

Key essentials to dignified reception of refugees and asylum seekers in Europe



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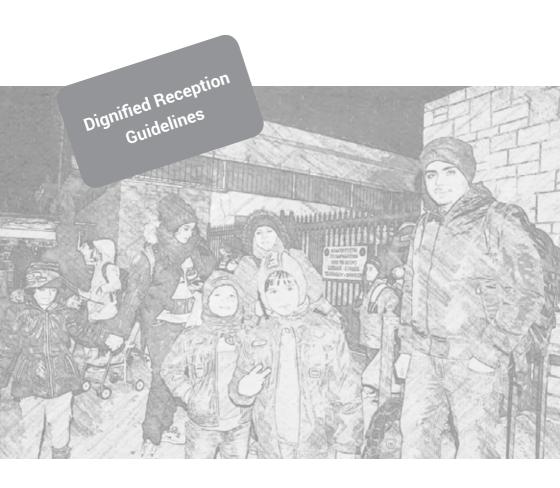
Development consultant: Elham Pourazar

Coordinator: Jørn C. Øwre

Lay-out and Design: Design Container AS

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Key essentials to dignified reception of refugees and asylum seekers in Europe



DIGNIFIED RECEPTION GUIDELINES

Key essentials for dignified reception of refugees and asylum seekers in Europe

BACKGROUND

The Dignified Reception Guidelines was developed during the early phases of the crisis that first hit Europe in 2015 with the arrival of more than one million refugees and migrants seeking safety and a new life in Europe. Frontier, transit- and destination countries in Europe all face challenges in responding to the influx. While these have proven to be somewhat different, depending on factors such as the number of people arriving, how long they stay and the national capacity to manage the reception of the arrivals, the basic standards and knowledge required to ensure dignified reception apply across the board.

In light of this, the Norwegian Capacity (NORCAP) / Norwegian Refugee Council (NRC) made use of its experience in what is traditionally called Camp Coordination Camp Management (CCCM) to provide support on — what in the Europe context may be termed — "dignified reception". As part of the organization's overall response to the crisis in Europe, NORCAP partnered with UN organizations, national authorities, civil protection agencies and non-governmental organizations to ensure the right to a dignified reception for all people arriving in Europe.

The guidelines you are now holding in your hand builds on a learning toolkit and is part of this support. It includes a selection of 40 key topics elaborated in this book. It is intended as a resource in capacity building activities and awareness raising, and as a tool for learning.

We hope you will find it useful!

NORCAP is an emergency standby roster which aims to strengthen the international community's ability to prevent, manage and respond to crisis through rapid deployment of experts to the UN, international organizations and national institutions. NORCAP is operated by the Norwegian Refugee Council.

DIGNIFIED RECEPTION GUIDELINES

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USER'S GUIDE

The Dignified Reception Guidelines is a simple and practical information tool which aims at supporting you and your colleagues and counterparts in your learning. In addition, two illustrative cards have been included, with samples from reception sites/facilities across the globe.

It primarily targets responsible reception institutions, operators, service providers and stakeholders, as well as migration management and asylum policy makers and practitioners in Europe.

The topics are divided into four categories, each represented in a colour. Introduction ■ / EU legal framework ■ / Core tasks and concepts ■ / Protection and safety ■. Every topic contains a short text with key messages, an illustrative overview, as well as questions, reflection points and food for thought that can stimulate your own ideas and facilitate your learning. In the end of the booklet you will also find illustrations with sample do's and don'ts from different reception sites/facilities across the globe.

The guidelines can be used as a resource tool in several ways, e.g.:

- · In capacity building activities facilitated by a trainer;
- In learning about dignified reception individually or in a group;
- · As reminders on important topics and key messages;
- · To stimulate discussions and ideas in workshops and meetings;
- As inspiration to think "outside the box".

As you start exploring the topics you may discover additional ways of applying the information. Your imagination is the only limitation on how this book can be used. Nonetheless, the information neither provide a one-size-fits-all solution nor are the topics exhaustive in terms of information covered. The different types of users as well as national context and/or specific situation may thus require adaptations of content, and/or additions or in-depth analysis of topics not included in the learning toolkit.

We hope that these guidelines will be useful and that we together can strive for dignified reception for the asylum seekers and refugees arriving in Europe.

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DIGNIFIED RECEPTION GUIDELINES

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KEY TERMINOLOGY

Asylum seeker. A person (third-country national) who is seeking international protection in another country, and whose protection status has not yet been determined.

Integration: Marks acceptance into society, often linked to housing, employment, and social and cultural adaptations to the country of destination. International protection: (founded in European law) means refugee status and subsidiary protection status.

Irregular entry and movement: Entry into a territory and possibly onward travel that is taking place without the requisite documentation, by States regarded as unlawful.

Migrant: Migrants are fundamentally different from refugees and are treated differently under international law. Although no universally recognized definition of the term "migrant" it can be understood as a movement resulting from a freely taken decision and without intervention of an external compelling factor.

Mixed migration flow: Describes the complexity of population movement, comprising of refugees, asylum seekers and migrants – increasingly using the same routes of travel.

Non-refoulment: A principle of international law, for protection of refugees from being returned or expelled to places where their lives or freedoms could be threatened.

Refugee: A person who is outside of the country of citizenship owing to the well-founded fear of being prosecuted for reasons of race, religion, nationality membership of a particular social group or public opinion, and is unable or unwilling to avail him/herself of the protection of that country. Prior to receiving refugee status, an asylum claim must be made, during which time the refugee is understood as an asylum seeker.

DIGNIFIED RECEPTION GUIDELINES

Key essentials for dignified reception of refugees and asylum seekers in Europe

KEY TERMINOLOGY

Regular entry and movement: Entry into a territory and possibly onward travel in accordance with migration laws and respect of State sovereignty.

Repatriation: A right for refugees, prisoners of war and civil detainees to return to the country of nationality under specific conditions laid in key international instruments.

Resettlement / Relocation: The relocation and subsequent resettlement and integration of a person into another geographical location or country. For asylum seekers, the resettlement is usually associated with granted international protection.

Return: The return of a person to the country of origin, point of departure and/or transit country. Return can be (assisted) voluntary as well as forced. Forced return is enforced through removal.

Subsidiary protection: protection sought by a person (third-country national or stateless) who does not qualify as a refugee but where there are substantial grounds for believing that return to country of origin/former habitual residence would imply real risk of serious harm.

Unaccompanied minor: A minor who arrives to a country unaccompanied by an adult responsible whether by law or by practice. Distinguishes from **separated children** who are separated from parents or legal customary primary care givers, but not necessarily from other relatives.

Xenophobia: Although no universally recognized de nition, the term can be understood as attitudes, prejudices and behavior that reject, exclude and vilify persons based on race, religion, nationality, etc.

(1)

INTRODUCTION

HUMANITARIAN REFORM

The humanitarian reform was introduced as a way of improving the effectiveness of the global humanitarian system, through greater predictability, accountability, responsibility and partnership. A clear division of labor was undertaken and applied in what is called the cluster approach.

Although the cluster approach does not apply in all countries it still provides a model for well-coordinated sectoral response and a comprehensive outreach to people in need – delivered in a timely and effective manner.

The humanitarian reform further outlines needs related to the disaster risk management cycle linked to prevention, mitigation, preparedness, disaster, response, recovery, and reconstruction. It also helps identify key various sectors important to consider in crisis management and humanitarian relief – providing for life-saving assistance and the right to life with dignity. These are – in humanitarian terminology – Camp Coordination Camp Management, Shelter, Water/Sanitation/Hygiene, Protection, Nutrition, Logistics, Health, Education, Food security, Early recovery, Emergency communication.

Adaptations to national contexts and systems are nonetheless always needed – aligning to national governance models and disaster risk management system in place. Equally terminology needs to be contextualized to what is commonly understood and accepted. In the context of Europe and in this Learning Toolkit, the reference to Camp Coordination Camp Management, has for example been adjusted to dignified reception in an attempt to better describe the aim of reception.

INTRODUCTION



- Does your country have a sectoral approach in relation to the refugee crisis and what does it look like? If not, how is the response organized?
- Map your sectors and identify how dignified reception of refugees and asylum seekers fit into the overall response.
- With whom lies the main coordination responsibility in your country? How does this differ at national, regional and local level?
- Identify the lead authorities.
- Which sector do you work in and what other sectors interlink with your work?
- Identify your main cooperating partners.

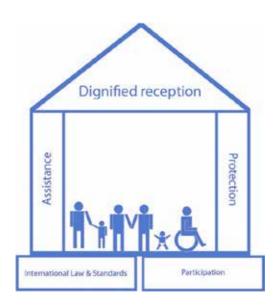
DIGNIFIED RECEPTION

In the context of Europe, dignified reception refers to the protection and assistance provided to refugees and asylum seekers hosted in any form of reception facility. The concept is founded on a legal policy and protection framework as well as minimum standards on reception to ensure the right to life with dignity, also encompassing the fundamental principle of participation and active involvement of the residents.

Services directly or indirectly linked to the reception include; food security and non-food items such as clothes, blankets, hygiene kits distributed in a non-discriminatory manner and with attention to persons with specific needs; basic economic subsistence; water, sanitation and hygiene according to (basic) needs and to uphold the health, dignity, comfort and security of residents; shelter in the wider term than accommodation, with reference to physical security, privacy and dignity; health and nutrition to uphold well-being of residents as well as general public health conditions inside and outside the reception facility; livelihoods; and education to all children as per basic human rights and the UN Convention on the Rights of the Child.

Reception facilities are always a solution of last resort and should be temporary in nature – a bridge towards more durable solutions for the refugees and asylum seekers. The nature of the reception differs from country to country but can be defined as self-settled/semi-planned sites; collective centers; emergency, first line and transit sites; as well as planned reception facilities.





- What is your understanding of the meaning of dignified reception? How would you describe dignified reception using the two pillars and two foundational blocs of the concept?
- Map out key contributory factors for dignity in the reception of refugees and asylum seekers.
- If it were you who had fled your country and arrived in a new country and placed in reception, how would you have wished for the reception to be organized?
- Outline factors related to location, assistance, services, protection, activities and durable solution options that you would have wished was offered to you. Compare it with the reception offered in your country and/or reception site/facility.

TYPES OF RECEPTION SITES/FACILITIES

There are different types of reception sites/facilities. Depending on context, these may be located in either urban or rural settings.

