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European Observatory on Homelessness

# Asylum Seekers, Refugees and Homelessness

The Humanitarian Crisis and the Homelessness  
Sector in Europe



**EOH Comparative Studies  
on Homelessness**

**Brussels - December 2016**



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## **Disclaimer**

The interpretation and reporting of the results may not reflect the views of the individual experts who completed the questionnaire for each participating country. Responsibility for any errors rests with the authors.

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## Foreword

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The issue of migration is not new to FEANTSA or the European Observatory on Homelessness. In 2004, the Observatory published the book *Immigration and Homelessness*, which was the first comprehensive analysis of the impact of flawed migration and integration policies on the homelessness sector in the EU member states. In 2011, the Observatory devoted its annual research conference to migration, and in 2012, FEANTSA organised a large European event on migration for policy makers and NGOs. Since then, the issue of migration has featured regularly in the European Journal of Homelessness and in other FEANTSA publications. FEANTSA is now a respected voice on the issue of migration and homelessness at European level, and FEANTSA's European expert group on migration contributes systematically to legal initiatives and EU policy actions.

Migration undoubtedly has an impact on homelessness. A substantial share of some homeless populations are migrants. They include undocumented migrants, mobile EU citizens, economic migrants, asylum seekers and beneficiaries of international protection. In several EU member states, the last decade has seen the number of homeless migrants rapidly increase. In some countries, such as France and Italy for instance, approximately half of the users of homeless shelter are migrants.

Despite the size of the problem, the homeless sector still struggles to clearly define its role and responsibility vis-à-vis homeless migrants, particularly those with no or an uncertain administrative status. Views and experience of migrant homelessness differ between EU member states. In 2010, FEANTSA organised a large European consensus conference on homelessness to resolve some of the thorny questions facing services and policy makers, including the question of migration. The conference put the following question to the European Jury: to what extent should people be able to access homeless services irrespective of their administrative status and citizenship? The answer of the jury was somewhat indecisive:

*Homeless services must not be systematically used to compensate for inconsistent migration policies that lead people to situations of destitution and homelessness. Neither should access to homeless services be used as a means to regulate migration. Homeless service providers should not be penalized for providing services to people presenting in need. In order to strengthen understanding of this issue, the jury concludes that there is a need for an EU study into the relationships between homelessness and migration.*

The lack of information and analysis on the link between homelessness and migration played a large part in the Jury's hesitation. This report aims to play a part in bridging the gap in knowledge and to be one of the answers to the Jury's call.

Until now, FEANTSA and the Observatory have focused their attention mainly on homelessness among undocumented migrants and mobile EU citizens. The issue of asylum remained largely untouched because of the strict separation of the asylum reception system and the homelessness services in most EU member states. With the recent massive influx of asylum seekers in the EU, this separation has come under new levels of pressure and begun to fracture in some Member States. During the last years, FEANTSA has received anecdotal evidence from several of our members that growing numbers of asylum seekers are using homeless shelters as a last resort. That is why FEANTSA has asked the Observatory to conduct more in-depth research on the impact of the asylum crisis on homelessness services.

Admittedly, this report might be slightly premature, as some impacts on homelessness services are yet to emerge. FEANTSA still felt it important, however, to conduct the research from the moment the first concrete indicators were available.

The policy choices at European level and in the Member States that are now being made are often not sufficiently evidence-based. The European Commission, which prepares and steers EU policy on asylum, is not currently taking the homelessness sector into consideration as a significant stakeholder in the design and implementation of its decisions. FEANTSA is hopeful that this report will open the eyes of EU decision makers to the major issue of increasing homelessness amongst asylum seekers.

FEANTSA would like to thank the national researchers and the team of the European Observatory on Homelessness for the work they have put into this report. This is the first European report on the issue of asylum and homelessness, which up until now has remained too much of a blind spot for policy makers.

Enjoy reading the report.

**Joan Uribe Vilarrodona**  
President of FEANTSA

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# 1. Summary

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## 1.1 About the Research

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The goal of this research was to explore whether the recent humanitarian crisis in the EU has had an impact on homelessness services. The study explores the role played by the homelessness sector in providing accommodation and other basic services for three groups:

- Asylum applicants (those who have asked for asylum and are waiting to be assessed)
- Refugees (in this report, this term is used to cover people granted international protection, including refugee status or subsidiary forms of protection that give them the right to remain in an EU Member State)
- People whose asylum application has been refused.

The research is based on a standardised questionnaire that experts in 12 EU Member States were asked to complete. In many instances the experts consulted with relevant services and professionals and also undertook a series of interviews to inform their answers to the questionnaire.

The study focused on the recent wave of asylum seekers in 2015 and the first months of 2016 from Syria, Iraq, Afghanistan and Libya. The study did not include internal migration of EU citizens.<sup>1</sup>

A questionnaire was circulated to national experts in 12 EU Member States. The countries selected, trying to ensure a fair geographical balance, were: Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Poland, Portugal, Sweden and the United Kingdom (an EU Member State at the time of writing).

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<sup>1</sup> EU citizens cannot seek asylum in other EU Member States. In the 1990s, Spain successfully argued this point after Belgium offered refuge to alleged supporters of the Basque separatist movement, ETA.



## 1.2 The humanitarian crisis

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In 2015, the European Union experienced a huge influx of asylum seekers, with total numbers surpassing 1.3 million. The scale of this forcibly displaced population was unprecedented and while numbers began to fall in 2016, they remained unusually high. Many of the people seeking asylum were Syrian, Afghan and Iraqi.

