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EUROPEAN MIGRATION NETWORK

Second Focussed Study 2013

The Organisation of Reception Facilities for Asylum Seekers in the different Member States

Common Template

Final Version: 10th April 2013

Subject: Common Template for the EMN Focussed Study 2013 on “*The Organisation of Reception Facilities for Asylum Seekers in the different Member States*”.

Action: EMN NCPs are invited to submit their completed Common Templates by 12th August 2013. If needed, further clarifications can be provided by directly contacting the EMN Service Provider (ICF GHK-COWI) at emn@ghkint.com.

I. Target Audience

- Practitioners, policy officers and decision makers (at EU and national levels) concerned with the reception of applicants for international protection;
- Other groups (e.g. academic researchers and the general public) interested in the topic.

II. Background and Context

Since the adoption of the Reception Conditions Directive of 27 January 2003¹, laying down minimum standards for the reception of applicants for international protection, the provision of dignified standards of living for applicants for international protection has become a core pillar in the development of a Common European Asylum System (CEAS). Indeed, the Stockholm Programme provides that individuals, regardless of the Member State in which their application for international protection is made, should be offered an “equivalent level of treatment as regards reception conditions”. Accordingly, the Commission’s proposal for a recast Reception Conditions Directive aims to ensure “adequate and comparable reception conditions throughout the EU”².

However, despite introduction of harmonised reception standards at EU level and codification in national legislation, Member States have difficulty to ensure (similar) reception conditions in practice. Such difficulties consist of, on the one hand, shortages of available places for applicants and, on the other hand, differentiation of reception conditions between Member States or even at sub-state level, with several Member States not applying the provisions of the Reception Conditions Directive in *all* premises hosting applicants for international protection³.

(Member) States are presented with different challenges, due to both external as well as internal factors which place considerable pressure on the reception systems. External factors include the high and/or fluctuating number of applications for international protection, which put pressure on (Member) States’ reception systems, in particular on their capacity and the consequent costs. Internal factors relate to the processing time of applications as well as the time required to implement decisions. High numbers and sudden influxes (external factors) impact the processing time of applications and the capacity to follow up on decisions (internal factors), possibly resulting in extended stays at reception facilities. The number of applicants arriving and extended stays may impact the quality of reception conditions. Indeed, Directive 2003/9/EC currently acknowledges that Member States may exceptionally set different modalities for *material* reception conditions, when, for example, the housing capacities normally available, are exhausted for a shorter or longer period. The Commission’s proposal for a recast Reception Conditions Directive, however, foresees to limit these circumstances⁴.

¹ Council Directive 2003/9/EC of 27 January 2003; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:031:0018:0025:EN:PDF>

² COM (2011) 320 final, Amended Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of asylum seekers (Recast), p. 5: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0320:FIN:EN:PDF>

³ Report from the Commission to the Council and the European Parliament on the application of Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers, 26/11/2007, COM (2007) 745 final: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0745:FIN:EN:PDF>

⁴ COM (2011) 320 final, Amended Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of asylum seekers (Recast), p. 5: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0320:FIN:EN:PDF>

These challenges require an organisation of reception facilities sufficiently *flexible* to adapt to fluctuating numbers and to react promptly to sudden high influxes. It must moreover have sufficiently *efficient* procedures to ensure swift turnaround in the centres and to limit costs. In working towards optimal flexibility and efficiency, it is at the same time essential that *quality* standards for reception conditions are maintained.

It follows that flexibility, efficiency, cost control and the quality of reception facilities are interlinked. Indeed, this is also recognised at EU level as the Commission's proposal for the recast Reception Conditions Directive states that it should be viewed together with the proposal on the Asylum Procedures Directive, which, inter alia, aims to improve the efficiency and quality of national systems which should reduce (Member) States' reception costs by enabling them to deliver decisions quicker⁵.

III. Aim of the study

The overall aim of this study is to inform the target audience, the Commission and the European Asylum Support Office (EASO) on the organisation of reception facilities for applicants for international protection in the different (Member) States, identifying good practices and existing mechanisms for efficient, flexible reception facilities whilst maintaining the quality of such reception facilities and controlling costs.

More specifically, the Study aims to:

- Analyse similarities and differences in the organisation of reception facilities, by providing an overview of: the different types of accommodation facilities; different types of actors involved in the provision of such facilities; the take-up⁶ of reception facilities and the different factors influencing the allocation of applicants to the available reception facilities. With regard to the latter, the Study will also aim to investigate whether (Member) States sufficiently take into account the special needs of vulnerable groups when deciding on allocation of applicants to different types of reception facilities;
- Analyse similarities and differences in basic material reception conditions provided for by (Member) States' national legislation: food, clothing, housing and financial allowance (quality);
- Identify good practices of (Member) States in handling (disproportionate) pressure on their reception system (flexibility);
- Provide an overview of the in-and outflow of applicants for international protection and the costs of reception facilities as a first step to assessing the efficiency of (Member) States' reception facilities⁷;

⁵ COM (2011) 320 final, Amended Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of asylum seekers (Recast), p. 3.

⁶ The take-up of reception facilities refers to how reception facilities are taken up by applicants for international protection, in terms of which categories of applicants are entitled to reception facilities.

⁷ This would be a first step towards assessing the efficiency of Member States' reception facilities. A complete comparative analysis on the efficiency of Member States' reception facilities is not possible at this stage due to great divergences in services included under reception costs in different Member States. The European Platform of Reception Agencies aim to investigate methods to improve comparability of Member States' reception costs for which workshops are planned to take place in the 4th quarter of 2013.

IV. Research Questions

The overall research question is to analyse to what extent structural and procedural parameters (organisation of the reception system) have an impact on the flexibility, efficiency, and quality of reception facilities. Specific questions include:

- What different types of reception facilities exist? Which actors are involved in the provision of reception?
- Which types of applicants for international protection are entitled to reception facilities (e.g. depending on stage/type of procedure)?
- What factors influence the allocation of applicants to (different types of) reception facilities? Are the specific needs of vulnerable groups of applicants taken into account when deciding on allocation to different types of reception facilities?
- Are there any differences in (Member) States' national legislation concerning material reception conditions (food, clothing, financial allowance) granted to applicants of international protection?
- What flexibility mechanisms do (Member) States have in place to cope with fluctuation or high influxes of applicants? Have these mechanisms been used in practice and how effective have they been in handling disproportionate pressure on the reception system?
- What are the costs of the current reception facilities provided in the (Member) States? What is the median duration of stay and average occupancy rate in reception facilities?