<u>Semi-planned/self-settled sites:</u> A site emerging spontaneously and often independently of assistance from authorities, often situated on state-owned, private or communal land (usually with limited pre-authorization).

<u>Collective centers:</u> Pre-existing public buildings (e.g. schools, factories, gymnasiums, community centers) used for temporary accommodation and provision of assistance and protection – most commonly in urban locations.

Emergency/First line/Transit sites: Emerging based on exceptional situations and overwhelming needs. These sites provide temporary accommodation pending registration and/or admission of an asylum application, awaiting transfer to suitable safe longer term reception, or as a transit solution.

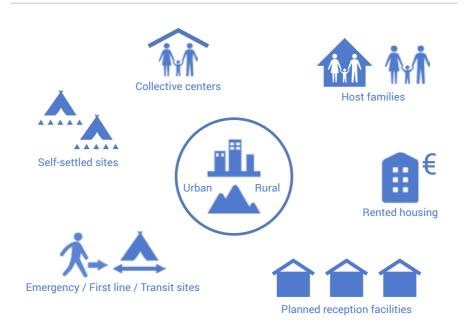
<u>Planned reception facilities:</u> A purpose built reception facility with full provision of assistance and protection as well as considerations to durable solutions – often more long-term in nature. Specific facilities are also established dedicated to the hosting of unaccompanied minors.

In some situations temporary accommodation and reception can also be organized through **host families** and **rental subsidy** schemes, or independently arranged with family and friends.

Activities and nature of the assistance and protection may differ depending on the reception site/facility, however always with the best interest of the resident – ensuring the right to life with dignity.



INTRODUCTION



- What are the different reception options used in your country/location? How do they differ in establishment, management and status and what purposes do they fill?
- How does the purpose as well as content of reception differ depending on the different types of sites/facilities? Are there different approaches and/or activities more or less applicable depending on the reception type and nature of stay?
- Map out different types of reception sites/facilities in your country and see if you can identify any pattern or common denominator between them, as well as main differences in approach.
- Why is it important to have specific accommodation facilities for unaccompanied minors?
- Compile a list of considerations important in the receptions of unaccompanied minors.

ROLES AND RESPONSIBILITIES

Dignified reception requires the involvement of a wide range of actors. It is thus important with clearly defined roles and responsibilities and a division of tasks in order to avoid duplication of efforts and inefficiencies in the response. In general terms, roles and responsibilities are divided into three main functions. Who does What Where may differ between countries and roles may be interlinked, but nonetheless the core tasks linked to respective function can be summarized to include the following:

Administration: Designating, opening and closing reception sites/facilities; ensuring security and law and order; organizing registration systems and issuing documents, permits and IDs; facilitating access to reception site/facility; and resolving disputes and undertaking conflict resolution at higher level.

Coordination: Supporting the development of national and regional planning; monitoring and evaluating implementation and ensuring minimum reception standards; leading consultation and coordination with reception residents as well as relevant state and non-state stakeholders; identifying and designating reception managers and/or operators; establishing assessment, monitoring and information management systems; and ensuring information sharing to adequately address needs and gaps in the reception site/facility.

Management: Undertaking the day-to-day management in the reception site/facility; recruiting and training staff; coordinating and monitoring the delivery of assistance, services and protection in-site; enabling participation; leading care and maintenance of infrastructure; disseminating information to reception residents; supporting planning as well as activities linked to durable solutions.





- Who are the main stakeholders involved in dignified reception in your country/location?
- How do the roles of these actors relate to the three core functions of reception: administration, coordination and management?
- Draft an actor map of key stakeholders and their respective roles in reception. Identify possible gaps and overlaps.
- What is the role of the reception residents and the local community and how can they contribute to core functions?
- Identify tasks where the involvement of the residents as well as local community is particularly valuable and outline how this can be supported.

OF RECEPTION

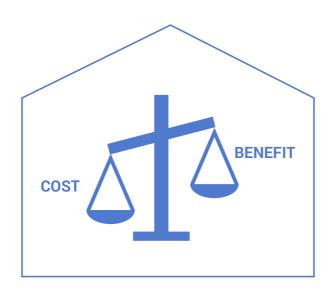
The 2015 refugee crisis marked a significant increase in refugees and migrants arriving to Europe. Awaiting is now a test to the adaptive capacity of societies and destination countries, as well as the task to harness the social and economic potential of persons arriving. Dignified reception is an important factor for the success of this. Hence, it is not only about minimum standards in reception conditions, but also about providing opportunities for a future that can bring added value for the individual as well as for the receiving societies.

Costs and benefits of reception is directly linked to the overall capacity of countries to create opportunities and promoting social inclusion. Nonetheless, this requires short-term investments – often narrowly and unevenly borne by sectors, service providers and localities – whereas the de facto impact will only be seen in the medium and long-term.

Positive impacts linked to the increase in diversity include but is not limited to macro level economic growth; balance in demographics in Europe and a counterweight to the challenges of an aging population; innovation, knowledge and entrepreneurship. Potential negative impacts owing to social exclusion, lack of access to jobs and opportunities as well as discrimination and systemic barriers to society may include welfare dependency, anti-social behaviour and weaker social trust in society – i.e. continued costs for individuals and society also in the medium and long-term.

Dignified reception and early integration are thus key factors for the eventual impacts on individuals, society, and the future of destination countries.





- What are the direct costs of reception for refugees and asylum seekers in the immediate terms?
- Outline a list of necessary investments.
- What are the direct and indirect costs and benefits of reception for refugees and asylum seekers in the short, medium, and long-term?
- Map possible negative consequences of inadequate reception as well as the potential positive impacts divided into the individual, society and future costs and benefits.
- How can countries maximize the benefits and what is the role of reception in this?
- Outline how reception may impact individuals, society and the future.
 Identify what policies are needed at the national level to ensure that costs of reception are outweighed by its benefits in the medium to long term.



EU LEGAL FRAMEWORK

EU LEGAL FRAMEWORK

The EU legal framework governs the relative powers of the EU and its Member States. It consists of primary, secondary and supplementary law. Primary law is derived from the treaties, which is the foundation of the whole existence and functioning of the EU. Treaties are binding in nature. The most fundamental treaties include the Treaty of Rome and Treaty of the European Union (Maastricht).

Secondary law includes legally binding and non-binding unilateral acts as well as international agreements signed by Member States. Unilateral acts include:

<u>Regulations:</u> Legally binding and do not need any domestic legislation to become law in Member States.

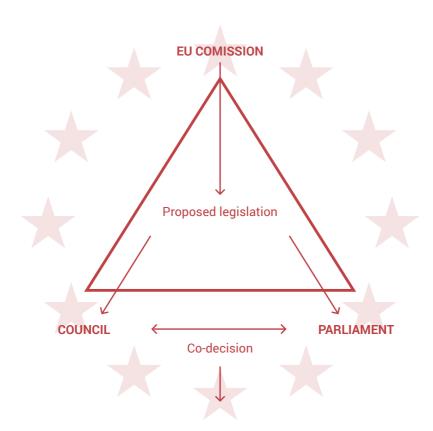
<u>Directives:</u> Legally binding but are in essence instructions or directions for Member States to adapt or create national law in line with the end-goal that must be implemented – usually within a set time frame. The "how" of implementation is up to Member States.

<u>Decisions:</u> Binding for the physical or legal entity targeted by the Decision. Recommendations and Opinions are not legally binding.

Supplementary law brings together the unwritten sources of European law having judicial origin such as general principles of law and rules of public international law and fundamental rights. The Court of Justice uses these sources as rules of law in cases where the primary and/or secondary legislation do not settle the issue.

The ordinary legislative procedure most commonly applied for regulations and directives includes a proposition from the EU Commission which passes through the Council and Parliament in a co-decision procedure before making legislation.





- How does EU laws generally apply in your country?
- Is your country subject to any opt-outs? If so, in which policy areas do these opt-outs apply and how does it affect the area of asylum and migration management?

SCHENGEN AGREEMENT AND TEMPORARY BORDER CONTROLS

The Schengen area and cooperation are founded on the Schengen Agreement of 1985. The Schengen area represents the territory where the free movement of persons is guaranteed and where internal borders are abolished in favour of one single external border.

Hence, the greatest responsibility for checking entries is on the frontier countries/countries of first entry into the Schengen area. Onward travel would then follow without additional controls.

The Schengen cooperation included measures on the removal of checks on persons at the internal borders; a common set of rules applying to people crossing external borders of the EU Member States; harmonization of the conditions of entry and the visa regulations; enhanced police cooperation and cross-border surveillance; stronger judicial cooperation and more effective return system; and establishment of a common information system.

Despite the concept of free movement within the Schengen area, the EU Member States still make provisions for reintroducing internal border controls – temporarily, in exceptional circumstances, and as a solution of last resort – as defined in the EU Regulation No 1051/2013 and its amendments to EC Regulation No 562/2006.

The criteria for introducing temporary border controls at internal borders calls for an assessment on reasons for measures as well as the proportionality of the measure in relation to the threat to public policy and/or internal security (including following incidents or threats of terrorism or organized crime.



SCHENGEN AGREEMENT AND TEMPORARY BORDER CONTROLS

EU LEGAL FRAMEWORK

The 2015 refugee crisis in Europe resulted in temporary border controls under the specific procedures for cases requiring immediate action. Based on the circumstances of "persistent serious deficiencies relating to external border control" and where the threats extend to the overall functioning of the area without internal border controls Member States can introduce controls for an initial period of ten days, with renewable periods of up to 20 days, for maximum six months (prolonged three times if necessary). As a last resort, the Council may recommend that one or more Member States decide to reintroduce border control at all or at specific parts pf their internal borders.

The development of the situation shall be closely monitored and its impacts on the free movement of persons should be taken into account.

Further details are found in the EU Regulation 1051/2013 and EC Regulation 562/2006 as well as the Schengen Agreement and related legal documents.

- How does the Schengen agreement and free movement of persons impact on the reception capacity needs in your country?
- How does temporary internal border controls of your own country or that of other Schengen countries – affect the reception capacity needs of your country?
- Map entry and transit routes to your country and through Europe and assess the impacts on reception needs of open vs. closed border.

THE DUBLIN REGULATIONS

The "Dublin Regulation" – founded on the idea of the Common European Asylum System – establishes a hierarchy of criteria and mechanisms for determining the Member State responsible for examining asylum claims within the EU territory, made by third-country nationals or stateless persons.