The effects of the humanitarian crisis varied across the 12 Member States. Some, such as the United Kingdom, did not really experience any increase in asylum seekers. Others, such as Germany and Sweden, experienced a very significant increase because of policies that, at least initially, created relatively open borders. Other countries, such as Greece, Hungary and Italy, have had to deal with an influx of asylum seekers who are in transition through their territory en route to North Western Europe. Numbers are reducing at the time of writing as a result of an EU agreement with Turkey and other policies – for example, attempts to reduce Mediterranean crossings.

The 12 Member States involved in the study recognised asylum seekers at very different rates. Denmark accepted 81 percent at the first instance and 21 percent of those who were rejected but then appealed. Hungary recognised 15 percent in the first instance and 9 percent of those who were rejected and appealed. On average, the 12 Member States recognised 45 percent of asylum seekers at first decision.

## 1.3 Accommodation and housing for asylum seekers and refugees

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All 12 Member States had systems in place for the reception of asylum seekers. The presence of these systems tended to mean that a high proportion, though not necessarily all, asylum seekers were given accommodation while awaiting a decision. Some systems, like those in Greece, Hungary and Italy, were struggling to cope with the numbers of people they were being asked to process, though this could reflect both their resource levels – described as inadequate – and the relative scale of demand. Local political factors also came into play, with Hungary, for example, actively seeking to minimise the numbers of people seeking asylum. North Western Member States tended to have more extensive and better resourced systems. However, France was reported as struggling to accommodate asylum seekers within dedicated systems. Alongside the numbers of people, some reception systems for asylum seekers can also face challenges due to the processing time required for asylum seeker applications, something that has been an issue in Germany. Many of the 12 countries used dedicated accommodation, though the UK and, to an extent, Finland and Sweden, also employed ordinary housing to accommodate asylum seekers while they were awaiting a decision.

Once someone has been granted international protection (refugee status or other forms of protection), there was a broad tendency to enable access to support services, welfare benefits and social or private rented housing on the same basis as ordinary citizens. While in Denmark and Portugal systems were in place to enable the resettlement and rehousing of refugees, this was not the case elsewhere and support, beyond giving refugees access to welfare systems, was often limited. This did not necessarily mean that refugees would struggle to find housing, but many of the experts from the 12 Member States included in this research reported that general shortages of affordable housing, barriers to the labour market and prejudice might create barriers to suitable housing.

#### **1.4 Use of homelessness services by asylum seekers and refugees**

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In most of the 12 Member States, asylum seekers, refugees and individuals who had not been granted asylum were not present in homelessness services in large numbers. No visible effects on homelessness services were reported in some countries, such as Denmark, Finland and the UK.

In France, the situation was radically different. While separate systems for asylum seekers and refugees have been established, homelessness services have had a longstanding role in providing accommodation and support to asylum seekers and refugees. In a context in which formal systems for dealing with asylum seekers and refugees are facing very high demand relative to their resource levels, the homelessness sector remains an active provider of support and accommodation for asylum seekers and refugees. The pressure on French homelessness services is reported to have consequences for their capacity to meet the need for homelessness services from French citizens.

In Italy, the limitations in resources for the systems designed to support asylum seekers have had effects. Asylum seekers were reported as living rough, squatting and using Italian homelessness services. Greece was also reported to be facing pressures on homelessness services for very similar reasons.

## 1.5 Discussion

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There are many complexities in designing a suitable response to homelessness among asylum seekers, refugees and undocumented migrants. Different policies must be effectively coordinated. There is a real possibility that European homelessness services may face further challenges as global population displacements escalate. Homelessness services in some countries may also face increasing pressure, as backlogs of asylum applications from 2015 are cleared and more people move out of reception centres and face possible homelessness. Pressure on homelessness services may also arise in those contexts where repatriation of 'failed' asylum seekers is slow or inefficient and people in this group cannot access welfare benefits, social housing (where it is present) or other supports available to EU citizens.

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## 2. Introduction

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### 2.1 Overview

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The goal of this research was to explore whether the recent humanitarian crisis in the EU has had an impact on homelessness services. The study explores the role played by the homelessness sector in providing accommodation and other basic services for three groups:

- Asylum applicants (those who have asked for asylum and are waiting to be assessed)
- Refugees (in this report, this term is used to cover people granted international protection, including refugee status *and* subsidiary protection)
- People whose asylum application has been refused.

The research also included people who were about to seek asylum or who were in transition to an EU Member State in which they intended to claim asylum.

The study focused on the recent wave of asylum seekers/refugees in 2015 and the first months of 2016 from war-torn countries including Syria, Iraq, Afghanistan and Libya. The study did *not* include internal migration of EU citizens or homelessness among the descendants of migrants within EU Member States.

Possible impacts on services for homeless people include impacts on emergency services, shelters, hostels and temporary supported accommodation. Systems designed to provide access to housing/rehousing for homeless people might also potentially be affected by the humanitarian crisis, for instance by increased competition for housing.

A summary of the European legal framework and movement towards a common asylum policy is provided in the Appendix.

## 2.2 Methods

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A questionnaire was circulated to national experts in 12 EU Member States. The countries selected, trying to ensure a fair geographical balance, were:

- Denmark
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Poland
- Portugal
- Sweden
- UK

National respondents were asked to describe any consequences arising from increased inflows of asylum seekers for homelessness services. This report provides the following:

- An overview of the current situation of asylum seekers/refugees in the countries included
- A discussion of the systems of provision of accommodation and services for asylum seekers/refugees operating independently from homelessness services
- A consideration of the extent to which the recent crisis has affected homelessness services.
- A discussion of the results.