V. Content

First, the Synthesis Report will address the organisation of reception facilities in different (Member) States. An overview will be provided on the different types of accommodation facilities, categories of applicants entitled to reception, and the competent authorities that decide on allocation to different facilities. The organisation of reception facilities will further be examined by review of the responsible financial and executive authorities and factors for deciding on the allocation of applicants to different types of reception facilities. Such factors may, for example, relate to capacity, existence of a possible dispersal mechanism (for purposes of burden-sharing as to evenly distribute the costs throughout the country), the type and stage of asylum procedure, type of applicants (age, sex, family situation, and medical conditions), duration of proceedings, or any other factors. It will also be investigated whether (Member) States take into account the specific needs of vulnerable groups of applicants when deciding on allocation.

Next, the Synthesis Report will address the quality of reception facilities by review of national legislation and public debate on basic reception conditions (i.e. food, clothing, and financial allowance) that relate to the nature of the experience of being accommodated in a reception facility. Furthermore, (Member) States are asked to provide information that relate to the experience of being accommodated in a reception facility, such as the available surface per applicant (in square meters), the supervision rate (the number of staff per applicant) and (Member) States are also asked to specify whether applicants can take part in organised leisure activities. Finally, to provide a more comprehensive overview of rights granted, a table is included in the Annex which will map additional rights (such as emergency health care, legal aid, employment etc.) granted to applicants for international protection in the (Member) States' reception facilities as laid down in national legislation.

The Synthesis Report further aims to identify good practices of (Member) States who have successfully handled (disproportionate) pressure on their reception system. An overview will be provided on the extent of pressure experienced by (Member) States including a review on

the total number of applicants entitled to reception, the total number of applicants in reception facilities and figures/estimations of the capacity and occupation rate. The different flexibility mechanisms will be mapped and analysis will address the use and effectiveness of such mechanisms, aiming to identify good practices.

Finally, analysis will address the efficiency of (Member) States' reception facilities in terms of costs and in-and-outflow of applicants for international protection. An overview of (Member) States reception costs and in-and-outflow of applicants for international protection will be provided. This section will however not include a comparative analysis due to the complexity of comparing reception costs between (Member) States.

VI. Available statistics

Below is an overview of statistics that (Member) States are required to provide in this Study, specifying the relevant sections of the Template.

Eurostat

Eurostat provides statistics relevant to this study, which will be incorporated into the respective sections of the national contributions to be produced by each EMN NCP.

- Annual⁸ statistics on the number of applications for international protection from 2008-2012 (this will be incorporated under the section flexibility in relation to the pressure experienced on the reception systems in Member States);
- Annual statistics on pending applications for international protection from 2008-2012 (this will be incorporated under the section of efficiency);
- Annual statistics on first instance decisions (this will be incorporated under the section efficiency).

National statistics

- Total number of applicants for international protection entitled to reception⁹ in the (Member) State per year from 1 January 2008 to 31 December 2012 (Section 4 on flexibility);
- Total number of applicants for international protection who were accommodated in the (Member) States' reception facilities per year from 1 January 2008 to 31 December 2012 (Section 4 on flexibility);
- Maximum number of applicants for international protection who can be accommodated in the (Member) States' reception facilities - if possible disaggregated by type of facility – per year from 1 January 2008 to 31 December 2012 (Section 4 on flexibility);
- Average occupation rate in the (Member) States' reception facilities - if possible, disaggregated by type of facility – per year from 1 January 2008 to 31 December 2012 (Section 4 on flexibility);
- Total (direct and indirect) costs of the (Member) States' reception of applicants for international protection, where possible disaggregated by Dublin and non-Dublin cases per year from 1 January 2008 to 31 December 2012 (Section 5 on efficiency);
- Inflow of applicants for international protection in (Member) State's reception facilities per year from 1 January 2008 to 31 December 2012 (Section 5 on efficiency);

⁸ Whilst these statistics are provided on a monthly basis, they will be aggregated to a twelve month period.

⁹ These statistics are requested to provide an overview on the number of applicants in reception as a whole, differentiating between those accommodated in reception facilities and those applicants who are entitled to reception, but who do not require accommodation (but do receive other services e.g. a financial allowance).

- Outflow of applicants for international protection from (Member) States' reception facilities from 1 January 2008 to 31 December 2012 (Section 5 on efficiency);
- The median duration and interquartile ranges¹⁰ of the applicants' stay at reception facilities per year 1 January 2008 to 31 December 2012 (Section 5 on efficiency).

VII. Definitions

The following key terms, principally coming from Directive 2003/9/EC, Directive 2011/95/EU, and the EMN Glossary, used in the Common Template are defined as follows:

Accommodation centre means any place used for collective housing of asylum seekers. (Source: Article 2 (l), Directive 2003/9/EC and the EMN Glossary)

Applicant for international protection means a third-country national or a stateless person who has made an application for international protection in respect of which a final decision has not yet been taken. (Source: Article 2 (i), Directive 2011/95/EU)

Application for international protection means a request made by a third-country national or a stateless person for protection from a Member State, who can be understood to seek refugee status or subsidiary protection status, and who does not explicitly request another kind of protection outside the scope of Directive 2011/95/EU that can be applied for separately. (Source Article 2 (h) Directive 2011/95/EU)

Country of origin means the country or countries of nationality, or, for stateless persons, of former habitual residence. (Source Article 2 (n) Directive 2011/95/EU)

Final decision refers to a decision on whether the third-country national or stateless person be granted refugee status by virtue of Directive 2011/95/EU and which is no longer subject to a remedy within the framework of Chapter V of this Directive irrespective of whether such remedy has the effect of allowing applicants to remain in the Member States concerned pending its outcome, subject to Annex III to this Directive. (Source: EMN Glossary)

Gender refers to the socially constructed attributes, roles, activities, responsibilities and needs predominantly connected to being male or female in given societies or communities at a given time. (Source: EMN Glossary)

Material reception conditions mean the reception conditions that include housing, food and clothing, provided in kind, or as financial allowances or in vouchers, and a daily expenses allowance. (Source: Article 2 (j), Directive 2003/9/EC and the EMN Glossary)

Reception conditions mean the full set of measures that Member States grant to applicants for international protection in accordance with Directive 2003/9/EC. (Source: Article 2 (i), Directive 2003/9/EC and the EMN Glossary)

Reception facilities refer to all forms of premises used for the housing of applicants for international protection.