The criteria include:

Family Unity Asylum seekers who have family members with recognized refugee status or who are in the process of applying for asylum will have their claims determined in the state where their nuclear family members are located. Where an unaccompanied minor has family present in another Member State, that Member State will be responsible for examining his/her claim – according to the best interest of the child.

Legal residence or visas In cases where no family is present, asylum seekers with a valid (or recently expired) residence document or visa will have their claims assessed by the Member State that issued the documentation.

Illegal entry If none of the above criteria applies, applicants without residence documents or family present who have illegally transited through another Member State when entering the territory of the European Union are the responsibility of the first Member State in which they arrived.

Place of application Where none of above criteria applies, responsibility lies with the first Member State in which the applicant filed a claim of asylum.



EU LEGAL FRAMEWORK

Exceptions from the application of criteria can be made based on the risk of inhuman or degrading treatment and where there are substantial grounds for believing that there are systemic flaws in the asylum procedure and in the reception conditions for applicants in that Member State. In 2011, the Court of Justice of the European Union ruled that transfers of applicants to Greece contrary to Article 4 of the Charter of Fundamental Rights.

While the Dublin Regulation was introduced for mutually agreed and understood criteria and mechanisms for determining responsible Member States, it has also been subject to criticism and questioned for its ability to uphold rights of the refugees and asylum seekers as well as for the excessive pressure on frontier countries, upholding the external borders of the EU. Main concerns include increased use of detention to enforce transfers of asylum seekers, the separation of families, limitation in effective appeal procedures, as well as impediments to integration of refugees by forcing claims to be determined in Member States where applicants they may not have any particular connection.

With the 2015 refugee crisis in Europe and the establishment of the refugee relocation system, Dublin is temporarily and in part set aside of in favor to a more equitable distribution between Member States.

The Dublin Regulations are founded on the 1990 Dublin Convention and include EU Regulation 343/2003/EU and Regulation 604/2013/EU.

- How do the Dublin regulations and the hierarchy of criteria impact on the reception needs of your country?
- Estimate the net-effect on asylum applications and associated reception needs based on the criteria.

THE EURODAC REGULATION

The EURODAC regulation aims to facilitate the application of the Dublin regulations through a joint electronic registration system.

It has been operating since 2001 and was introduced as a system to establish the "identity of applicants for international protection and of persons apprehended in connection with the unlawful crossing of the external borders of the Union" by means of comparison of fingerprints.

EURODAC is thus a registration system for asylum seekers and irregular migrants entering EU territory. It is implemented through a centralized database that includes information on data recorded. Such data include:

- Fingerprint data (on at least all persons above 14 years of age);
- Country of origin, place and date of the application for international protection or in case of illegal entry the date of apprehension;
- Sex:
- Reference number used by the country of origin.

Data collected under the EURODAC system enables authorities to determine whether asylum seekers have already applied for asylum in another EU Member State or have transited through another EU Member State irregularly (Dublin criteria of illegal entry).

EURODAC applies to all EU Member States as well as to Norway, Iceland and Switzerland, which are countries outside of the EU but still part of Dublin.



EU LEGAL FRAMEWORK

EURODAC was established with the primary purpose to establish a system for comparing fingerprints of asylum seekers and some categories of irregular migrants. It facilitates the application of the Dublin III Regulation, which makes it possible to determine the EU Member State responsible for examining an asylum application.

The registration system since its introduction in 2001 has not been without controversy. Concerns raised include the proportionality, necessity and utility of EURODAC for combating terrorism and other serious crime.

For the protection of refugees and asylum seekers it is also a matter of how well the data security can be preserved as it may otherwise place a refugee and his/her family at significant risk of harm, if the information is shared with countries of origin. It may also result in stigmatization of asylum seekers as a group by associating them with criminal activity.

With the 2015 refugee crisis in Europe the EURODAC system was put to challenge as many countries – in particular frontier countries – failed to successfully implement EURODAC as number of new arrivals and/or applicants were by far exceeding available registration capacity.

The EURODAC regulation is fully expressed in EU Regulation No 603/2013.

- How is EURODAC used in your country and who operates it? How is it linked to reception and in what form?
- Outline the EURODAC process in your country and identify the possible direct or indirect linkages to reception.

QUALIFICATIONS DIRECTIVE (2011/95/EU)

The Qualifications Directive was developed with the purpose of defining "standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection" – including that of refugees and for persons eligible for subsidiary protection.

The evidentiary assessment of asylum claims require that specific evidence and issues must be considered: the applicant's statement and relevant documentation on age, background, relatives, identity, nationality, previous residence, previous asylum applications, travel routes, travel documents, and reasons for application.

The assessments are made on an individual basis and should also consider facts about the country of origin, statement about persecution or serious harm, individual positions, personal circumstances and possible events taking place or increased risks of persecution or serious harm after the applicant left the country of origin. The consistency and credibility of information submitted by the applicant also makes part of the assessment. If specific actions have been undertaken for the sole purpose of international protection this will also be accounted for in the evaluation.

Successful claims and beneficiaries of international protection should be given a residence permit for at least three years renewable for refugees, or one year + two years renewal for persons with subsidiary protection status – unless compelling reasons of national security or public order prevail.



QUALIFICATIONS DIRECTIVE (2011/95/EU)

EU LEGAL FRAMEWORK

The Directive also specifies the respect to the principle of non-refoulement in accordance with international obligations.

International protection grants additional rights other than residence permit. These rights include:

- Access to information on rights and obligations of the status granted;
- Access to accommodation at equivalent condition at other third-country nationals;
- Possibility of family reunification;
- Travel documentation and freedom of movement;
- Access to integration;
- Access to employment and self-employment;
- Access to education, procedures for recognition of qualifications;
- Social welfare and health care;
- Possibility of assistance for voluntary repatriation.

Member states are free to apply more favourable standards at own discretion.

The Directive is fully expressed in the Qualifications Directive 2011/95/EU. It applies to all Member States with the exception of Denmark, Ireland and United Kingdom.

- What is the importance of the qualifications directive in relation to reception?
- How do the rights associated with international protection relate to reception?
- Identify activities in the reception site/facilities that can be undertaken in support of the execution of these rights.

ASYLUM PROCEDURES DIRECTIVE (2013/32/EU)

The Asylum Procedures Directive was developed with the view to establish a common asylum procedure in the EU. Its main objective is to further develop the standards for procedures in Member States, for granting and withdrawing international protection. The Directive applies to all application in the EU territory – borders, territorial waters and transit zones – and safeguards and guarantees access to a fair and efficient asylum procedure.

The examination of an application for international protection generally considers a situational analysis from the country of origin and/or transit; relevant asylum and refugee law; medical, cultural, religious, child-related, and gender specific issues; a personal interview, medical examination where applicable, and relevant documents submitted by the applicant.

The procedures for the application generally follows a process of registration and application within three to ten working days; examination of application within six to maximum 21 months (with right to temporary accommodation and dignified reception); international protection status or return depending on final decision; right to appeal and effective remedy in court or tribunal.

Applicants have the right to receive information – in a language they understand – on application procedures, rights and obligations, consequences of non-compliance, and have the right to seek legal advice.



EU LEGAL FRAMEWORK

Exceptions may apply in case of extraordinary conditions such as large number of simultaneous applications for international protection. This also includes decisions on admissibility and substance of an application made directly at the border or in transit zones — within four weeks or for as long as accommodation can be provided in the nearby area.

Applications can be considered inadmissible based on the Dublin Regulation, when another Member States have already granted international protection or is considered first country of asylum for the applicant, or when a non-EU country is considered to be a safe third country (with which the applicant has a link to).

Assessments to identify vulnerable asylum seekers (e.g. as a result of torture, rape or serious form of psychological, physical or sexual violence) or unaccompanied minors should be undertaken within reasonable time. Special procedural guarantees should then apply, considering the specific need of the applicant and providing additional support and representation.

Member states are free to apply more favourable standards at own discretion.

The Directive is fully expressed in the Asylum Procedures Directive 2013/32/EU. It applies to all Member States with the exception of Denmark, Ireland and United Kingdom.

- What does the asylum procedure look like in your country and what is the estimated waiting times for asylum determination?
- Why is it important to understand the asylum procedure when working with reception?
- Outline the applicable asylum procedures from arrival to the country, registration of application, asylum determination process and reception rights, and decision. Prepare an information sheet for reference and possible information dissemination to residents.

RECEPTION CONDITIONS DIRECTIVE (2013/33/EU)

The Reception Conditions Directive was developed to ensure adequate "standards for the reception of applicants for international protection".

Reception modalities referred to include premises for the purpose of housing of applicants during the examination process at border or transit zones (i.e. emergency sites), accommodation centers which guarantee adequate standards of living (i.e. reception centers and special accommodation centers for unaccompanied minors), and other arrangements such as private houses, flats or other premises adapted for asylum seekers.

Detention for the sole reasons of seeking international protection is not allowed, grounds for detention should be laid down in national law.

The Directive calls for Member States to provide an adequate standard of living for applicants, with guarantees to the right to life and protection to physical and mental health. Material reception conditions provided for include housing, food and clothing, and a daily expense allowance.

In addition, rights to documentation and rights to information on benefits and obligations related to reception within 15 days of application, family unity where possible, access to the labour market, and emergency health care and essential medical treatment shall also be provided as per the Directive and according to the conditions set by the Member States.



EU LEGAL FRAMEWORK

Other references made in the Directive relate to the access to assistance by family members, legal advisers or counselors, or other non-governmental organizations; gender- and age specific considerations and provisions for vulnerable persons/persons with specific needs; child-friendly spaces and age-appropriate recreational activities; specific prevention of various forms of gender-based violence; provision of appropriate medical and psychological treatment; family tracing and unification; participation and active involvement of the residents of the reception center; and limitations in transfer between reception centers. Vulnerability assessments should be undertaken within a reasonable period of time to ensure needs-based approaches throughout the process.

Member States do have the right to reduce or withdraw the material reception conditions, however always granting access to health care and a dignified standard of living.

According to the principle of subsidiarity, the standards of reception conditions are to be upheld by Member States, unless more effectively implemented at the EU level. Member states are free to apply more favourable standards at own discretion.

The Directive is fully expressed in the Reception Conditions Directive 2013/33/EU. It applies to all Member States with the exception of Denmark, Ireland and United Kingdom.

