hold due to the pandemic.

In Greece, the Ministry of Migration and Asylum took over the management of the accommodation component of the ESTIA II programme from UNHCR, while UNHCR continued to support the reception authorities to gradually assume the programme through a technical assistance project which is funded by the European Commission's Directorate-General for Structural Reform Support (DG REFORM).[548] In this framework, 67 hotel accommodation facilities were planned to be closed in Greece by the end of 2020, transferring residents to other inland structures.[549] However, the long-standing issues in the Reception and Identification Centres on the Greek islands persisted. The Moria reception camp in Greece was destroyed entirely by fires at the beginning of September 2020, leaving 12,362 persons, including women and children, without shelter.[550] The European Commission established a task force to resolve the emergency situation, involving the European Commission, EASO, Europol, Frontex, FRA and the Greek authorities and working in close cooperation with UN organisations and civil society partners. The task force worked on a pilot project, together with the Greek authorities, to set up new reception facilities. The European Commission granted EUR 750,000 emergency assistance to Greece, and the country also received support through the EU's Civil Protection Mechanism.[551]

Unaccompanied children were transferred from Lesvos to the mainland and relocated to other EU Member States *(see Section 2).* By the end of 2020, more than 1,600 persons overall were relocated from Greece to 13 Member States
and 3 associated countries, consisting of unaccompanied minors, families with children affected by serious medical conditions and families who were beneficiaries of international protection. Approximately 7,200 persons remained in temporary camps on the island.[552] The European Commission, EASO, Europol, Frontex, FRA and the Greek authorities signed a memorandum of understanding in December 2020 to create a new, up-to-standard reception centre on Lesvos by September 2021.[553] In addition, a grant agreement was signed for the construction of three new facilities on the islands of Samos, Kos and Leros [554] UNHCR increased its immediate shelter

support for the establishment of the temporary camp[555] and noted that "(t)he incidents at Moria demonstrate the long-standing need to take action to improve living conditions, alleviate overcrowding, improve security, infrastructure and access to services in all five reception centres on the Greek islands".[556]

The Spanish reception system is also likely to undergo major reform in the coming years. The State Secretary for Migration signed new instructions in December 2020, noting that only recognised beneficiaries of international protection can be referred to the second phase of the national reception system as of 2021.[557] The decision comes in response to the increasing number of arrivals from Latin America in recent years, which put pressure on the national reception system.[558] The growing number of sea arrivals to the Canary Islands created additional challenges to assess the mixed flows of persons who needed international protection and economic migrants who generally did not need protection.[559] The EU Commissioner for Home Affairs visited the island [560] and the European Commission announced funding of EUR 43.2 million – on top of the EUR 49.6 million allocated in 2019 – to address immediate needs, for example for shelter, food, medical care and detecting potential victims of human trafficking.[561]

Civil society organisations continued to report on the acute shortage of places and the difficulties of subsequent applicants to access the reception system,[562] especially for stateless applicants and those whose asylum application was first rejected through the fast-track border procedure implemented in Ceuta and Melilla.[563] Similarly to France, applicants without access to reception were typically living in informal camps which were spread across the Spanish territory, especially in and around Madrid.[564] However, Andalucía Acoge noted that the new system would probably decrease the autonomy of applicants as it also foresees a shift to provide material reception conditions more in kind instead of cash.[565]

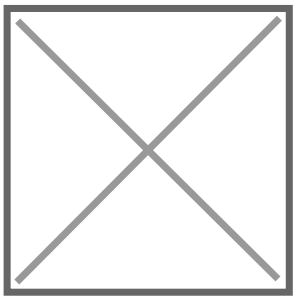
Efforts from 2019 to enhance material reception conditions and provide more adequate reception facilities in Cyprus were slowed down due to the pandemic. The arrival centre in Pournara was converted into a closed facility for the period of confinement, and this measure was still in place at the end of 2020. Around 100 to 200 newly-arrived applicants were sheltered in tents outside the centre, as its capacities were reaching above the maximum. Vulnerable groups were moved to other accommodation units, such as hotels. However, UNHCR reported that still in June 2020 there were 47 unaccompanied minors in the camp sharing facilities with adults, and it had been alerted to incidents which could amount to sexual harassment.[566]

Civil society organisations raised similar concerns in Czechia, where the detention facility for women, families and vulnerable groups was transformed into a quarantine facility for new arrivals, where all new applicants for international protection needed to undergo PCR test, usually 5 days after arrival *(see Section 4.1)*. The Czech Organization for Aid to Refugees and the Forum for Human Rights reported in their joint input that women, men and families were not separated within the facility and they received reports about several incidents, including one of sexual assault. The Ministry of the Interior stated that incidents reported by NGOs were not caused by the lack of separation of men and women, as this measure was maintained, but by tensions in quarantine.

The AIDA report for Croatia presented testimonies that the self-isolation section of the reception facility in Zagreb did not provide for enough space.[568] The Croatian Ministry of the Interior

underlined that this section was arranged based on the recommendations of the Croatian Public Health Institute and applicants were under constant medical observation. The ministry added that material reception conditions and the level of accommodation were the same in the self-isolation section as in other sections of the centre.[567]

Italy[569] and Malta started using ships as quarantine facilities for persons arriving by sea for the initial quarantine period, a measure which was heavily criticised by civil society organisations[570] *(see Section 4.1).* In Italy, these facilities were later used for applicants who tested positive within a reception facility and needed to be quarantined elsewhere. Civil society organisations condemned these coercive measures, and for example, the Association for Juridical Studies on Migration (ASGI) assessed them as illegal and discriminatory.[571] In addition, ASGI reported that quarantine buses were used in Udine for applicants for around 20 days before other, more adequate solutions were established.[572]



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[539] See: European Asylum Support Office. (June 2020). *EASO Asylum Report 2020: The Situation of Asylum in the European Union*. https://easo.europa.eu/asylum-report-2020
[540] Legge 18 dicembre 2020, n. 173 Conversione in legge, con modificazioni, del decreto-legge 21 ottobre 2020, n. 130, recante disposizioni urgenti in materia di immigrazione, protezione internazionale e complementare, modifiche agli articoli 131-bis, 391-bis, 391-ter e 588 del codice penale, nonche' misure in materia di divieto di accesso agli esercizi pubblici ed ai locali di pubblico trattenimento, di contrasto all'utilizzo distorto del web e di disciplina del Garante nazionale dei diritti delle persone private della liberta' personale. (20G00195) [Law No 173 of 18 December 2020, Conversion into law, with amendments, of Decree-Law No 130 of 21 October 2020 laying down urgent provisions on immigration, international protection and supplementary protection, amendments to Articles 131-bis, 391-bis, 391-ter and 588 of the Criminal Code, as well as measures concerning the prohibition of access to public establishments and premises of public detention, combating the misuse of the web and regulating the rights of persons deprived of personal freedom. (20G00195)]. https://www.gazzettaufficiale.it/eli/id/2020/12/19/20G00195/sg
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