Unaccompanied minors means a minor who arrives on the territory of the Member States unaccompanied by an adult responsible for him or her whether by law or by the practice of the member State concerned and for as long as he or she is not effectively taken into care of such a person; it includes a minor who is left unaccompanied after he or she has entered the territory of the Member States. (Source: Article (l), Directive 2011/95/EU)

Vulnerable persons refers to minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children and persons who have been

¹⁰ We anticipate a skewed distribution of durations, and hence the median and interquartile ranges are more appropriate parameters than the average.

subjected to torture, rape or other serious forms of psychological, physical or sexual violence. (Source: Article 17, Directive 2003/9/EC and the EMN Glossary)

VIII. Relevant previous/current work on the topic

Relevant studies

There is a wealth of literature on reception conditions for applicants for international protection. Extensive work has, in particular, been done on the quality of reception conditions in the different (Member) States. See for example:

- Comparative overview on the implementation of Directive 2003/9 of 27 January 2003 laying down minimum standards for the reception of asylum seekers in the EU Member States undertaken by the Odysseus Network in 2006¹¹.

The added-value and primary focus of the Study therefore relates to the efficiency and flexibility of reception facilities, while maintaining quality standards. Relevant studies include for example:

- S. Rosenberger and A. König. “Welcoming the Unwelcome: The Politics of Minimum Reception Standards for Asylum Seekers in Austria”, *Journal of Refugee Studies*, Vol. 25, No. 4, 2011.
- Value for Money & Policy Review, Asylum Seeker Accommodation Programme, Reception and Integration Agency, Final Report May 2010.

Relevant EMN Ad Hoc Queries and Studies

Ad Hoc Queries

- Access to the labour market *Requested January 2013*;
- Expenditure of the Asylum System *Requested September 2012*;
- Activities in reception Centres for Asylum Seekers *Requested July 2012*;
- Estimated costs for 2012 for the reception of asylum seekers *Requested February 2012*;
- Allowances cash or in kind for asylum seekers *Requested March 2012*;
- Welfare allowances *Requested December 2010*;
- Rules of access to labour market *Requested October 2012*;
- System of asylum applicants centres *Requested September 2010*;
- Cost in the reception system *Requested June 2010*;
- System of medical treatment of asylum seekers *Requested May 2010*;
- Asylum Seekers right to work *Requested November 2009*;
- Cash and or other benefits granted to asylum applicants *Requested August 2009*.

EMN Studies

- Reception Systems, their capacity and the social situation of asylum applicants (requested 2006)
- The Structure of Migration and Asylum Policy in Latvia

¹¹ http://ec.europa.eu/home-affairs/doc_centre/asylum/docs/odysseus_synthesis_report_2007_en.pdf

EMN NCPs are asked to list any other relevant (national) previous/current work on the study topic in their National Contribution.

IX. Advisory Group

For the purpose of providing support to EMN NCPs while undertaking this Focussed Study and for developing the Synthesis Report, an “Advisory Group” has been established. The members of the Advisory Group for this study, in addition to the EMN Service Provider (ICF GHK-COWI), are the BE, FR, LU, LV, SE, and UK EMN NCPs. EMN NCPs are thus invited to send any requests for clarification or further information on the Study to the following “Advisory Group” members:

- BE EMN NCP; email: Peter.vanCostenoble@ibz.fgov.be; Ina.vandenBerghe@ibz.fgov.be
- FR EMN NCP; email: Emn@immigration-integration.gouv.fr
- LV EMN NCP; email: Emn@pmlp.gov.lv
- LU EMN NCP; email: Adolfo.Sommarribas@uni.lu; Joaquim.Monteiro@uni.lu; Lisa.Lu@uni.lu
- SE EMN NCP; email: Emn@migrationsverket.se; Marie.Bengtsson@migrationsverket.se; Bjorn.Bergstrom@migrationsverket.se
- UK EMN NCP; email: Emn@homeoffice.gsi.gov.uk; Magnus.Gittins@homeoffice.gsi.gov.uk
- COM: Magnus OVILIUS, Magnus.OVILIUS@ec.europa.eu
- EMN Service Provider (ICF-GHK-COWI): Emn@ghkint.com;

X. Timetable

Date	Action
Week of 17 th February 2013	Circulation of <u>Version 1</u> of the Common Template to EMN NCPs
25 th February 2013	Submission of comments from EMN NCPs on Version 1
26 th February 2013	Advisory Group Meeting in Brussels to discuss comments
Week of 11 th March 2013	Circulation of <u>Version 2</u> of the Common Template
18 th March 2013	<u>Submission of final comments from EMN NCPs on Version 2</u>
10 th April 2013	<u>Finalisation</u> of the Common Template and <u>launch</u> of the study
Week of 12 th August 2013	<u>Submission</u> of National Contributions to this Study by EMN NCPs.
Week of 9 th September 2013	<u>Presentation</u> of draft Synthesis Report ¹²
Mid October 2013	<u>Finalisation</u> of the Synthesis Report and of National Contributions for publication.

XI. Template for National Contributions

The template outlines the information that should be included in the National Contributions to this focussed study. The indicative number of pages to be covered by each section is provided in the guidance note. For national contributions, the total number of pages should **not exceed 22 pages**, excluding the statistics. A limit of 30 pages will apply to the Synthesis Report, in order to ensure that it remains concise and accessible.