- How is the reception conditions directive materialized in your country? What are the national guidelines on reception conditions?
- List the main component for material reception conditions as well as additional assistance and protection of reception residents.
- How is vulnerable groups and persons with specific needs accounted for in the reception site/facility and why is this important?
- List key considerations necessary to ensure adequate standards are provided also for vulnerable groups and persons with specific needs. Compare the lists with the reality in your reception site/facility.

RETURN DIRECTIVE (2008/115/EU)

The Return Directive was developed to set out "common standards and procedures (...) for returning illegally staying third-country nationals, in accordance with fundamental rights" – in accordance with the general principles of EU law, international law, refugee protection and human rights obligations.

In its implementation, Member States shall take account of the best interest of the child, family life, the state of health of the third-country national concerned, and the respect to the principles of non-refoulement.

A return decision may be replaced or temporary suspended by an autonomous residence permit or authorization to stay for compassionate, humanitarian or other reasons.

Return decisions shall always provide for a possibility of voluntary return, provided within an appropriate time frame (generally within seven to 30 days or, with possibility of extension due to specific circumstances of the individual). In absence of voluntary return, Member States may enforce a return decision with the ordering of removal. Coercive measures to carry out the removal should only be a last resort, and in accordance with fundamental rights and with respect to dignity and physical integrity.

Return decisions may be accompanied by entry bans, not exceeding five years unless on grounds based on serious threat to public policy, public security or national security.



RETURN DIRECTIVE (2008/115/EU)

EU LEGAL FRAMEWORK

Decisions on returns, entry ban, and removals must be provided in writing and accompanied by information on available remedies.

A third-country national issued with a return decision may be kept in detention for a main order to prepare the return and/or carry out the removal process – for the purpose of mitigating risks of absconding or a purposeful delay or rejection of the return and/or removal.

Detention is not the same as reception and a detention facility is not the same as a reception center – nonetheless detention shall still be undertaken with respect to human rights and right to life with dignity. Detention for the purpose of return and removal shall as far as possible avoid prison accommodation facilities. For cases of minors and families detention should be minimized to the shortest time possible and grant additional provisions in accordance with the specific needs of such persons.

Member states are free to apply more favourable standards at own discretion.

The Directive is fully expressed in the Return Directive 2008/115/EU. It applies to all Member States with the exception of Ireland and United Kingdom, and also incudes Norway, Iceland, Switzerland and Liechtenstein.

- How does a return decision affect the reception resident(s) and what kind of targeted support may be needed in the immediate aftermath of such decision?
- Outline routines specifically related to how to handle return decisions (and removal) in your reception site/facility. Identify support measures for the returning resident.

FAMILY REUNIFICATION DIRECTIVE (2003/86/EU)

The Family Reunification Directive was developed with the purpose to "determine the conditions for the exercise of the right to family reunification by third-country nationals residing lawfully in the territory of the Member States" — in order to preserve the family unit.

Family reunification applies to third country nationals (not EU citizens) granted residence permits of at least one year with reasonable prospects of obtaining permanent residency. Applications of unaccompanied minors shall be submitted before the age of 15 years of age.

The following family members may qualify for family reunification:

- Spouse, proven unmarried long-term partner, or registered partner (in polygamous marriages only one spouse can qualify);
- Minor children (including adopted children, minor children of the spouse, children of shared custody if agreement by other custodian);
- Adult unmarried children where they are unable to provide for their own need based on the state of health;
- First degree relatives in direct ascending line (where such relatives are in dependence and do not enjoy other proper family support in the country of origin unless in case of unaccompanied minors);
- Legal guardians or other family member for unaccompanied minors;
- Dependent other family members for refugees.

Family reunification comes with further entitlements related to access to education; access to employment and self-employment activities (within a time frame of 12 months); vocational guidance, training and retraining; as well as right to permanence residence permit within five years of residence.



FAMILY REUNIFICATION DIRECTIVE (2003/86/EU)

EU LEGAL FRAMEWORK

Member States can reject, withdraw or refuse to renew a family member's residence permit and issue order removal from the territory based on grounds of public policy, public security or public health, or for reasons of family breakdown Member States can however not apply such measures based on the sole reason of illness or disability.

The right to family life is a fundamental right guaranteed by the EU Charter of Fundamental Rights and the European Convention of Human Rights, and protected by the highest courts in the EU.

Member states are free to apply more favourable standards at own discretion.

The Directive is fully expressed in the Family Reunification Directive 2003/86/EU. It applies to all Member States with the exception of Denmark, Ireland and United Kingdom.

- Bearing in mind the fundamental right of family unity, how can family tracing and unification be supported from the side of the reception site/ facility?
- Identify key actors involved in family reunification and outline activities that can support this work.

THE "HOTSPOT" APPROACH EU REFUGEE RELOCATION SYSTEM

The 2015 refugee crisis in Europe put exceptional pressure on European countries in terms of the mixed migratory flows and particular pressure at the external borders. In light of this the European Commission proposed a set of measures under the European Agenda on Migration, to manage the refugee crisis and provide support to Member States. The "hotspot" approach was thereby introduced to provide a common platform for support by EU Agencies and other Member States (FRONTEX, European Asylum Support Office (EASO), Europol and Eurojust) to frontier countries – in times of crisis.

In the hotspot registration and identity/nationality screening of arriving migrants is undertaken together with EURODAC fingerprinting. Information to migrants on the asylum process is also provided and those opting for asylum claims are referred to relevant national authorities and EASO for the asylum application. Those lacking need for international protection are referred for immediate return. Specific attention is given to vulnerable groups and unaccompanied minors.

While hotspots are primarily linked to the asylum procedures is success is still depending on the assumption of existing and functioning (first) reception facilities (and pre-removal centers) – in particular related to the EU refugee relocation system introduced for transfer of persons in need of international protection.



THE "HOTSPOT" APPROACH EU REFUGEE RELOCATION SYSTEM

EU LEGAL FRAMEWORK

The **refugee relocation system** is a system for transfer of persons who are in need of international protection, from one EU Member State to another EU Member State. In 2015, Member States committed to the relocation of 160,000 persons – mainly from Greece, Italy and Hungary – over the coming two years.

Those qualifying for relocation are restricted to nationalities with an average recognition rate of international protection above 75% at the EU level. In 2015, these nationalities included Syrians, Eritreans and Iraqis. The distribution between countries is based on factors related to size of population, total GDP, unemployment rates as well as average number of asylum applications in the past four years. A matching will be done to the extent possible and taking into account language skills, family, cultural and social ties – as a way of facilitating integration.

Depending on the determination process and waiting times associated with relocation, the national asylum reception capacity becomes critical for successful implementation of the European Agenda on Migration. Equally, the dignity of the applicants for international protection under the EU refugee relocation system is important to safeguard throughout the whole process.

- How does the hotspot approach and refugee relocation system relate to your country and the reception capacity needed?
- In countries where hotspots apply, what aspects need to be considered for dignity in reception as part of the refugee relocation system?
 What specific assistance, protection and services should be provided?
- Assess and identify potential impact of hotspots and/or refugee relocation on reception sites/facilities in your country.



CORE TASKS AND CONCEPTS

PARTICIPATION

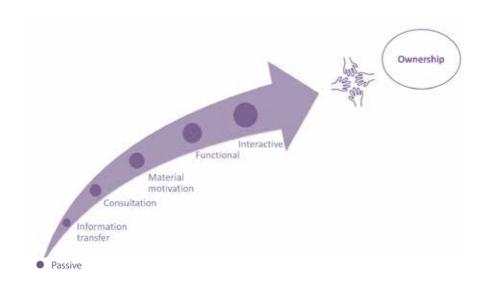
Participation is a fundamental element of dignified reception. Participation is a planned process for active involvement of all reception residents – including persons with specific needs, otherwise marginalized or minority groups.

There are different levels of participation. These include **passive** (information about decision making but no ownership); **information transfer** (involvement in information collection but not decision making); **consultations** (asked for opinions but not involved); **material motivation** (participation against payments or in-kind support); **functional** (participation and guidance in decision making); **interactive** (partnership for decision making and action); and **ownership**. The highest level represents full ownership and control of day-to-day activities and decision-making.

Participatory approaches are important as it helps ensuring needs based responses to the protection and assistance provided, it also builds dignity, self-esteem and self-reliance. Participation can help mitigating tensions and conflict in the reception facility and builds bridges between different groups.

Depending on the type of reception site/facility and the length of stay of residents, participation may materialize in different ways. Examples of participatory measures include but are not limited to the establishment of a **feedback mechanism** (with subsequent actions where appropriate as well as transparent communication channels on results); support to the establishment of **committees or working groups** with specific responsibilities, e.g. committees for housing, cleaning, recreations and/or sports, information and communications, children/youth, protection, durable solutions, etc.; different **capacity building activities** tailored to the needs of the residents.





- Why is participation important? How may participation differ in different types of reception sites/facilities (e.g. short term stay vs. medium term accommodation)?
- What added value does participation have on reception residents in the short as well as medium to long-term?
- Create a mind-map of existing participation activities and initiatives in your reception site/facility and their respective benefits.
- How can participation be strengthened and what kind of (innovative) approaches can be applied?
- Identify and prioritize measures linked to the day-to-day management of the reception site/facility.
- How can participation be made inclusive and accessible to all? How can vulnerable groups and persons with specific needs be mobilized?
- Map marginalized groups and residents and create a corresponding all-inclusive participation action plan.

CAPACITY BUILDING

Capacity building is a way of empowerment and can be adapted to needs as well as intent. Capacity building activities can include awareness raising for the purpose of improving knowledge and raise awareness in relation to a specific topic; training with an aim to build or improve specific competencies; and coaching as a tool to strengthen capabilities of analysis and solution.

In the context of Europe, refugees and asylum seekers are waiting for months and sometimes years in reception as part of the asylum determination process. For a purposeful and dignified waiting, this period is a good opportunity to use the time in a productive manner, for empowerment, and as a preparatory measure for integration. Examples of what capacity building activities may include are basic language courses, cultural and societal orientation training, entrepreneurship schools and awareness raising in how to start a company, and computer skills and web-user trainings.

Capacity building activities can be either delivered internally or externally, then linked to for example civil society and non-governmental organizations, learning institutes or by mobilizing volunteers. In recent years, innovative initiatives and for-free web solutions offer basic language and other courses online which can also be offered to reception residents with a bit of facilitation.