The experts were encouraged to consult with service providers, policy-makers and other researchers when answering the questionnaire and many did so. Interviews were also conducted by many of the experts.

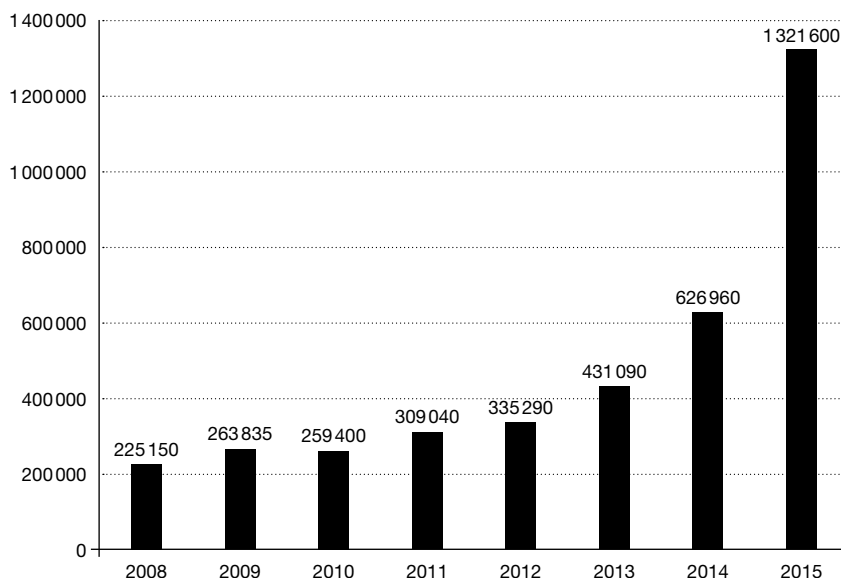
This introductory chapter provides an overview of asylum applications based on EUROSTAT data for all EU Member States, with a specific focus on those countries in this study, and also provides some contextual information on policy development at EU level.

## 2.3 Asylum seekers in 2015

The European Union has been facing a humanitarian crisis, as hundreds of thousands of asylum seekers have approached EU Member States seeking to escape wars and persecution. In 2015, the number of asylum applications reached over 1.3 million, close to double the previous peak experienced by 15 EU Member States in 1992, when 672 000 people fled the Balkans war.<sup>2</sup>

Peaks also occurred in 2001, with 424 000 applications to the EU-27, but then fell to below 200 000 by 2006, remaining static until increases occurred from 2011 onwards, with spikes in applications in 2014 and 2015 (Figure 2.1). In 2015, close to 95 percent of applicants were first-time asylum seekers,<sup>3</sup> – i.e., only 66 000 applicants were not newly arrived persons.

**Figure 2.1:** Asylum and first-time asylum applicants – annual aggregated data



Source: EUROSTAT

<sup>2</sup> All EU data quoted in the following text are data published by EUROSTAT.

See <http://ec.europa.eu/eurostat/web/asylum-and-managed-migration/data/main-tables>.

<sup>3</sup> A first-time applicant for international protection is a person who lodged an application for asylum for the first time in a given EU Member State and therefore excludes repeat applicants in that Member State.

### 2.3.1 Origins of asylum seekers

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In 2015, there were marked increases in Iraqi, Syrian and Iranian asylum applicants. Syrians accounted for the largest number of applicants in 12 of the 28 EU Member States (159 000 in Germany; 64 000 in Hungary and 51 000 in Sweden). Some 46 000 Afghan applicants were recorded in Hungary, 41 000 in Sweden and 31 000 in Germany. A further 54 000 Albanians, 33 000 Kosovars and 30 000 Iraqis applied for asylum in Germany. Overall:

- 29 percent of first-time asylum applicants were Syrian
- 14 percent were Afghan
- 10 percent were Iraqi
- 5 percent were Kosovars and Albanian
- 4 percent were Pakistani

Asylum seekers tend to be young. In 2015, 83 percent of first-time asylum seekers in the EU-28 were under 35; 53 percent were aged 18-24 and 29 percent of applicants were aged under 18. More men (55 percent) than women sought asylum, with greater proportions of men in the younger age ranges.

### 2.3.2 European destinations of asylum seekers

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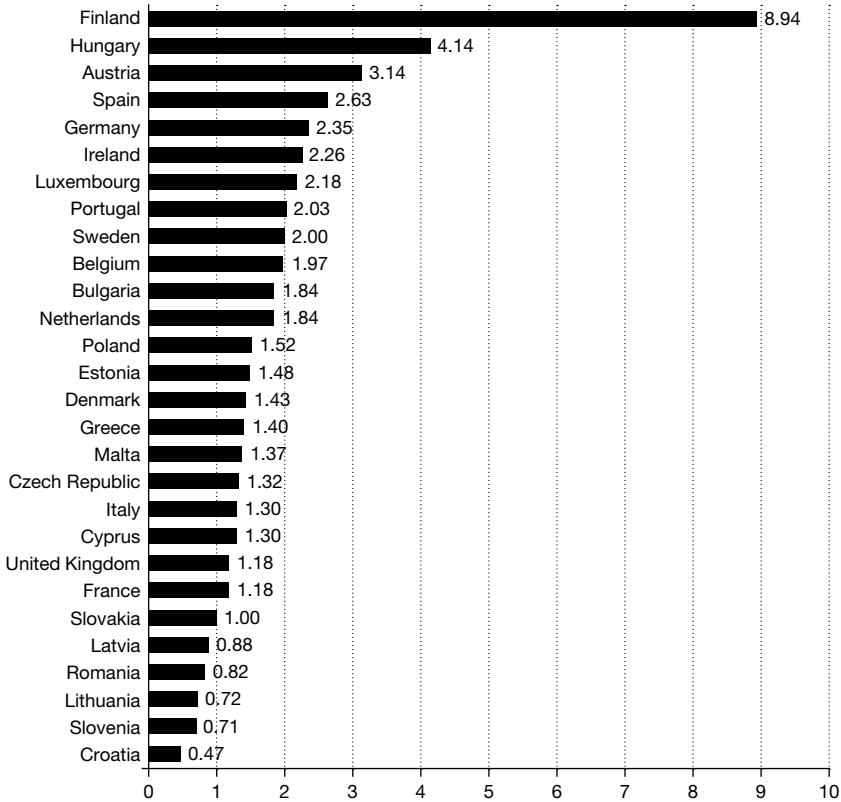
There were marked differences in the numbers of people seeking asylum in different Member States in 2015 (Table 2.1). Germany, Hungary and Sweden received the bulk of applications (61.75 percent) across the EU-28. Germany, with a population of 81 million, received more than six times as many asylum seekers as France, with a population of 66 million, and more than 12 times as many as the UK, with a population of 64 million.