Where data is not available for wider public dissemination, EMN NCPs may mark such data in the text as **confidential or include it in a separate Annex to their National**

¹² Provided that a sufficient number of EMN NCPs have submitted their National Contribution to this Study on time.

Contribution. This material will then be excluded from published (public) versions. Where an EMN NCP is in agreement, confidential data will be included in the Synthesis Report **in an anonymous format.**

EMN FOCUSSED STUDY 2013

The Organisation of Reception Facilities for Asylum Seekers in different Member States

Section 1

Different types of Reception Facilities and different Actors

(Maximum 4 pages)

This section of the Synthesis Report will address the organisation of reception facilities in different (Member) States. An overview will be provided of the different types of accommodation facilities, and different actors involved in the provision of reception facilities.

The Reception Conditions Directive (Directive 2003/9/EC, Article 13) and the Commission's proposal for the recast Reception Conditions Directive (Article 17) stipulate that Member States shall ensure availability of material reception conditions to applicants for international protection. Housing constitutes an essential, if not the primary, element of reception conditions. Provision of accommodation can be provided in a variety of possible manners. Directive 2003/9/EC (Article 14) makes broad reference to: a) accommodation premises for applicants who lodged their application at the border; b) accommodation centres which guarantee an adequate standard of living; c) private houses, flats, hotels or other premises adapted for housing applicants for international protection. Consequently, (Member) States have established different types of reception facilities, such as, collective/communal reception facilities, individual housing (private houses, flats or hotels arranged and paid for by the State), or, some also offer the applicant financial compensation which covers housing expenses.

This Section aims to provide an overview of the different types of reception facilities (Member) States have in place. It will also provide an overview on the number of facilities as well as their capacity. With regard to the organisation, this Section will furthermore address the different actors involved in the provision of reception facilities to applicants for international protection, specifying which authorities carry financial and executive responsibility and whether third parties are involved, such as for example, NGOs or other actors of civil society.

Q1. Please indicate in Table 1 below what type of reception facilities exist in your (Member) State.

In case your (Member) State offers a different type of facility which is not listed in the table below, please include and describe this by adding additional rows to the table below. Please also indicate how many of these facilities exist and indicate what their capacity is and how many applicants were accommodated in these facilities per year starting from 1 January 2008 to 31 December 2012.

Should your (Member) State not be able to provide the maximum capacity, please provide a brief explanation for this and specify the actual number of applicants accommodated in a certain type of facility on an annual basis for the period 2008-2012.

Table 1 Different types of Reception Facilities

Type of accommodation	Does this type of facility exist in your Member State?	If so, how many of these facilities existed at the end of 2012?	Specify the maximum number of applicants the facilities could accommodate	Number of applicants accommodated in such facilities per year during 2008-2012

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Collective initial/transit reception centres	Yes	2	2008 - 1,367 2009 - 1,192 2010 - 673 2011 - 673 2012 - 673	2008 - 1,382 2009 - 1,133 2010 - 683 2011 - 582 2012 - 580
Collective open reception centres ¹	Yes	2	The numbers of places mentioned above also include the places for accommodation in accommodation centres (open centres) and they represent the basic capacity (see below).	The numbers of applicants mentioned above also include the numbers of applicants in accommodation centres (open centres).
Special reception centres or facilities for vulnerable groups (e.g. victims of torture or specific vulnerable female applicants)	No. Within all four asylum facilities, there are protected zones for vulnerable groups of clients.			
Special separate reception centres for unaccompanied minors	No. See the previous answer.			
Private houses or flats: arranged and paid for by competent authorities	No			
Private hotels: arranged and paid for by competent authorities	No			
Individually arranged accommodation such as houses, flats, hotels and/or possibilities of staying with friends and/or family ²	Yes. A financial contribution based on the number of members in the family; the contribution is provided for a maximum period of three months.			
Other premises for the purpose of accommodating applicants for international protection which are arranged and paid for by the competent authorities	No			

Q2. Which authority(ies) carry financial responsibility over the reception facilities?

(a) State authorities

(b) ~~Local authorities / regional governments~~

(c) ~~External service provider such as NGOs, actors from the private sector or any other kind of third party involvement?~~

[A/B/C – (if responsible authorities differ depending on the type of facility please indicate the responsible authorities for each different type)]

Q3. Which authorities carry executive responsibility³ over the facilities:

(a) State authorities

(b) ~~Local authorities / regional government~~

(c) ~~External service provider such as NGOs, actors from the private sector or any other kind of third party involvement?~~

[A/B/C – (if responsible authorities differ depending on the type of facility please indicate the responsible authorities for each different type)]

Q4. In case reception facilities are run by local authorities/regional governments or with the involvement of an external service provider (e.g. NGOs or actors from civil society), please indicate whether the reception facilities are centrally coordinated (i.e. does one single authority still carry overall responsibility for the reception of applicants for international protection?)

[(Yes/No) if yes, please briefly describe]

Q5. In case reception facilities are run by local authorities/regional governments or with involvement of an external service provider (e.g. NGOs or actors from civil society), how is their involvement regulated?

Have any formal coordination mechanisms between the different actors been signed (for example cooperation agreements stipulating the division of competences)?

[(Yes/No) if yes, please briefly describe]

Section 2

Take up of Reception Facilities: Factors determining access to the different types of facilities

(Maximum 4 pages)

This Section of the Synthesis Report aims to investigate which categories of applicants for international protection are entitled to reception facilities (standard or specific) and whether, on specific occasions/for specific reasons, authorities exclude such entitled applicants from reception facilities. It will map the competent authorities who decide on the allocation of applicants to (different) reception facilities, and will more specifically, provide an overview on what factors influence the allocation to accommodation. Such factors may, for example, relate to the capacity of centres, existence of a dispersal mechanism (for purposes of burden-sharing as to evenly distribute the costs throughout the country), the stage/type of procedure, profile of the applicant, duration of proceedings or any other factors. It will also be investigated whether Member States take into

account the specific needs of vulnerable groups of applicants when deciding on allocation.