The longer the waiting times of the asylum determination process the more important to integrate capacity building as a critical part of dignified reception. This applies in terms of creating a fruitful reception period, giving purpose and self-governance tools during the waiting time, and promoting a sense of inclusiveness – regardless of the outcome of the asylum claim. It is also valuable in terms of preparing empowered future beneficiaries of international protection, productive members of society, and prospect future citizens.





- Why is capacity building important? What added value does capacity building have and what tools does it offer reception residents in the short as well as medium to long-term? How does capacity building activities differ in different types of reception sites/facilities?
- Identify areas for capacity building based on the needs that you see in your reception site/facility and that you deem relevant for the context/country you are operating.
- Plan for how the capacity building activities can be organized: in what form and internally arranged by staff or with external support from and in collaboration with potential partners.
- How can capacity building be made inclusive and accessible to all as well as beneficial to all residents? How can vulnerable groups and persons with specific needs be mobilized?
- Map marginalized groups and residents and match the capacity building activity and approach to these groups – combined with an all-inclusive capacity building strategy.

INFORMATION MANAGEMENT

Information management is key in the provision of dignified reception. Actors involved rely on accurate, reliable, updated and clear information.

In Europe, the main registration preceding reception and temporary accommodation are undertaken in the EURODAC system in the first step, and as part of the asylum application procedures in the second step. Provisions for vulnerability assessments are also considered. Nonetheless, information beyond such registration is still a critical component for accurate planning of needs-based assistance and protection for reception residents, as well as provision of complementary services that may add value to the overall reception

The very basics of information management include collection of the information and subsequent analysis, information sharing with relevant actors, joint planning, implementation, and monitoring and evaluation. Questions such as WHAT information is needed and what does it mean, WHO needs the information, WHERE are the gaps, HOW can they be addressed, WHO will do what, and what ACHIEVEMENTS have been made are important. The answers will help ensuring an effective and well-coordinated response, as well as limited duplication and effective use of available resources.

The Data Protection Directive (95/46/EC) and related national legislation governs the management of personal data. In essence it entails consent from and notice to persons whose data is purposefully collected and disclosed, data is to be securely stored, persons to be granted access to their data, and data collectors to be accountable to key data protection principles.



- Why is information management important? What insights and findings can it provide? How can information be used?
- Identify what additional information would be useful for your work in the reception site/facility.
- Outline the main contributing factors of a well functioning information management system and identify what elements need to be in place to ensure the optimal use of the available information.
- What different actors collect information about reception residents and about what? How is information shared and how is it used in the planning for needs-based assistance and protection?
- Map information management in relation to your country and/or reception site/facility based on WHO collects WHAT information and HOW is it used and shared.
- Identify basic strategies for monitoring and evaluating the use of information in planning and prioritization of assistance, protection and related activities for dignified reception.

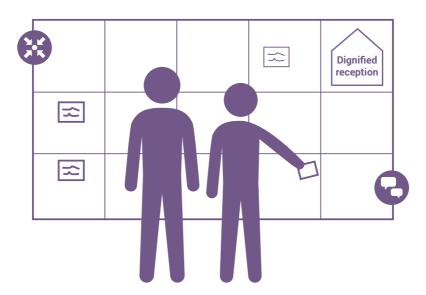
COORDINATION

Coordination is a process of sharing information and planning together for mutual and agreed upon goals. Successful coordination is one that includes all stakeholders involved in the reception, e.g. responsible national authority, regional administration boards, local authority and/or municipality, service providers, police, civil society and non-governmental organizations, local community and last but not least the reception residents.

Coordination is however depending on factors such as good leadership, transparent communication, clear roles and responsibilities, reliable and up-to-date information, functioning information sharing mechanisms, and most importantly the attitude and willingness among all stakeholders to make coordination work.

With coordination it is possible to avoid duplication of efforts and effectively use available and often scarce resources for its intended purpose – to address needs and gaps as well as to raise the standard of assistance and protection provided.

An actor map and a "who does what where" matrix for clear roles and responsibilities, together with a corresponding contact list is the first step for a functioning coordination mechanism. Other factors strengthening coordination include meetings, working groups and task forces as well as common databases and websites.



- What does the coordination of your reception site/facility look like? Are all relevant stakeholders included?
- Prepare a "who does what where" matrix with overview of all relevant stakeholders. Identify overlaps and potential gaps in the reception response.
- How can coordination be strengthened among relevant stakeholders
 at the level of the reception site/facility as well as higher up at national level?
- Outline the existing features of the coordination system and identify additional measures that can strengthen the system and ensure a well-coordinated reception response.

VOLUNTEER AND CIVIL SOCIETY ENGAGEMENT

Dignified reception is a multifaceted concept with a wide range of activities required for adequate assistance and protection. Many times, volunteers and civil society (organized or unorganized) offer their support, providing important contributions to the overall response. The 2015 refugee crisis in Europe saw a surge of solidarity actions as well as civil society engagement varying from immediate life-saving assistance to more long-term stepping-stones for social inclusion and integration. Important in relation to volunteers and civil society is how to engage, empower, and enable the contributions in the best way – and avoid, despite all the good intensions, doing harm.

The ABC list of volunteer and civil society engagement in dignified reception may include but is not limited to:

- Agreement of the overall goal as well as code of conduct to ensure a common vision and way of approach;
- Information about legal framework and standards and what parameters the reception site/facility is working under;
- Rights and obligations of the reception residents as well as asylum procedures in order to avoid misgiving of key information;
- Procedures and guidelines on the overall management of the reception site/facility to align to existing routines;
- Mapping of relevant actors and service providers as well as respective functions to ensure information sharing and coordination;
- Outlining responsibilities of respective volunteer and civil society group to avoid duplicated efforts and ensure effective use of resources.
- Mapping of referral mechanisms for persons with specific needs and confidentiality principles to ensure integrity in protection services.

Depending on context and situation additional factors should be considered.



CORE TASKS AND CONCEPTS



- Why are volunteer and civil society groups important for the delivery of dignified reception? What role can they play?
- Outline the key benefits of volunteer and civil society engagement and key areas where their support can be particularly beneficial. Identify circumstances where volunteer and civil society engagement may risk causing harm.
- How can volunteer and civil society groups in your vicinity be engaged, empowered and enabled to support reception in the best way? What are their respective strengths and weaknesses in relation to dignified reception?
- Prepare an ABC list of volunteer and civil society engagement adapted to your context and particular reception needs and situation.

MINIMUM STANDARDS

Humanitarian standards are generally set as a minimum benchmark for the right to life with dignity for the reception residents. Standards are usually helpful guidelines in planning and preparedness as well as establishment of reception sites/facilities, but also for monitoring the quality of the assistance and protection provided.

Globally, the Sphere Project Humanitarian Charter and Minimum Standards is a key reference for humanitarian actors. Sphere outlines standards in the following areas:

Water supply, sanitation and hygiene promotion: Total basic water need, access to toilets and showers, waste management, cleaning, etc.

<u>Food security and nutrition:</u> Recommended daily rations per persons, number of meals per day, specific conditions for e.g. children and pregnant or breastfeeding women.

<u>Shelter, settlement and non-food items:</u> Covered floor area per person, shared common spaces, fire safety, privacy, maintenance and repair.

<u>Health:</u> Access to health clinic, health personnel, attention to health conditions and medical treatment.

In the EU, the Reception Conditions Directive 2013/33/EU lays down the overall framework for reception standards in Member States. National rules and regulations will further outline the details of national standards and quality controls regulating the reception in respective Member State.





- Why is it important to have a set of minimum standards indicators and how can they become a useful tool in dignified reception?
- Which regulation or guiding document outlines the minimum standards of reception in your country? Who is responsible for its adherence and monitoring at national level?
- What does the minimum standards of reception in your country look like? Which elements are included and how are the standards quantified?
- Create a list of the applicable minimum standards in reception and their corresponding indicators. This can become the basis for your standards monitoring tool.

DISTRIBUTION

Central to ensuring the right to life with dignity in reception is the provision and adequate access to food and non-food items. How these items are being distributed is important and affects everything from ensuring basic needs are met to the overall safety and atmosphere in the reception site/facility.

There are three models of transfer. in-kind, cash transfer, and use of vouchers. Regardless of what model is applied, the protection, dignity and integrity of residents should be respected at all times – also considering the do no harm principle where risks, security threats, uneven distribution, and/or deprivation of basic services is minimized. As a protection measure, specific attention in disitrbution should be given vulnerable groups and persons with specific needs.

Typically, three types of distribution are used: Distribution to groups of residents, through representatives of a group or a household, or through representatives of households (preferably women if no protection risk). The latter one is preferred as it ensures a more direct and equitable distribution.

To ensure effective distribution, it is important to have a clear distribution process related to e.g. times, locations, distribution points, and contact persons – and to communicate this process to residents of the reception site/facility. Depending on the numbers as well as the distribution system, crowd control may be needed to ensure safe, dignified and non-violent settings. Continuous monitoring, quality control as well as a feedback mechanism from residents are key for improvements in the distribution system. These are all activities that can be assigned to a distribution committee where the residents are actively engaged and in ownership of.



- Why is it important to have a well-functioning distribution system in place?
- What does the distribution procedure look like in your reception site/facility and how is it monitored? What is its strengthens and weaknesses?
- Identify different items that are being distributed in the reception site/ facility and assess the different transfer models and distribution types that may apply.
- Develop distribution procedures guidelines from A to Z and keep for reference as well as for possible information dissemination to reception residents. Evaluate the pros and cons for establishing a distribution committee with representatives from the reception residents.

INFORMATION AND COMMUNICATION

Access to information is fundamental for upholding rights and ensuring life in dignity. The more information is shared with reception residents the more involved, engaged and empowered they will become. Information assists people to make informed choices and decisions.

Key information to share with reception residents, refugees and asylum seekers include the context they are in, rights and obligations, access to the asylum system, awaiting processes and procedures, the whereabouts of family/friends, public opinion and debate, security concerns, available feedback and/or complaint mechanisms, etc. It is also important to be clear about procedures related to assistance, protection and activities within the reception site/facility.

Equally important is information to local communities — in particular prior to the establishment of a reception facility, but also throughout the process with a continuous flow of information and dialogue. To reduce potential tension between the reception residents and local community it is also possible to create a platform for two-way communication and joint activities.