**Table 2.1:** Proportion of total asylum applications by country, 2015

<b>Country</b>	<b>Applications</b>	<b>As percentage OF ALL EU-28 APPLICATIONS</b>
Germany	476 510	36.06
Hungary	177 135	13.40
Sweden	162 450	12.29
Austria	88 160	6.67
Italy	84 085	6.36
France	75 750	5.73
Netherlands	44 970	3.40
Belgium	44 660	3.38
UK	38 800	2.94
Finland	32 345	2.45
Denmark	20 935	1.58
Bulgaria	20 365	1.54
Spain	14 780	1.12
Greece	13 205	1.00
Poland	12 190	0.92
Ireland	3 275	0.25
Luxembourg	2 505	0.19
Cyprus	2 265	0.17
Malta	1 845	0.14
Czech Rep	1 515	0.11
Romania	1 260	0.10
Portugal	895	0.07
Latvia	330	0.02
Slovakia	330	0.02
Lithuania	315	0.02
Slovenia	275	0.02
Estonia	230	0.02
Croatia	210	0.02
All	1 321 590	100.00

Source: EUROSTAT asylum and first-time asylum applicants – annual aggregated data



**Figure 2.2: Proportional Increases in applications 2014/2015**

Source: EUROSTAT asylum and first-time asylum applicants – annual aggregated data. Hungary experienced a large increase in applications, but many of these were suspended as asylum seekers moved on to other countries.

Finland saw the biggest proportional increase in asylum seekers between 2014 and 2015. In 2015, asylum applications in Finland were the equivalent of 894 percent the level experienced in 2014 (Figure 2.2). Some countries, such as Latvia, experienced proportionate falls; others, such as France and the UK, experienced small increases. Germany received more than double the number of asylum applications in 2015 than was the case in 2014 (235 percent). Germany had received relatively high numbers of asylum seekers in 2014, 202 000, meaning that the increase in absolute terms was considerable at 476 000 applicants in 2015. First-time asylum seekers in Germany increased from 173 000 in 2014 to 442 000 in 2015.

Hungary experienced a spike in applications but many of these applicants moved on to seek asylum in other EU Member States (see Table 2.2). Greece and Italy, too, experienced mass influxes of migrants who were seeking asylum in another EU Member State, such as Germany.

Again, as processing of applications was not completed at the end of 2015, actual numbers and the proportionate increases in asylum seekers in some countries may have been higher. In Germany, a registration system (called the EASY system) for the reception and distribution of asylum seekers to regional states counted 1.09 million people during 2015. Not everyone that registered in the EASY system in 2015 necessarily remained in Germany – e.g., some moved on to Finland or Sweden. However, the German press estimated that 3-400 000 migrants were awaiting registration of their asylum applications at the end of 2015.<sup>4</sup>

### 2.3.3 Decisions on asylum applications

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Not all asylum seekers obtain international protection (refugee status and subsidiary protection). People seeking asylum must pass a variety of tests, designed to ensure their lives are being threatened by war or persecution and they are not, for example, seeking to migrate only for economic reasons, or escaping a criminal conviction in their home country.

Some asylum seekers are accepted as refugees or given subsidiary protection that gives them a right to stay in a country; others are refused this status. The first decision, or first instance decision, about an asylum seeker's status can be appealed, which may result in an original decision to refuse asylum being overturned or being confirmed: this is the final decision.

Of the 593 000 first instance decisions taken in the EU in 2015:

- 52 percent resulted in someone being given refugee status or subsidiary protection status (they could remain where they had sought asylum, at least on a temporary basis).
- 229 000 people were granted refugee status at first instance, 56 000 subsidiary protection status and 22 000 given authorisation to stay for humanitarian reasons.