Q6. Please provide a short overview of which applicants for international protection are entitled to reception facilities provided by the State. Please complete Table 2 below:

Table 2 Categories of applicants entitled to reception facilities

Different categories of applicants depending on <i>type/stage of procedure</i>	Entitled to reception facilities (Yes/No)	Are these applicants entitled to standard or specific reception facilities ⁴ ?
Applicants under Dublin II ⁵	Yes	Standard facilities
Applicants in admissibility procedures ⁶	Yes	Standard facilities
Applicants subject to accelerated procedures	Yes	Standard facilities
Vulnerable groups of applicants ⁷ (with specific psychological/medical assistance needs)	Yes	Standard facilities; accommodation is usually provided in a protected zone of an asylum facility.
Unaccompanied minors awaiting decision for international protection	Yes	Only in a reception centre. After undergoing the reception procedures, i.e. after only few hours, unaccompanied minors are placed, according to a court decision, in a facility of a school type, the operation of which is within the terms of reference of the Ministry of Education, Youth and Sports (unaccompanied minors are presented in the reception centres minimally, they mostly manifest their intention to apply for international protection from a foster care facility).
Unaccompanied minors who have exhausted the procedure for international protection and are awaiting return	Yes	See above
Applicants who have lodged an appeal procedure	Yes	Standard facilities
Applicants who have lodged a subsequent application	Yes	Standard facilities
Applicants who have received a positive decision on their international protection application ⁸	No	Holders of international protection are (can be) accommodated in integration asylum centres designated for a temporary stay, during

		which they receive Czech language lessons and perform activities aimed at getting employment and housing.
Applicants who have exhausted the procedure for international protection and who are awaiting return	Yes	Standard facilities
Other (e.g. applicants from other EU Member States, families with children with an irregular migrant status, applicants from safe third countries of origin etc. Please specify)	Yes (if their proceedings on grant of international protection are under way).	If they are family members of asylum seekers, they are only provided with accommodation.

Q7. From the aforementioned categories of applicants who are entitled to reception, can any be excluded from reception facilities for particular reasons (e.g. because the applicant has sufficient financial means, or because the applicant has misbehaved in a reception facility, or any other reasons)?

No.

Q8. a) Does your (Member) State carry out an assessment of vulnerability which could result in assignment to special reception facilities for vulnerable groups of applicants?

Yes. Vulnerability of clients is assessed as part of the social work. However, there are no facilities specialising in accommodation of vulnerable groups of applicants operated in the Czech Republic. Such applicants are (can be) accommodated in the protected zones of the existing asylum facilities.

Q8. b) If yes, please indicate whether the assessment of vulnerability is:

*a) **Obligatory and laid down in law*** (The operator of the asylum facilities – the Refugee Facilities Administration (RFA) – has a statutory obligation to take into account the specific needs of vulnerable groups. The needs and satisfaction of the needs are not defined in a greater detail.)

~~*b) **Standard practice***~~

~~*c) **Optional (Yes/No)***~~

Q9. Which authority/(ies) carry responsibility for deciding on the allocation of applicants for international protection to different reception facilities?

Refugee Facilities Administration (RFA) at the Ministry of the Interior, which operates asylum facilities.

Q10. How do these authorities allocate applicants to different types of reception facilities?

Please state whether one of the scenarios below, or a combination thereof, are applicable to your (Member) State and briefly describe:

*i) **Capacity; Yes***

Your (Member) State assigns applicants for international protection according to capacity, e.g. your (Member) State monitors occupancy rate of each reception centre and assigns applicants

accordingly.

ii) ~~Dispersal Mechanism;~~

Your (Member) State applies a dispersal scheme which defines how many applicants each reception centre at national/regional/local level ought to receive (either in percentages or based on a specific quota).

iii) ~~Type of asylum procedure;~~

Your (Member) State takes into account the type of asylum procedure and assigns applicants accordingly to a specific reception facility. For example, one or more of the below is applicable to your (Member) State:

- Applicants who fall under the Dublin II Regulation are accommodated in specific reception facilities;
- Applicants subject to accelerated procedures are assigned to specific reception facilities;
- Etc.

iv) ~~Stage of asylum procedure;~~

Your (Member) State takes into account the stage of the asylum procedure and assigns applicants accordingly to a specific facility. For example, one or more of the below is applicable to your Member State:

- Applicants during the admissibility procedure - when a (multiple) application is assessed for admissibility or when a Dublin examination is carried out – are temporarily placed in specific initial/transit reception facilities;
- Applicants who are awaiting a first instance decision are placed in specific reception facilities;
- Applicants who have lodged an appeal procedure are transferred to specific reception facilities;
- Failed/rejected applicants for international protection are transferred to specific reception facilities.

v) *Profile of the asylum applicant; Yes*

Your (Member) State takes into account the profile of the applicant for international protection (e.g. special needs⁹, nationality, or specific motives underpinning the application) and assigns applicants accordingly to a specific reception facility.

vi) ~~Duration of the asylum procedure;~~

Your (Member) State moves applicants for international protection from one facility to another after a certain time period has elapsed.

vii) *Other criteria (e.g. family composition)? Yes*

Q11. Is the process for assignment of applicants to different reception facilities:

a) *Laid down in legislation – No*

The only statutory provision on assignment of asylum seekers concerns (a) the shared accommodation of persons who are relatives and (b) groups of applicants who must stay in a reception centre or in a detention facility for foreign nationals or who are to be transferred to a reception centre at an international airport.

b) *Outlined in soft law/guidelines – Yes*

An internal regulation setting the rules for assignment and transfer of clients.

~~e) Not outlined in official documents, but there is a standard practice in place (Yes/No)~~

Q12. Provided there is sufficient capacity, does your (Member) State offer the applicant a choice for reception facility/location?

No. As a rule, this is not offered, but see also Q13.

Q13. a) Does your (Member) State provide for a possibility to relocate applicants for international protection to different reception facilities after initial assignment to a reception centre?

Yes. The applications are examined on an individual basis (see the following item for more information).