Different communication strategies and information dissemination activities can be applied depending on the timing of information sharing, the nature of information, and intended target group. Some examples include upfront information to a larger group, open community meetings, notice boards or bulletins, one-on-one information sharing and dialogue, suggestion box, social media.

CORE TASKS AND CONCEPTS



- Why is information and communication important? What is the key essential information that reception residents need in order to reduce their uncertainty factor in daily life as well as for the future?
- Create an information mapping and corresponding communications guideline and list the basic information in terms of legal rights and procedures, societal/cultural information, reception related information, and other necessary information for the residents.
- How can you ensure equal access to information among all reception residents?
- Identify specific considerations such as language barriers, marginalization and exclusion as well as persons with specific needs. List mitigation measures for each barrier.
- Why is it important to keep an open dialogue with the local community and what is the key essential information for them?
- Prepare an information sheet specific for the local community.

THE LIFE CYCLE OF DIGNIFIED RECEPTION

The life cycle for dignified reception is often divided into three overlapping phases. Below are sample activities linked to each of the phases:

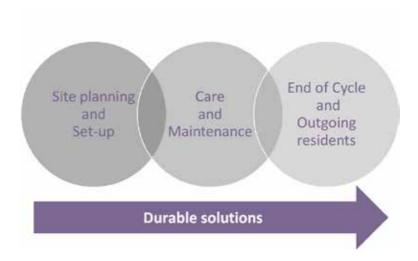
Site planning and set-up: Selection of location (accessibility, security, size, availability of nearby services, environmental concerns, etc.); Set-up of shelter and water, sanitation and hygiene facilities; Information to local host community; Establishment of systems for registration, identification of persons with specific needs and/or vulnerable groups, allocation of housing units, distribution procedures, etc.; Partnerships with relevant actors and service providers.

<u>Care and maintenance:</u> Collecting information and monitoring specific needs and vulnerabilities; Monitoring facilities and associated infrastructure; Monitoring services and distribution; Coordinating and communicating with relevant actors, service providers and local community as well as with reception residents; Facilitating participation and active involvement of persons in the reception facility; Conflict resolution.

End of cycle and Outgoing residents: Information to outgoing residents and ensuring their rights are accounted for; Deregistration of outgoing residents; Information sharing and referral to relevant stakeholders responsible for post-reception phase; Reparations and cleaning of facilities; Closure of reception site/facility where applicable and dismantling of temporary infrastructure.

The element of durable solutions is integrated throughout the whole process.





- How do the three phases of the life cycle overlap with each other and how do the activities and approach differ depending on what phase you are in?
- Map out the three phases and identify activities for each phase.
- In what phase of the life cycle of dignified reception are you: site planning and set-up, care and maintenance, or end of cycle (/outgoing residents)?
- Identify the key activities linked to your current phase and assess what future activities are important to start planning for already.

CONTINGENCY PLANNING

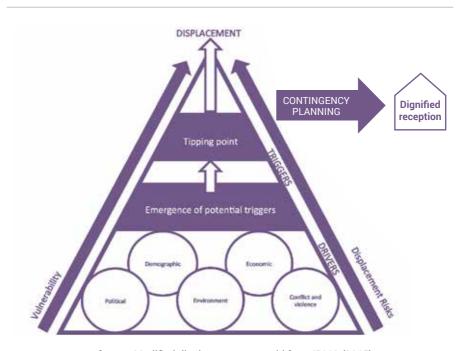
Contingency planning is used for analysis of impact stemming from potential crisis and ensuring that necessary arrangements are made in advance to respond in a timely, effective and appropriate way. Contingency planning is about being one step ahead.

Understanding displacement means understanding political, economic, demographic, environmental and conflict/violence-related drivers – while identifying emerging triggers (e.g. events that threaten physical or economic security) and monitoring their tipping point. This needs to be seen in light of people's vulnerabilities and general displacement risks.

In relation to dignified reception in Europe, it is important to understand the drivers and triggers for global displacement, main travel routes and the relative preference of seeking refuge in neighbouring countries contra in Europe, as well as the reception response capacity in place vis-á-vis the response capacity needed in countries of transit and destination.

Understanding reception response capacity means understanding point of arrival and number of applicants for international protection; time to process such applications (from arrival to final decision) and thereby time in reception; location, type and availability of sites and facilities for reception and time needed to open new facilities; access to health and education services; and other resources needed and available for dignified reception.

A contingency plan should also elaborate on who does what where, how stakeholders can work together, and what preparedness measures can be put in place in advance.



Refrence: Modified displacement pyramid from IDMC (2015), Understanding the root causes of displacement

- Why is a contingency plan important and how can it help the response and ensure dignified reception?
- What is the reception capacity of your country or reception site/ facility and what is the capacity to adapt to new arrivals or arising reception needs?
- What geographical locations are most-at-risk and how long are people estimated to stay in the reception site/facility?
- Draft a rough contingency plan based on a situational analysis, mapping of travel routes and most-at-risk locations, as well as existing reception capacity vs. potential needs. Identify who does what where and map the capacities of respective stakeholder. Prepare a list of items for prepositioning.

SAMPLE SITE PLANNING CHECKLIST

Modified from the CCCM Cluster (2015), Camp management toolkit

The site/facility is large enough for the number of people	The site/facility considers fire safety and other potential hazards
Yes No	Yes No
The local community has been informed about the establishment of the site/facility	The site/facility has a functioning drainage system
Yes No	Yes No
The site/facility has space for recreational activities and child-friendly space	The site/facility has allocated space for groups with specific needs
Yes No	Yes No

CORE TASKS AND CONCEPTS

The site/facility is accessible to relevant stakeholders	The residents have access to services and public transport options is available
Yes No	Yes No
The site/facility has a system for waste collection	The site/facility provides basic hygiene infrastructure such as toilets, showers and access to potable water
Yes No	Yes No
The site/facility has allocated space for storage of food and NFIs	Relevant stakeholders have been identified and roles and responsibilities are clearly understood
Yes No	Yes No

If no, the reception manager and/or relevant authorities and stakeholders should ensure these services are provided.

Questions, discussion points, food for thought

- Analyze the checklist and see what points should be added/removed/ changed. Develop and contextualize your own checklist.

SAMPLE CARE AND MAINTENANCE CHECKLIST

Modified from the CCCM Cluster (2015), Camp management toolkit

Is the overall infrastructure sufficient in standard and numbers?	Are any housing units, toilets, showers or other infrastructure in need of repair?
Yes No	Yes No
Is the garbage disposal and waste management working properly?	Have there been any security or protection incidents reported?
Yes No	Yes No
Is the provision of shelter, food, non-food items, health and education (for children) sufficient and easily accessible?	Have there been any complaints from residents related to access to and distribution of services, assistance and protection?
Yes No	Yes No



CARE AND MAINTENANCE

CORE TASKS AND CONCEPTS

Do residents have access to information on their asylum applications and/or contact with responsible authorities?	Are there any concerns related to persons with specific needs/ vulnerable groups?
Yes No	Yes No
Are there any tensions and/or incidents of violence within households, between distinct groups, or among residents?	Are there any tensions and/or incidents of violence between residents and local community?
Yes No	Yes No
Is there regular presence of security patrolling the area?	Is the level of participation among residents sufficient? Are all residents represented in governance structures?
Yes No	Yes No

If no, the reception manager and/or relevant authorities and stakeholders should ensure these services are provided.

Questions, discussion points, food for thought

- Analyze the checklist and see what points should be added/removed/ changed. Develop and contextualize your own checklist.

SAMPLE END OF CYCLE CHECKLIST

Modified from the CCCM Cluster (2015), Camp management toolkit

Have outgoing residents received adequate information about the decisions on asylum application?	Have outgoing residents been informed about subsequent procedures as well as rights and obligations in terms of execution of their decision?
Yes No	Yes No
Do outgoing residents have access to administrative support according to their needs and rights?	Have outgoing residents been deregistered?
Yes No	Yes No
Have outgoing residents collected all their personal belongings?	Have information about specific needs of outgoing residents been shared to relevant authorities and stakeholders?
Yes No	Yes No



END OF CYCLE AND OUTGOING RESIDENTS

CORE TASKS AND CONCEPTS

Have the specific needs and vulnerabilities of outgoing residents been adequately addressed?	Have housing units and related amenities in need of reparations been attended to?
Yes No	Yes No
Have housing units and related amenities been properly cleaned?	Has the standard and dignity in reception and lessons learned been evaluated?
Yes No	Yes No
Is there a plan for subsequent phases of reception and next steps?	Is there a plan for closing the reception site/facility (and, where applicable, handing over to responsible authorities)?
Yes No	Yes No

If no, the reception manager and/or relevant authorities and stakeholders should ensure these services are provided.

Questions, discussion points, food for thought

- Analyze the checklist and see what points should be added/removed/ changed. Develop and contextualize your own checklist.

DURABLE SOLUTIONS

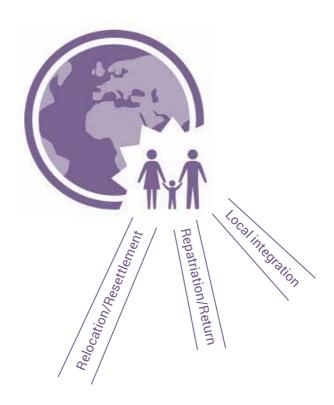
Durable solutions refer to a long-term solution for refugees and asylum seekers, post-reception – through local integration in destination country, resettlement or relocation to other country or within the same country, safe repatriation/return and reintegration at the country of origin.

Whereas the responsibility of durable solutions is primarily linked to national authorities the reception period and assistance and protection provided therein is still key to the success of any durable solution.

Important to note is that durable solutions are not a standalone or separate activity but a fundamental, cross-cutting element which permeates all aspects of dignified reception – starting day one and continuing throughout the whole process. Its consequences – positive or negative – have effects at the individual level for the people concerned, but also for the host society and country of destination.

Key factors for durable solutions is among other things sustainable access to safety, security and the justice system; family reunification; documentation; participation in public affairs; adequate standard of living.

For refugees and asylum seekers it is even more important to consider integration measures intertwined with reception, even in the early stages and with (despite of) the notion that not everybody will be granted asylum. Examples of measures may include but is not limited to language skills, access to labour market; vocational training options and education; contact with host community and local citizens.