Decisions can lag behind asylum applications, meaning that the proportion of people given refugee status or subsidiary protection at the end of 2015 did not represent the final total of people who would eventually be allowed to settle within the European Union. Some asylum seekers who are refused permission to stay at the first instance decision are permitted to remain when a final decision has been taken, but most of

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<sup>4</sup> <http://www.br.de/nachrichten/mittelfranken/inhalt/bamf-lage-weise-100.html>

these decisions tend to be negative from the perspective of the asylum seeker. At the end of 2015, 922 800 applications for international protection in all EU Member States were still under consideration by the responsible national authority according to EUROSTAT – almost double the number pending at the end of 2014.<sup>5</sup>

#### 2.3.4 Trends in 2016

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Asylum applications have continued at high levels into 2016:<sup>6</sup>

- 712 630 people sought asylum in Europe between January and July 2016, equivalent to 53 percent of the total seeking asylum during the course of 2015.
- In the first quarter of 2016, first-time asylum applications were 33 percent lower than in the final quarter of 2015.
- During 2016, an agreement with Turkey reduced levels; sustained efforts were being made to reduce the numbers of asylum seekers reaching EU territory, including by reducing Mediterranean crossings.
- A number of countries have either significantly tightened border controls (e.g., Sweden) or closed their borders (e.g., Hungary).
- As in 2015, the great majority of people seeking asylum were new applicants (96 percent in the first quarter of 2016).
- Syrians, Iraqis and Afghans continued to represent a high proportion of asylum seekers. Most of these nationalities sought asylum in Germany.
- 240 400 first instance decisions were made in the first quarter of 2016 in the European Union, of which 60 percent granted people refugee status or subsidiary protection status.

While the levels of asylum seekers reaching Europe were falling in 2016, they remained relatively high. In countries that have experienced a large influx, or where processes for managing asylum seekers were overburdened, time lags between people arriving and registering their claims for asylum were likely. Thus, Germany saw further spikes in asylum applications through 2016 as it continued to process people arriving in 2015, even as the numbers of asylum seekers reaching Germany had fallen sharply.

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<sup>5</sup> See EUROSTAT news release 44/2016. At the end of 2015, the largest numbers of pending cases were registered in Germany (424 800), Sweden (156 700) and Italy (60 200).

<sup>6</sup> Source: EUROSTAT.

### 2.3.5 The case study countries

There was considerable variation between the 12 participating countries. Germany, Sweden, Italy and France saw higher absolute numbers than the other countries. In both relative and absolute terms, levels of applications in some countries were very low, Portugal and Ireland being examples of this, while in others, such as Sweden, the rate at which asylum seekers applied was very high relative to the country's population. In four of the 12 Member States, the ratio of first-time applicants per million people in the existing population was extremely low: Ireland (707), the UK (591), Poland (270) and Portugal (80). These countries were not receiving a high proportion of applications from people escaping the Afghan and Syrian conflicts, unlike Germany, Sweden or Finland.

**Table 2.2:** First-time asylum applicants in EU Member States selected for this study

COUNTRY	Number of first-time asylum applicants			Applicants	Share in EU 28 total	Three main countries of origin as percent of first time applicants
	2014	2015	Change 2014/2015	2015	2015	2015
Denmark	14535	20825	+43%	3679	1.7%	Syria (41%), Iran (13%), Afghanistan (20%)
Finland	3490	32150	+822%	5876	2.6%	Iraq (63%), Afghanistan (16%), Somalia (6%)
France	55845	70570	+20%	1063	5.6%	Sudan (8%), Syria (7%), Kosovo (5%)
Germany	172945	441800	+155%	5441	35.2%	Syria (36%), Albania (12%), Kosovo (8%)
Greece	7585	11370	+50%	1047	0.9%	Syria (29%), Afghanistan (14%), Pakistan (13%)
Hungary	41215	174135*	+323%	17699	13.9%	Syria (37%), Afghanistan (26%), Kosovo (14%)
Ireland	1440	3270	+127%	707	0.3%	Pakistan (41%), Bangladesh (9%), Albania (7%)
Italy	63655	83245	+31%	1369	6.6%	Nigeria (21%), Pakistan (12%), Gambia (10%)
Poland	5610	10255	+83%	270	0.8%	Russian Federation (68%), Ukraine (15%), Tajikistan (5%)
Portugal	440	830	+89%	80	0.1%	Ukraine (45%), Mali (10%), Pakistan (8%)
Sweden	74980	156110	+108%	16016	12.4%	Syria (33%), Afghanistan (26%), Iraq (13%)
UK	32120	38370	+19%	591	3.1%	Eritrea (10%), Iran (10%), Pakistan (8%)
<b>EU**</b>	<b>562680</b>	<b>1255640</b>	<b>+123%</b>	<b>2470</b>	<b>100%</b>	<b>Syria (29%), Afghanistan (14%), Iraq (10%)</b>

Source: EUROSTAT

\* Most of the 177 135 claims lodged in Hungary were suspended because asylum seekers moved to another EU country – 152 260 applicants in 2015 (87 percent of applicants).

\*\* EU data refer to all EU Member States; they are not cumulative data from the 12 countries in the study.; The data from the EU as a whole also include all applications, not only first-time applicants.

By contrast, Germany had 5441 applicants per million inhabitants, Finland 5876 and Sweden 16016. All three had experienced increases in applications of more than 100 percent between 2014 and 2015.

**Table 2.3:** Recognition rates in 2015

COUNTRY	First instance decisions				Final decisions on appeal			
	Total number	Positive	% Rate of recognition		Total number	Positive	% Rate of recognition	
			Total	Refugee & subsidiary protection status			Total	Refugee & subsidiary protection status
Denmark	12225	9920	81	81	1335	285	21	21
Finland	2960	1680	57	51	170	115	67	58
France	77910	20630	26	26	34580	5385	16	16
Germany	249280	140910	57	56	93840	7305	8	6
Greece	9640	4030	42	42	7655	1845	24	22
Hungary	3420	505	15	15	480	40	9	9
Ireland	1150	485	42	42	530	225	42	42
Italy	71345	29615	42	19	20	20	82	55
Poland	3510	640	18	15	1875	55	3	2
Portugal	370	195	52	52	85	0	0	0
Sweden	44590	32215	72	69	12765	2255	18	9
UK	38080	13905	37	32	12750	4015	31	21
<b>EU**</b>	<b>592845</b>	<b>307620</b>	<b>52</b>	<b>48</b>	<b>182705</b>	<b>25730</b>	<b>14</b>	<b>12</b>

Source: EUROSTAT data (total recognition rate includes recognition for humanitarian status)

\*\*EU data refer to all EU Member States; they are not cumulative data from the 12 countries in the study.

