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4.7.3.6. Health

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Following an increased focus on facilitating applicants' access to health care and special support for their mental wellbeing which was prompted by the COVID-19 pandemic, only a few developments were reported in 2022. As the number of residents increased, Member States aimed, but sometimes struggled, to ensure that at least the minimum services were offered. Overcrowding sometimes led to outbreaks of communicable diseases, such as scabies.679

Overall, both national authorities and civil society organisations in many EU+ countries observed that the state of health of applicants had been deteriorating and they arrived in reception in worrying physical and mental conditions. The UNHCR Executive Committee highlighted the need to include mental health and psychosocial support when planning policies to address applicants' needs and encouraged states to include applicants and beneficiaries of international protection in designing and delivering services.680

The majority of initiatives focused on facilitating the inclusion of beneficiaries of temporary protection into national health care systems, in addition to providing swift mental health support.681

The Spanish Ministry of Inclusion, Social Security and Migration announced that applicants for international protection who have not yet been given a final decision on their case would not be withdrawn from the national social security system. In practice, this will mean that applicants will be able to continue living, working and accessing health care in Spain, while their asylum appeals are pending. The Spanish Ombudsperson welcomed this development after many complaints were submitted.682

The decision follows a ruling from the Spanish Supreme Court. Convive-Fundación Cepaim underlined that the legislation allows for re-entering the reception system but not for continued stay, which in practice may mean that applicants must queue again and may potentially be re-homed to another location. This could cause disruption for example in the continuity of medical treatment for applicants with special needs or in the continuity of education for children.683

The Helsinki Foundation for Human Rights underlined that applicants had difficulties in accessing health care in Poland, as contracted clinics were often in remote parts of the city, which were difficult to reach from reception facilities. Interpreters were also rarely provided for medical consultations.684

The Court of the Hague also observed the lack of swift access to health care in its judgment assessing reception conditions in Ter Apel and ordered the Dutch State and COA to ensure that applicants have immediate access, at least to emergency treatment and the essential treatment of diseases and serious mental disorders.

- 679See for example: De Morgen (2022, November 7). 'De medische situatie is erg zorgwekkend. Er doen zich schurftuitbraken voor': Thomas Willekens (Vluchtelingenwerk) ["The health situation is very worrying. Scabies outbreaks are occurring. Thomas Willekens (Refugee Council)]. https://www.demorgen.be/nieuws/de-medische-situatie-is-erg-zorgwekkend-er-doen-zich-schurftuitbraken-voor-thomas-willekens-vluchtelingenwerk~bc430ca0
- 680United Nations High Commissioner for Refugees. (October 2022). Executive Committee of the High Commissioner's Programme Conclusion No. 116 (LXXIII) on mental health and psychosocial support. https://www.refworld.org/docid/634969224.html; United Nations High Commissioner for Refugees. Refugees need better mental health support amid rising displacement. https://www.unhcr.org/news/news-releases/refugees-need-better-mental-health-support-amid-rising-displacement
- 681European Union Agency for Asylum. (2022). Who is Who - Temporary protection for displaced persons from Ukraine. https://whoiswho.euaa.europa.eu/temporary-protection; European Migration Network. (November 2022). Access to services for beneficiaries of temporary protection. EMN Inform. https://home-affairs.ec.europa.eu/system/files/2022-11/EMN_INFORM_services.pdf
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- 684Helsinki Foundation for Human Rights | Helsińska Fundacja Praw Człowieka. (2023). Input to the Asylum Report 2023. https://euaa.europa.eu/sites/default/files/2023-02/helsinki_foundation_for_human_rights.pdf

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