- Why are durable solutions important? Why should they be considered already in the early stages of reception?
- What preparatory measures and support activities can be considered for each of the three durable solutions – at the national level as well as at the level of the reception sites/facilities.
- Map out key assistance and protection as well as related activities that can be organized in support of the durable solutions. Link activities to the different durable solutions: local integration, relocation and resettlement, and repatriation and return.

INTEGRATION

The 1951 Convention relating to the status of refugees calls for contracting States to "as far as possible facilitate the assimilation and naturalization of refugees. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings" (Art. 34).

Integration is thereby a key component for durable solutions. In the same spirit, the EU Qualifications Directive makes provision for extended rights and access to welfare services and integration programmes for beneficiaries of international protection — i.e. post-reception. Nonetheless, integration is a long-term activity and the preparations for durable solutions should start already in the earlier stages of reception, for benefits at individual level as well as for society. Bridging reception with integration creates motivation and self-reliance for future citizens, while ensuring a value added in the reception period also for those whose applications may eventually be rejected.

Conditions for integration includes access to legal rights, economic rights and conditions as well as social, cultural and political rights. The EU Qualification Directive mainly speaks to the legal aspects of integration. In addition, financial independence and ability to contribute to economic growth, and the social and cultural integration are equally critical. Examples of the latter are ability to speak local language, contact with and network links to local community, and cultural/societal orientation and being accustomed to norms and behavioural codes.

As a way of raising the bar for dignified reception, activities related to integration should be mainstreamed throughout the reception life cycle.



- Why is integration key in relation to the reception and eventual naturalization of refugees? What factors are key for integration?
- Although not directly provided for in the EU legal framework, how can countries as well as reception sites/facilities make provisions for integration support measures already during the reception?
- Outline what integration measures are more naturally linked to dignified reception and prepare a plan for their implementation in a cost-efficient yet effective manner.
- Map out what partners exist including volunteer and civil society groups – and how these can be mobilized for the mainstreaming of integration support measures as part of dignified reception.



PROTECTION AND SAFETY

PROTECTION LEGAL FRAMEWORK

Protection and assistance comprise the two pillars of dignified reception – founded on a legal framework underpinned by the right to life with dignity. Assistance is about saving lives and alleviate suffering, including delivering services including food, clothing, housing and services such as education and medical care. Protection entails activities ensuring full respect for the rights of the individual in accordance with relevant bodies of law.

The protection legal framework comprise of Human Rights Law, International Refugee Law, International Humanitarian Law as well as national laws and constitutions. The key documents include Universal Declaration of Human Rights (1948) and Bill of Human Rights (1966); UN Convention Relating to the Status of Refugees (1951) and its Protocol (1967); Geneva Convention (1949) + additional protocols and "laws of war"; National legislation.

The EU also has a legal framework regulating the area Common European Asylum System (CEAS) as well as related regulations, directives and decisions on e.g. asylum procedures, reception, and family reunification within the EU territory.

The protection legal framework defines persons in need of international protection, e.g. refugees and persons qualifying for subsidiary protection, as well as the principle of non-refoulement.

The protection legal framework ensures a rights-based approach but also comes with responsibilities for authorities and other actors involved.





- Why is protection important? What are the key national legal documents, policies and guidelines regulating the protection of human rights and right to life with dignity?
- Map relevant national documents of importance for protection and identify their protection objectives in relation to reception.

PROTECTION IN PRACTICE

Practical application of protection is key for dignified reception. All activities are guided by the humanitarian principles of do no harm, humanity, impartiality, independence and neutrality. This implies reception that upholds dignity based on rights and needs and without discrimination, while anticipating consequences and potential risk factors for reception residents.

There are four types of securities that are important for effective protection: physical security (protection from harm and violence), legal security (justice and legal documents), material security (equal access to basic goods and services), psycho-social security (recovery from trauma and development for future resilience).

In the management of reception sites/facilities it is important to factor in protection as an integrated part of the everyday duties and responsibilities. A protection strategy can serve as a helpful tool for effective implementation of protection activities — usually comprising of the elements of assessment, planning, implementation of protection activities, and evaluation and next steps.

Important to note is that residents in a reception site/facility represent different members of the community and thereby also face different risks and have different needs depending on e.g. age, gender and the nature of social, cultural or other type of background or vulnerability. Protection measures should be able to account for this in its practical application.



PROTECTION STRATEGY

Evaluation and Next steps Impact evaluation. Evaluation of inclusiveness. Plan for next steps.

Protection activities (sample)
Monitoring gaps in assistance.
Identify vulnerable persons.
Report/refer protection incidents.



Protection assessment Understand legal framework. Identify risk factors. Actor mapping and referral.

Protection planning Identify gaps and needs. Define risk mitigation activities. Develop a monitoring tool.

- How can the four types of securities be adequately covered? What measures are needed in relation to physical security, legal security, material security and psycho-social security?
- Outline examples of different activities linked to each of the four securities.
- Why is it important to have a protection strategy in place and how can it help in addressing the protection needs of the reception residents?
- Create a simplified template for your protection strategy incorporating the four securities in relation to the elements of assessment, planning, implementation of protection activities, and evaluation and next steps.
- Outline in addition the specific protection activities in relation to vulnerable groups and persons with specific needs.

SAFETY AND SECURITY - PROTECTION RISKS

The provision of security, maintenance of law and order, and guaranteeing a safe environment within the reception site/facility is the responsibility of national authorities. It is however still important for the effective functioning of the reception site/facility to account for safety and security hazards and protection risks — to residents and to staff.

The term security is usually applied in reference to an act of violence, while the term safety refers to accidental hazards such as car accidents or fire.

Security risks can be defined as threats X vulnerability. THREATS to security may include i.a. criminal acts (physical, mental, sexual harm), and social tension (among reception facility residents, or externally e.g. with groups of the local community). VULNERABILITY describes the level of exposure to, and/or limitations in ability to prepare/cope with impacts of a hazard.

The structural management of the facility is usually a determining factor for protection risks. As a general rule, the smaller, less crowded, more suitable and homogenous the facility, with well-assisted and informed residents, the lower protection risks. Thus, tips to consider include but is not limited to: avoid densely populated facilities and large centers with limited privacy and presence of isolated/dark areas; give attention to ethnic, religious and social composition and minority groups; participatory models and self-governance; access to equal assistance, specific support to people with stress disorder and pre-existing psychiatric disorders; reduce uncertainty by providing timely and up-to-date information to refugees and asylum seekers in reception.



PROTECTION AND SAFETY



RISK = THREAT X VULNERABILITY

- What safety, security and protection risks are you facing in your reception site/facility? How can these risks be mitigated in the best way?
- What potential threats are you facing and what is the level of vulnerability among different groups of residents as well as staff?
- How is the reception site/facility organized and managed and what are the main risk factors owing to infrastructure as well as management and routines?
- Identify threats as well as vulnerabilities in the reception site/facility and use that as a base for your risk assessment. Rank levels of risk and list the main priority mitigation measures that are needed to minimize the assessed risks. Prepare a security plan for the site/facility in case of any security incident.

VULNERABILITY PERSONS WITH SPECIFIC NEEDS

Vulnerability can be defined as diminished capacity if an individual or group to anticipate, cope with, resist and recover from the impact of an unforeseen hazard.

Among reception residents certain groups of persons may have specific needs due to vulnerability. In the Reception Conditions Directive there is a provision for vulnerable persons (Articles 21-25) such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with serious illnesses, persons with mental disorders and persons who have been subject to torture, rape or other serious form of psychological, physical or sexual violence, such as victims of female genital mutilation. Important to note is that not all vulnerabilities and/or needs are directly visible to the eye.

In order to provide assistance and protection in response to needs it is important that these are properlu assessed, identified and monitored. The EU Directive calls for assessment "within reasonable period of time after an application for international protection is made". Identified vulnerability shall thereafter be granted special reception conditions throughout the asylum procedures. For an appropriate response, communication and coordination between responsible actors as well as a functioning referral system is needed.

As support in the assessment and based on EU+ practices and existing identification mechanisms, the European Asylum Support Office (EASO) has developed an online tool for identification of persons with special need (IPSN). The tool is not a one-size-fits-all solution but gives guidance. An assessment may include indicators such as age, sex, gender identity and sexual orientation, family status, physical indicators, psychosocial indicators as well as environmental indicators. The tool also produces as a summary report as well as potential necessary actions to take.



PROTECTION AND SAFETY



- Why is it important to define and make specific provisions for vulnerable groups and persons with specific needs? How is the right to life with dignity affected if these considerations are not made?
- What are the specific vulnerability factors associated with the different categories of vulnerable persons according to the Reception Conditions Directive? What specific assistance and protection measures are needed to respond to these vulnerabilities?
- Create a vulnerability mind-map linking persons with specific needs to the associated assistance and protection necessary.
- How is the vulnerability assessment done in your country or in your reception site/facility and what does the information sharing and referral mechanism look like? Which actors are involved?
- Create a referral chart with identified responsible authorities, service providers and relevant stakeholders.

UNACOMMPANIED MINORS AND SEPARATED CHILDREN

The Qualification Directive defines unaccompanied minor as a child below 18 years of age "who arrives (...) unaccompanied by an adult responsible for him/her (...), and for as long as he/she is not effectively taken into the care of such a person, it includes a minor who is left unaccompanied after he/she has entered the territory of the Member State." Separated children are those separated from legal or customary primary caregivers but not necessarily from other relatives.

Unaccompanied minors and separated children are at increased risk of protection concerns - en route, in transit and/or upon arrival. These concerns may include violence and abuse, detention, new separation, psychological distress, and smuggling and exploitation. The Reception Conditions Directive calls for specific reception and accommodation arrangements for unaccompanied minors. These include placement with adult relatives, foster families, centers specifically established for unaccompanied minors, or other accommodation suitable for minors. All children also enjoy the right to education as per the UN Convention on the Right of the Child. Unaccompanied minors should further be provided with a representative assisting the child to benefit from rights and comply with obligations. Refugee unaccompanied minors also have extended provisions for family reunification with first-degree relatives in the ascending line, previous legal guardian, or any other member of the family.

Mindful of the specific protection risks and possible trauma of unaccompanied minors and separated children, the creation of a safe environment is critical, as is availability of rehabilitation and psychosocial support, access to recreational and leisure activities as well as early integration measures. Establishment of child/youth committees and other participatory activities help create a sense of self-reliance and ownership and also support needs-based approaches and ownership.