Hungary experienced a large influx of asylum seekers, but after lodging an initial application, a great many left Hungary, seeking asylum elsewhere. Greece and Italy also reported a tendency for asylum seekers to try to move on. Movement tended to be towards the relatively more economically prosperous countries.

Following the negotiations and policy changes designed to reduce the flow of asylum seekers into the EU, numbers began to fall during the latter part of 2015 and into 2016. These falls were often considerable:

- A 91 percent fall between the last quarter of 2015 and the first quarter of 2016 in Sweden, with falls of 85 percent in Finland, 74 percent in Denmark and 30 percent in Ireland.
- Falls between quarter 4 of 2015 and quarter 1 of 2016 were lowest in France (24 percent), Portugal (18 percent), the UK (14 percent) and Italy (10 percent).

Again, it is important to note that the number of people requesting asylum is higher – and sometimes *much* higher – than the number who are eventually given permission to remain in EU Member States. The asylum figures do not mean that 441 000 people had effectively moved to Germany and would stay there; many were likely to be refused permission to stay. In some countries, only a small proportion of asylum seekers were likely to be given refugee status, for example in Hungary, where only 15 percent of applicants were granted a status.

Germany granted protection to the largest number of applicants – 148 000 asylum seekers in 2015 (first instance and final decisions), followed by Sweden with more than 34 000 and Italy with more than 29 000. High proportions of positive first instance decisions occurred in Denmark (81 percent) and Sweden (72 percent) and low proportions in Hungary (15 percent), Poland (18 percent), Italy (19 percent) and the UK (32 percent). On average, the 12 Member States recognised 45 percent of asylum seekers at first decision.

During most of 2015, countries to the South and East of the EU acted as corridors by which asylum seekers sought to reach the more affluent countries of North Western Europe. Hungary and Greece saw large numbers of asylum seekers attempt to pass through their territory, intent on seeking asylum in countries like Germany and Sweden. As 2015 progressed, some countries, such as Hungary and Denmark, sought to create corridors through which asylum seekers could move to other countries. Some estimates suggested that the number of asylum seekers passing through the Hungarian ‘humanitarian corridor’ to Austria in September 2015 exceeded the number of official applicants registered in Hungary. Once the EU-Turkey agreement closed the Balkan transit route in early 2016, countries like Greece began to see marked falls in the number of people seeking asylum who reached their borders.

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## 3. Accommodation and Housing for Asylum Seekers and Refugees

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### 3.1 Introduction

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This chapter examines variation in the housing and welfare services provided for asylum seekers across the countries included in our study. The main focus is on differences in the provision of accommodation and housing for asylum seekers, as these are most likely to have a potential impact on homelessness services (see Chapter 4).

Accommodation systems for asylum seekers vary considerably across EU countries. In some countries there are well-developed, extensive accommodation systems for asylum seekers, whereas in other countries accommodation systems are less developed and may also be inadequate.

A crucial concern is whether adequate accommodation systems are in place at different stages of the asylum process. The potential risk that asylum seekers will enter homelessness services exists at different points. If both reception facilities and support once a decision has been made are adequate, appearances in the homelessness system should be rare. If these systems are not fit for purpose, there is the risk that asylum seekers will enter homelessness services.

In most of the countries studied, the provision of accommodation for asylum seekers operates in a general context of housing shortages – especially in urban areas – with strong competition for scarce housing for many groups with social needs, i.e., for homeless people, disabled people, older people and young people. The provision of accommodation for asylum seekers is therefore related to wider housing and welfare policies, including the extent of social housing and the operation of allocation systems for social housing.

## 3.2 Reception systems for asylum seekers

### 3.2.1 Overview

There are some challenges in collecting data on reception. Statistics may not be available or very difficult to compare with those from other countries because reception systems are too different from one another. Experts at the Asylum Information Database (AIDA) have made a significant effort to collect available data on reception capacity for asylum seekers in 20 countries (17 EU Member States plus Switzerland, Serbia and Turkey).<sup>7</sup> Table 3.1 reports AIDA data collected for nine of the countries in this study.

**Table 3.1:** Reception capacity for asylum seekers in 2015 (AIDA)

Country	First-line	Second-line	Emergency*	Capacity	Occupancy
France	Centres for asylum seekers, orientation centres	Centres for asylum seekers, orientation centres	Emergency centres		25,689 <sup>8</sup>
Germany	Initial reception centres	Collective centres, decentralised accommodation	Emergency centres, stadiums, halls, tents	Unknown	Unknown
Greece	First reception centres, temporary reception centres	Reception centres	Stadiums, tents	Unknown	Unknown
Hungary <sup>9</sup>	-	Reception centres, centres for children	-	1 104	432
Ireland		Direct provision	Emergency reception and orientation centres	5 429	4 811
Italy	Hubs, CPSA	SPRAR <sup>10</sup>	Emergency reception centres		27 109
Poland	Reception centres	Reception centres	-	2 224	1 919
Sweden	-	Migration Agency housing, Private accommodation, special accommodation	Stadiums, halls, tents		181 890
UK	Initial accommodation centres	Social and private rented housing	Hotels	32 632	33 417

Source: information provided by AIDA experts.