Q13. b) If yes, which of the below criteria are applied, or a combination thereof, for relocation to a different reception centre:

- i) Capacity/bed management issues**
- ii) Change in family profile (e.g. birth of a child)**
- iii) Medical or special need reasons**
- iv) Incidents at centres which may require transfer to alternative accommodation**
- ~~v) Time limits (procedural-driven)~~
- ~~vi) Programme for voluntary return to the country of origin~~
- ~~vii) Any other reasons?~~

Section 3 Quality: **National Legislation on Material Reception Conditions**

(Maximum 3 pages)

The Synthesis Report will review Member States' national legislation on basic material reception conditions (i.e. the provision of food, clothing, and financial allowance) that relate to the nature of the experience of being accommodated in a reception facility. Additionally, the Synthesis Report aims to provide an overview on some other quality criteria that relate to the nature of the experience of being accommodated in a reception facility, such as the available surface per applicant, the supervision rate (number of staff per applicant), and the possibility of leisure activities. Furthermore, to provide a more comprehensive overview of non-material reception conditions, a table is included in the Annex which will map additional rights granted to applicants for international protection in the (Member) State's reception system as laid down in national legislation. Member States are kindly requested to fill out table 1A in Annex 1 for this purpose.

Q14. According to national legislation in your (Member) State, what are applicants for international protection who are accommodated in reception facilities entitled to in terms of the following reception conditions:

- a) Food;**
- b) Clothing;**
- c) Financial allowance¹⁰.**

By law, the RFA provides all the three items mentioned above.

In accordance with the law, boarding is provided as follows:

- directly by the RFA. In this case, pocket money is also provided (1.2 EUR per person and day). Meals are provided 3 times a day; 5 times a day for children.
- If the conditions of the asylum facility allow so, applicants are provided with a financial allowance, the amount of which is based on the subsistence minimum and which is paid to the applicants to enable them to procure their meals on their own. This financial allowance is paid in those facilities where equipped kitchens are available where the applicants can cook on their own. For a person who is alone, the amount of the financial allowance is 4.5 EUR per day.

As concerns clothing, if needed, the RFA provides an applicant with the necessary clothing from its own resources or an applicant has the possibility to use the welfare wardrobe operated by non-governmental organisations in the asylum facilities with support from the RFA. Besides clothing, applicants are provided with other belongings and means (items for personal hygiene, school supplies...).

Q15. Please indicate in Table 3 below for each type of reception facility in place in your (Member) State: the available surface per applicant (in square meters); the supervision rate (number of staff per applicant); and specify whether applicants have the possibility to take part in organised leisure activities.

Table 3 Other quality criteria for reception facilities that relate to the applicant's experience of being accommodated in a reception facility

Type of accommodation	Available surface per applicant in square meters	Supervision rate (number of staff per applicant)	Possibility of leisure activities? Yes/No. If yes, briefly describe
Collective initial/transit reception centres	The capacity of asylum facilities is approved by the authority for the protection of public health. In accommodation areas, the area for an accommodated person is ca 5 sqm.	For reception (closed) centres, the average is 1 employee for 10 clients ¹¹ .	Yes. The facilities offer a broad choice of leisure-time activities for different target groups. In the facilities, there are community areas, libraries, Internet rooms, sports grounds, various workshops (for fine arts, manual crafts, music), children's centres, low entry level Czech language lessons.
Collective open reception centres	See the information above.	In accommodation (open) centres, the ratio is the same; there is approximately 1 employee for 10 clients.	See above. In open centres, there is also additionally an opportunity for leisure-time activities outside the accommodation centres (for example, various trips).
Special	Not applicable		

reception centres or facilities for vulnerable groups (e.g. victims of torture or specific vulnerable female applicants)			
Special separate reception centres for unaccompanied minors	Not applicable		
Private houses or flats: arranged and paid for by competent authorities	Not applicable		
Private hotels: arranged and paid for by competent authorities	Not applicable		
Individually arranged accommodation such as houses, flats, hotels and/or possibilities of staying with friends and/or family	Not applicable		
Other premises for the purpose of accommodating applicants for international protection which are arranged and paid for by the competent authorities	Not applicable		

Q16. Has your (Member) State developed guidelines or a handbook in relation to the reception offered to applicants for international protection?

Yes, for the purpose of setting standard accommodation parameters, the RFA issued the quality standards of accommodation in an internal regulation, which defines the parameters,

which an asylum facility must comply with (location of the facility, equipment of the indoor premises, security, availability of related services, etc.). Other aspects of our services are also governed by internal regulations (material supplies, social services, protected zones, accommodation rules of the facilities, the procedure for filing suggestions, etc.).

Q17. What control mechanisms are in place to ensure that reception conditions are provided according to the standards specified in national legislation or other protocols/regulations?

The operation of asylum facilities is subject to an internal audit, which is carried out by the RFA at all asylum facilities every half a year. The operation of a facility is also subject to inspections carried out by the authority for the protection of public health. In reception (closed) centres, the conditions in the facilities are checked by the public defender of rights (ombudsman).

Q18. Has there been a public debate about the quality of reception facilities in your Member State in the period from 2008 onwards - to date?

Save for exceptions, this has not been a topic of a public debate but it is more a topic of a professional debate, particularly at the narrow level of human rights organisations and governmental institutions (the Ministry of the Interior, within whose terms of reference this matter lies).

Q19. Does primary research exist in your Member State, evaluating the quality of reception facilities?

Outside the reference period, transposition of the Reception Directive (2003/9/EC) in the Czech legal system was evaluated.

Section 4 Flexibility

(Maximum 3 pages)

The Synthesis Report will analyse the flexibility of reception facilities in (Member) States vis-à-vis the fluctuating and/or sudden influxes of applicants for international protection. (Member) States are asked to provide figures or estimations on the total number of applicants entitled to reception¹², the total number of applicants accommodated in reception facilities, as well as figures or estimations on the maximum capacity and average occupation rate of reception facilities. (Member) States are asked to describe whether they have experienced any (disproportionate) pressure on their reception systems during 2008-2012 and are asked to provide an overview of the different flexibility mechanisms that they have in place and/or have applied. The Synthesis Report will aim to identify good practices of (Member) States in handling (disproportionate) pressure on their reception system, and where relevant, reference will be made to the use (and effectiveness) of flexibility mechanisms.