PROTECTION AND SAFETY



- Why is it important to define and make specific provisions for unaccompanied minors, including special accommodation facilities only for unaccompanied minors?
- What are the specific vulnerabilities and risk factors associated with unaccompanied minors and do these differ depending on the age of the child at point of arrival. What specific assistance and protection measures are needed to respond to these vulnerabilities and risks?
- Create a vulnerability and risk mapping linked to unaccompanied minors and the specific assistance and protection necessary.
- How is the age assessment done in your country or in your reception site/facility and what does the information sharing and referral mechanism look like? Which actors are involved?
- Establish a referral flowchart with all relevant stakeholders related to unaccompanied minors.

GENDER-BASED VIOLENCE

Gender-based violence is understood as an umbrella term for any harmful act that is based on socially ascribed (i.e. gender) differences between males and females. It takes it starting point in the systemic inequalities between males and females – which exist in every society in the world. These systemic inequalities may be more or less established in different countries, cultures and traditions and thus manifested into action in various forms.

Gender-based violence also includes violence perpetrated against lesbians, gay, bisexual, transgender, and intersex (LGBTI) persons. Examples of risks exposure include social discrimination and oppression; lack of or denial of access to services; domestic violence; sexual harassment, assault, exploitation and abuse; and rape.

As with the safety, security and general protection risks, the site planning and lay-out as well as the management of the reception site/facility and well-being of residents is critical in the risk reduction of gender-based violence.

In support of this, inter-cultural communication platforms are key in establishing an open dialogue on gender-based violence and an opportunity to jointly explore how systemic inequalities are manifested in different countries, cultures and traditions of origin – vis-á-vis the country of destination. As systemic inequalities are usually deeply rooted in societies as well as in individuals, the inclusion of men and women is equally important – with the aim to create commitment to gender equality and further risk reduction measures.



GBV PROTECTION STRATEGY

Evaluation and Next steps

Impact evaluation. Evaluation of inclusiveness. Plan for next steps.

GBV risk assessment

Assess risks and physical structure. Assess inclusiveness of women. and most-at-risk groups.

Protection activities (sample)
GBV mitigation in site planning.
Security patrolling and monitoring.
Report/refer GBV incidents.

Protection planning

Identify gaps and needs.
Define GBV risk mitigation activities.
Develop a GBV monitoring tool.

- Why is it important to consider gender and gender-based violence in the reception site/facilities? How can gender and the systemic inequalities between different groups affect the safety, security and protection risks in the reception site/facility?
- Outline risk factors and examples of how these may manifest themselves. Identify vulnerable residents in terms of gender-based violence.
- How can risks of gender-based violence inside and outside the reception site/facility be minimized and incidents prevented?
- Identity preventive measures necessary for the security inside the reception site/facility, related to physical infrastructure as well as management and routines.
- Identify preventive measures necessary for the security outside the reception site/facility, related to broader systemic inequalities.

XENOPHOBIA

Xenophobia is attitudes of intolerance and hostility towards non-natives reinforced by insecurity and fears. In times of crisis, insecurity or associated with i.a. perceived decline in social protection services and welfare, xenophobia, hostility and discrimination tend to increase. In some cases this also erupts into acts of violence. In Europe this has been manifested in an increased support to right-wing extremist parties across the board, as well as more violent expressions of xenophobia through arson attacks on reception facilities in various countries — thus threatening the safety and security of residents and staff in the reception site/facility.

Through restricted access to labour market, limited social networks and contact with the host community, xenophobia may also stand in the way of integration and thereby risking the creation of a cycle of social exclusion across generations of migrants. Refugees tend to be a particularly vulnerable group to xenophobia, together with low-skilled and undocumented migrants.

For refugees the first period in the new country usually consists of awaiting outcomes of the asylum determination process – followed by integration activities only once international protection is granted. The reception period is thus fundamental in building bridges to integration and also dismantling barriers between refugees and their local community. Dignified reception thus also entails the prevention of xenophobia (and support to integration). It may include platforms for inter-cultural communication for inter-cultural communication, creating linkages to local community, sponsor or "buddy" programmes, and multicultural events – for cross-cultural understanding, tolerance and diversity.





- Why is it important to consider xenophobia in relation to reception? How can xenophobic manifestations affect the safety, security and protection of reception residents as well as their potential to social inclusion and integration?
- What measures are necessary at national level and what measures can be undertaken at the level of the reception site/facility in order to minimize xenophobia?
- Identify activities that can help building bridges between reception residents and local community. Prepare an action plan for cross-cultural understanding, tolerance and diversity in and around your reception site/facility.





SAMPLE DO'S AND DON'TS OF DIGNIFIED RECEPTION

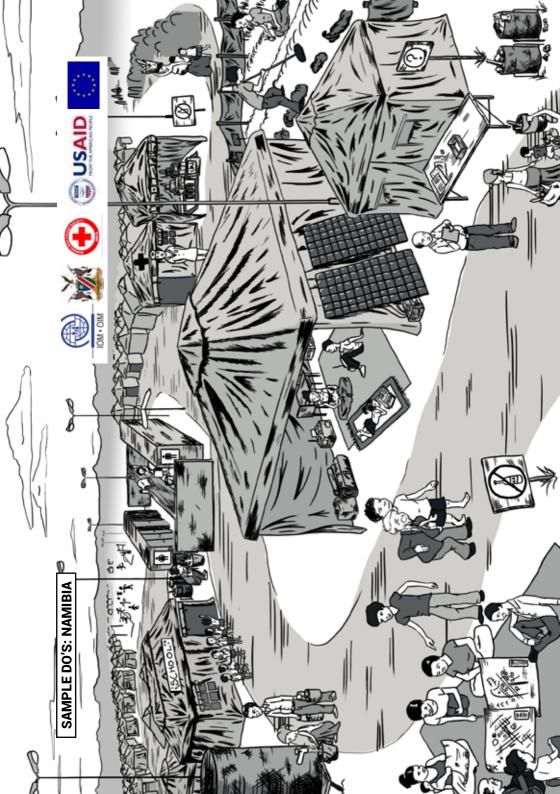
The following pages include illustrations developed by the International Organization for Migration (IOM), depicting sample do's and don'ts of site management in two countries and very different contexts: Namibia and Colombia.

With reference to the topics you have explored in the learning toolkit, the illustrations will help you visualize how a well-managed site/facility may look like, vis-à-vis a site/facility which still has some challenges in its overall set-up and management.

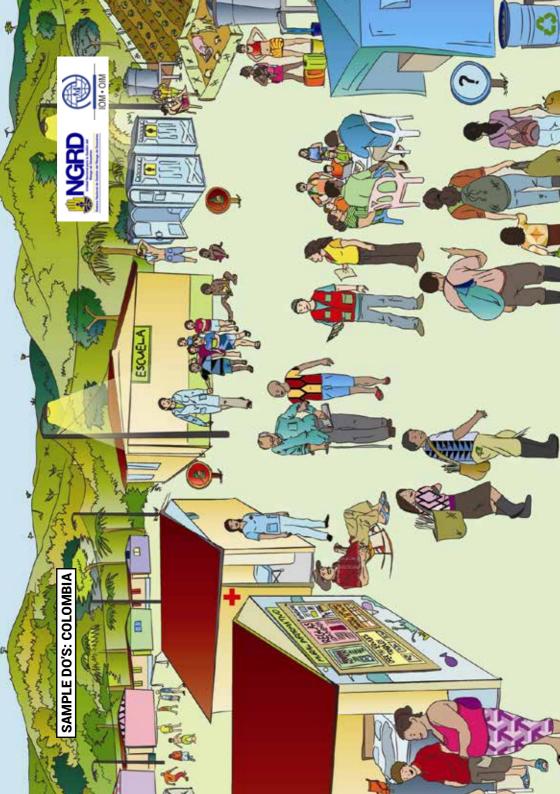
Questions, discussion points, food for thought

- What services and assistance is offered in the site/facility?
- What protection activities do you identify? How are they manifested?
- How are standards and legal framework being applied/adhered to?
- How is participation implemented in the site/facility?
- How is the dignity and well-being of the residents safe guarded? How are vulnerabilities and specific needs considered?
- What good practices vs. what challenges do you identify?
- Compare it with your own site/facility or reception conditions in your country.

A special thanks to the International Organization for Migration (IOM) and its partners: Government of the Republic of Namibia, Namibian Red Cross Society, USAID, and EU/ECHO as well as Unidad Nacional para la Gestión del Riesgo en Desastres in Colombia.









DIGNIFIED RECEPTION GUIDELINES

Key essentials for dignified reception of refugees and asylum seekers in Europe

KEY REFERENCES

- Global CCCM Cluster (2014) UDOC, Urban Displacement & Outside of Camp, Desk Review
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- International Organization for Migration (2012), *Transitional shelter guidelines*
- Norwegian Refugee Council and Shelter Center (2010), Urban Shelter Guidelines – Assistance in urban areas to populations affected by humanitarian crisis
- The Sphere Project (2011), Humanitarian Charter and Minimum Standards in Humanitarian Response.
- United Nations High Commission for Refugees and International Organization for Migration (2010), Collective Centre Guidelines

DIGNIFIED RECEPTION GUIDELINES

Key essentials for dignified reception of refugees and asylum seekers in Europe

KEY WEB RESOURCES

- www.acaps.org for information on coordinated humanitarian needs assessments in complex emergencies and crises
- www.easo.europa.eu for information about the European Asylum Support Office (EASO)
- **www.europa.eu** for information about the European Union, its institutions, the EU Agencies, and the Member States
- www.eur-lex.europa.eu for documents related to EU legal framework
- www.globalcccmcluster.org for information about the CCCM activities and resources globally
- www.internal-displacement.org for information and analysis on internal displacement
- www.iom.int for data and situational updates on mixed migration flows
- www.norcapweb.no and www.nrc.no for information about NORCAP/NRC
- www.sheltercluster.org for information about shelter activities and resources globally
- www.unhcr.org for data and situational updates on refugee situation





This book is part of the consolidated body of tools and capacity development resources available from the global CCCM Cluster. This publication has been enabled through NORCAP funding and an extended thanks goes to the Norwegian Ministry of Foreign Affairs for making this important learning tool possible. NORCAP continues to strive for strengthened response to mass displacement globally, and for dignified reception in the European refugee crisis.