\*Emergency reception facilities are not included in the total count of capacity and occupancy.

<sup>7</sup> <http://www.asylumineurope.org>

<sup>8</sup> French capacity can be measured in different ways. At the time of writing, France regarded itself as having 53 000 places available across different services (CADA + ATSA + HUDA). These data only cover one programme (CADA).

<sup>9</sup> Figures are likely to have changed following the opening of the Nagyfa distribution centre in Hungary.

<sup>10</sup> SPRAR – Sistema di Protezione per richiedenti asilo e rifugiati: Protection System for asylum seekers and refugees.



During 2014/15, the significant increase in the numbers of asylum seekers placed some reception services under strain. Shortages of accommodation and substandard accommodation are being reported. For instance, *Médécins sans Frontières* (MSF) *Italy* has reported substandard living conditions in one of the country's 'hotspots', Pozzallo, operating in Sicily since January 2016.<sup>11</sup> Overcrowding, insect infestation and damp potentially jeopardise residents' health. A report of the Italian Senate highlighted several problems with regard to hygiene, unheated bathrooms and overcrowded dormitories in the Lampedusa hotspot.<sup>12</sup> In Hungary, inhumane conditions at the southern borders made the international organisations report on necessary urgent changes to the asylum registration system.<sup>13</sup>

Shortages in available places in dedicated reception centres have led to asylum seekers being accommodated in transit or emergency facilities designed only for very short stays. In countries such as Italy, the Emergency Reception Centres (CAS) have now been institutionalised as part of the reception system.<sup>14</sup>

Across Europe, asylum seekers have found themselves unable to access accommodation in the country where they seek protection.<sup>15</sup> Greece has struggled to provide housing for those who applied for international protection (sought asylum). While 13 197 persons lodged applications in 2015 in Greece, only 3 876 were accommodated in the reception system.<sup>16</sup> Sweden experienced a particularly critical situation during one week at the end of November 2015, when the Migration Agency announced that it could no longer provide accommodation to new arrivals, not even in emergency facilities. During that week, 108 adults were compelled to leave the arrival accommodation centre in Malmö to make space for families with children. Those unable to arrange accommodation were housed by volunteers, churches and mosques for a few days before being given a reception place by the Migration Agency.<sup>17</sup> In Hungary, during the summer of 2015, tens of thousands of

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<sup>11</sup> MSF, Rapporto di Medici Senza Frontiere Sulle condizioni di accoglienza nel CPSA Pozzallo, [http://archivio.medicisenzafrotiere.it/pdf/Rapporto\\_CPI\\_CPSA\\_Pozzallo\\_final.pdf](http://archivio.medicisenzafrotiere.it/pdf/Rapporto_CPI_CPSA_Pozzallo_final.pdf). [Report on conditions in the Pozzallo reception centre, Medicine sans frontiers].

<sup>12</sup> Senato Italiano, Rapporto sui centri di identificazione ed espulsione (aggiornamento febbraio 2016), <http://www.abuondiritto.it/it/materiali/87-sintesis-rapporto-cie-2016/file.html>. [Italian Senate, Report on Immigration Detention system].

<sup>13</sup> <http://www.unhcr.org/news/latest/2016/7/5788c85a4/unhcr-concerned-hungary-pushing-asylum-seekers-serbia.html>

<sup>14</sup> Article 11, Italian Legislative Decree 142/2015.

<sup>15</sup> European Council on Refugees and Exiles (ECRE), Asylum Information Database (AIDA); *ibid*.

<sup>16</sup> *Ibid*.

<sup>17</sup> *Ibid*.

people waited in the open to board trains headed to Western Europe at the Keleti station in Budapest. Numerous volunteers and charities provided them with food, clothes, and internet, nursing and sanitation facilities.<sup>18</sup>

A risk of destitution and homelessness has also been identified in Italy, particularly affecting entrants who have *not* been rescued at sea. In Puglia, facilities are only available to persons rescued at sea,<sup>19</sup> forcing others to travel to the Northern regions of Italy in order to apply for asylum and find accommodation. The same obstacles were faced in Friuli Venezia Giulia, near the Eastern border, by those coming from the Balkan route. In Udine, most asylum seekers arriving in 2016 have had to take shelter in a subway station.

All EU Member States included in this study provide some form of temporary accommodation for asylum seekers in the application system. Yet, the provision varies greatly in form and quality.

The quality of provision tends to be higher in Northern and Western Member States (such as Denmark, Germany, Finland and Sweden), and of lower quality in the Southern or Eastern countries (such as Greece, Italy and Hungary). These patterns broadly mirror more general differences in housing and welfare services across these countries.

Germany, along with Denmark and several other countries, has sometimes resorted to using tents, sports halls, concert halls or factory space as existing systems have been overwhelmed. France was reported by the national expert to have reduced support services because of the pressure on systems. Reductions in support can sometimes reflect deliberate policies to deter asylum seekers, rather than simply being the result of resources becoming overstretched.

### 3.2.2 Reception arrangements in the 12 countries

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Most of the 12 countries rely on reception centres to provide accommodation for asylum seekers while an application is in process. Conditions within these reception centres can, as noted, vary markedly.

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<sup>18</sup> <http://www.nytimes.com/interactive/projects/cp/reporters-notebook/migrants/budapest-s-keleti-train-station-has-become-a-de-facto-refugee-camp>

<sup>19</sup> European Council on Refugees and Exiles (ECRE), Asylum Information Database (AIDA).