Q20 Please fill out the national statistics in Table 4 below:

Table 4 National statistics on flexibility

	2008	2009	2010	2011	2012
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Total number of applicants entitled to reception	The figure is the same as the number of applicants accommodated in asylum facilities (see one line below). It is the number of applicants who arrived in the asylum facilities in the given year.				
Total number of applicants accommodated in reception facilities	1,382	1,133	683	582	580
Maximum number of applicants that could be accommodated in reception facilities	1,367 (a figure on the basic capacity of asylum facilities). If necessary, this capacity can be increased to an increased capacity or emergency capacity for a limited period of time; the increased capacity is created by adding beds in the accommodation areas; the emergency capacity is created by also adding beds in other shared areas.	1,192	673	673	673
Average occupation rate in reception facilities	89 % de iure (this figure also includes those applicants who were leaving asylum facilities and were staying outside the facilities) 44 % de facto (the figure on the average number of applicants who are physically staying in the facilities)	82% de iure 43% de facto	124% de iure 68% de facto	99% de iure 49% de facto	79% de iure 38% de facto

Q 21. Please describe any pressure that your (Member) State may have experienced in relation to the reception of applicants for international protection during the period 2008-2012 and briefly explain possible reasons for such pressure. (Note that annual statistics from Eurostat on the number of applications for international protection, first decisions, etc. over the years 2008-2012 will be incorporated in the relevant section of the Synthesis Report. Hence, if relevant, you may refer to a period of pressure by comparing the number of applications with the capacity of your (Member) State's reception system).

Not applicable

Q 22. Which flexibility mechanisms are foreseen and/or have been used in case there are shortages or surpluses in reception facilities? Please answer this question by indicating in Table 5 below whether any of the below mechanisms exist in your Member State and whether they have been actually used:

Table 5 Flexibility Mechanisms

Type of mechanism	Does this exist in your (Member) State? (Yes/No)	If yes, please describe	Has this mechanism been used? (Yes/No) If yes, please describe
Early warning mechanism ¹³ (including any software programmes monitoring capacity and occupancy in reception facilities)	Yes	A tracking programme which generates a daily report from all asylum facilities every day.	
Additional reception centres acting as buffer capacity	Yes (see below)	Using accommodation facilities of the Police schools, Ministry of the Interior (training facilities and resorts), Ministry of Health (reserve hospitals prepared for use in emergency situations such as pandemic) and regions (school resorts). All the facilities shall be prepared within 2 weeks from indication of the need. This is connected with HR management within RFA and regional governments.	No
Emergency plans	Yes	At the first stage within the RFA – increasing the capacity of asylum facilities from the basic capacity to increased capacity and emergency capacity. In the next stage, there is a possibility to make use of other accommodation facilities of the Ministry of the Interior (police schools, possibly additional accommodation facilities of the Ministry). In this way, it is possible to provide up to 5,500 beds.	No

Budget flexibility (to in- or decrease the budget when necessary)	No		
Employing more case-workers to speed up decision-making	No		
Fast-tracking procedures	No		
Application of different standards/modalities of reception conditions in emergency situations ¹⁴	Yes	In the event of emergency, the basic material conditions of reception (accommodation, boarding, means of personal hygiene, etc.) will be maintained, with a limited standard of services, including the choice of leisure-time activities, social services, etc.	
Provision of financial vouchers/allowance to cover costs of private accommodation	No		
Review for specific categories of applicants who obtain priority access to reception	No		
The use of excess space for other purposes	No		
Other?	No		

Q 23. Please indicate best practices in handling (disproportionate) pressure as well as ability to adjust to fluctuating numbers of applications over time. Where possible, please refer to the use (and effectiveness) of any of the aforementioned flexibility mechanisms.

Not applicable

Section 5
Efficiency
(Maximum 2 pages)

The Synthesis Report will provide an overview of the costs of the current reception facilities provided in the (Member) States, as well as the median and interquartile ranges of the duration of an applicant's stay and average occupancy rate in reception facilities. In Table 6 below, Member States are requested to fill out information on the total costs of reception, split up in direct and indirect costs, and Dublin and non-Dublin cases. (Member) States are kindly asked to also explain what is covered by such costs.

The aim is to start collection of such statistics to gain an insight into what is covered under the

total costs of reception in different Member States. The Synthesis Report will not aim to compare reception costs between Member States due to the complexity involved (e.g. Member States include different services under costs¹⁵).

Q24. Please fill in the national statistics Table 6 below (please provide figures or, if not possible, estimates thereof):

Table 6 National Statistics on Efficiency

	2008	2009	2010	2011	2012
National budget allocated to the reception of applicants for international protection	300,000,000 CZK (12,000,000 EUR)	300,000,000 CZK (12,000,000 EUR)	270,000,000 CZK (10,800,000 EUR)	200,000,000 CZK (8,000,000 EUR)	180,000,000 CZK (7,200,000 EUR)
Total costs of reception	See above				
Total direct costs ¹⁶	See above				
Total indirect costs ¹⁷	We are unable to separate or quantify such costs (such as health care).				
Total costs of reception including Dublin cases	The costs include Dublin cases. We do not monitor them separately.				
Total costs of reception excluding Dublin cases	We do not monitor these costs.				
Inflow of new applicants to reception facilities	See the statistical data in Table 4.				
Inflow/return of applicants who have temporarily left a reception facility	We do not monitor this.				
Outflow of applicants from reception facilities, who do not return later	We do not monitor this.				
Share of applicants in reception facilities who	We do not monitor this.				

have received a final decision on their application					
Median ¹⁸ range of an applicant's stay	We do not monitor this.				
Inter-quartile ¹⁹ ranges of an applicant's stay	We do not monitor this.				

Q25. Are cost (estimations) available for the flexibility mechanisms used in your Member State (see Question 22)?

Not applicable

Q26. What is the tolerance time for extended stay of applicants in reception facilities who have already received a final decision on their application?

Applicants who received the “final” decision on their application for international protection are required to leave the asylum facility (if the decision is negative) and they leave the facility by the second day at the latest.

Section 6
Conclusions
(Maximum 2 pages)

This Section will outline the main findings of the Study and present conclusions as to what extent the organisation of the reception system impacts on the flexibility, efficiency, and quality of reception facilities.

Q27. Please summarise the organisation of reception facilities in your (Member) State, indicating main strengths and weaknesses (please specify any evidence for these findings)

The RFA has a sufficient accommodation capacity for applicants, experienced staff and there are standards set for each of the services provided, including accommodation.

Q28. Please summarise whether your (Member) State has experienced pressure on its reception facilities (in terms of both in-and outflow, and duration of the processing time of applications) and indicate what measures have been most successful in handling such pressure

No. In comparison with other EU countries the numbers of asylum seekers in the Czech Republic are rather below average. With regard to international protection in the EU member states, the CR still maintains the position of a transit country, not a preferred destination country.

Q29. Please describe best practices in controlling costs of reception facilities whilst ensuring quality (maximum half a page)

Regular management and financial audits in the organisation, focused on the procedures defined by laws and internal regulations.

Annex 1 Reception Conditions in different Reception facilities

Please fill out the table below concerning the rights granted to applicants for international protection as laid down in national legislation in different reception facilities.

Table A1.1 Reception conditions in different reception facilities

	Collective initial/transit reception centres	Collective open reception centres	Special reception centres/facilities for vulnerable groups	Special separate receptions centres for UAMs	Private houses or flats ²⁰	Private hotels ²¹	Individually arranged accommodation ²²	Other premises	Comments
Food	Yes	Yes							
Clothing	Yes	Yes							
Financial allowance ²³	Yes (pocket money)	Yes (a financial allowance, particularly for meals)							
Emergency health care	Yes	Yes							
Medical care	Yes	Yes							
Psychological care	Yes	Yes							
Free legal assistance	Yes	Yes							
Interpretation services	Yes	Yes							
Access to education	Yes	Yes							

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Access to vocational training	No	No							
Access to employment (after which period of time?)	No	Yes (after expiration of 365 days from the start of the asylum procedure)							
Other? Please add	Choice of leisure-time activities; free Internet access	Choice of leisure-time activities; free Internet access							

EXPLANATORY NOTES

¹ Open centres means that applicants are free to enter and leave the centre whenever they want.

² Please specify whether applicants receive (or have the possibility of receiving) a financial allowance in case they have individually arranged their accommodation.

³ Executive responsibility refers to the day-to-day running of the reception facilities and would also for example include including quality control of the services provided in the facility.

⁴ Specific reception facilities refer to facilities which divert from mainstream reception facilities, e.g. depending on the type of applicant, or stage/procedure.

⁵ Applicants under Dublin II means those applicants for which a Dublin procedure has been initiated and who are awaiting a Dublin decision determining the responsible country for examining the asylum claim.

⁶ Admissibility procedures refer to the stage of the application in which (Member) States determine whether an application will or will not be considered in substance based on the criteria laid down in Article 25 of Directive 2005/85/EC (the Asylum Procedures Directive) which stipulates circumstances in which Member States are allowed to declare application as inadmissible and are subsequently not required to examine the application.

⁷ The Reception Conditions Directive makes reference to the following categories of applicants under vulnerable groups: unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, persons who have been subjected to torture, rape, or other serious forms of psychological, physical, or sexual violence.

⁸ If possible please specify for what duration they are still entitled to reception facilities.

⁹ The Reception Conditions Directive makes reference to the following categories of applicants under vulnerable groups: unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, persons who have been subjected to torture, rape, or other serious forms of psychological, physical, or sexual violence.

¹⁰ Please explain what costs the financial allowance is intended to cover (e.g. does it cover accommodation costs, does it include pocket money etc) and specify whether the financial allowance is provided de facto and/or whether it can be used to remunerate applicants who carry out work (small tasks) within the reception facility.

¹¹ The numbers represent the numbers of RFA employees in direct work with clients (social workers, workers of the permanent and accommodation service, pedagogues for leisure time and educators of the children's centres) in relation to the capacity of the facility.

¹² These statistics are requested to provide an overview on the number of applicants in reception as a whole, differentiating between those accommodated in reception facilities and those applicants who are entitled to reception, but who do not require accommodation (but do receive other services e.g. a financial allowance).

¹³ An early warning mechanism refers to a monitoring system, e.g. a mechanism that monitors the inflow of applicants for international protection, evaluating in particular whether the (Member) State possesses the necessary capacity to deal with increased (or decreased) pressure. Such a monitoring system would enable identification of possible shortcomings (or excess capacity) at an early stage. An early warning mechanism could for example include a.o. any software programmes monitoring capacity and occupancy rate in reception facilities.

¹⁴ Article 14 paragraph 8 of the Reception Conditions Directive 2003/9/EC stipulates that: "Member States can exceptionally set modalities for material reception conditions different from those provided for in Article 14 for a reasonable period which shall be as short as possible, when: an initial assessment of the specific needs of the applicant is required; material reception conditions, as provided for in article 14, are not available in a certain geographical area; housing capacities normally available are temporarily exhausted; the asylum seeker is in detention or confined to border posts. The different conditions must cover in any case basic needs".

¹⁵ The European Platform for Reception Agencies (EPRA) has scheduled activities for the 4th quarter of 2013 to start dialogue on development of methods to improve comparability of reception costs between Member States.

¹⁶ Direct costs refer to explicitly defined costs and budgets for the reception of applicants for international protection in each (Member) State.

¹⁷ Indirect costs refer to costs that are not directly measurable (as costs are borne by a wide range of stakeholders and further relate to the applicant's access to general public services).

¹⁸ The median is the numerical value separating the higher half of the distribution of the lower half (middle value).

¹⁹ The interquartile ranges refer to the value of the first quartile (25 percentile) and the third quartile (75 percentile) in a distribution.

²⁰ Arranged and paid for by competent authorities.

²¹ Arranged and paid for by competent authorities.

²² E.g. houses/flats/hotels and/or staying with friends and family.

²³ Please explain what this consists of.