### 3.2.2.1 Denmark

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In Denmark asylum seekers are required to live in accommodation centres until their application is resolved.<sup>20</sup> This system of reception centres is completely separate from the homeless system. Special centres are also provided for asylum seekers with special needs, such as those with severe physical or mental illness. Psychologists and physiotherapists, who are trained to take care of the residents' problems and illnesses, are part of the staff at these centres.

### 3.2.2.2 Finland

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In Finland, asylum seekers tend to reside in reception centres until their asylum application have been processed. Services include housing, food, clothes and health and reception centres provide social services including advice, guidance, social counselling and other supportive actions that maintain and promote well-being and performance abilities. Reception centres are run by municipalities, the Red Cross, the private sector or the Immigration Service (Migri). All reception centres are financed by Migri.

### 3.2.2.3 France

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Before 2006, French services for asylum seekers were included in the juridical framework for the homeless sector as part of the "CHRS – Centre d'Hébergement et de Réinsertion Sociale". The CHRS programme was focused on vulnerable groups and included asylum seekers, people escaping gender-based/domestic violence, vulnerable former offenders and asylum seekers and refugees. Since 2006, provision has been separated, creating a clear distinction between reception systems for asylum seekers and the homelessness sector.

Administrative separation was pursued to enhance French capacity to track asylum seekers as they moved through the application process and were accepted or rejected. However, French law still stipulates that if asylum seekers cannot access the reception system, they can access emergency accommodation targeted at homeless people. Whatever the status of an individual, they can seek emergency shelter in a homelessness service in France – a governing principle for emergency accommodation services (see Chapter 4).

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<sup>20</sup> [https://www.nyidanmark.dk/da-dk/Ophold/asyl/asylcentre/hvor\\_ligger\\_centrene.htm](https://www.nyidanmark.dk/da-dk/Ophold/asyl/asylcentre/hvor_ligger_centrene.htm)

France has several forms of accommodation for asylum seekers:

- CADA-centres (Centre d'Accueil pour Demandeurs d'Asile) which provide accommodation, social support, help with the administrative procedures for claiming asylum and which are also designed to prepare the asylum seekers for their entry into society. In 2015, standards were lowered in these services, reducing the extent and nature of support available. The CADA-centre system is too small to accommodate all the people seeking asylum in France.
- HUDA-units (Hébergement d'Urgence pour Demandeurs d'Asile) and ASTA-units (Accueil Temporaire Service de l'Asile) provide additional accommodation to asylum seekers, although services are generally of lower quality than in the CADA-centres.

In France, spaces in specialist asylum seeker accommodation were described by the national expert as too limited, with only 36 percent of asylum seekers housed in dedicated reception facilities. France reported 22800 asylum seekers who were sleeping rough in 2014 because there were not enough spaces in accommodation. The number of accommodation spaces is due to be increased by 8600 in 2016 but this will still be far too few to meet the demand, which has been increasing significantly since the summer of 2015<sup>21</sup> (see Chapter 4).

#### 3.2.2.4 Germany

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Germany usually provides completely separate services for people claiming asylum, which are distinct from provision for homeless people. Asylum seekers will first be accommodated for a short time in initial reception facilities (now named 'Ankunftszentrum'). Every regional state in Germany has an Ankunftszentrum, with quota systems being used to distribute people applying for asylum across the federal states. Arrangements differ between the federal states (Table 3.2).

Legal and organisational measures have recently been adopted in Germany to try to reduce the decision time on asylum seeker status to 48 hours where this is possible. However, in many cases the asylum procedure takes much longer. From the initial reception facilities, the persons seeking to apply for asylum are assigned, after a maximum stay of five days, to follow-up accommodation in reception centres organised by the regional states. After a maximum stay of six months in these centres, the asylum seekers are allocated special follow-up accommodation in municipalities and rural districts. The accommodation organised at local level may vary a lot and range from communal emergency accommodation of very different size and quality to individual flats rented by the local authorities.

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<sup>21</sup> S. Le Floch (2016) Asylum Reform in France and its Impact on Homelessness Services, Homeless in Europe Winter 2015/16.

### 3.2.2.5 Greece

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Greece has two levels of reception. The First Reception Service, under the responsibility of the Ministry of Interior, handles all aspects of “effective management of irregularly entering third-country nationals”.<sup>22</sup> The First Reception Centres in Greece conduct identification and nationality screening and medical screening, and provide basic information and referrals.<sup>23</sup> Responsibility for the longer-term reception of applicants for international protection lies with a different directorate within the Greek government.<sup>24</sup>

In Greece, there is a statutory obligation<sup>25</sup> to provide accommodation for asylum seekers who are unable to find lodging, or who lack adequate financial means to secure accommodation. The lack of ‘sufficient means’ is assessed according to the criteria defined by Greek law, which are the same as those applicable to Greek citizens.<sup>26</sup> Accommodation in temporary reception facilities is provided for a maximum of one year.

Those who have applied for asylum can be accommodated in reception centres, shelters and apartments, managed mainly by NGOs under the supervision of the National Centre for Social Solidarity (NCSS, under the auspices of the Ministry of Labour). Within the last three years, total capacity has ranged from approximately 1 000 to 1 200 places. At the beginning of 2015 there were 17 services, including reception centres, shelters and social apartments with a total capacity of 1 113 places.<sup>27</sup>

Most facilities address the particular needs of vulnerable groups, such as unaccompanied minors and women. Generic services for asylum seekers are underdeveloped. The organisations that manage these facilities are reported to be often

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<sup>22</sup> Article 6, Greek Law 3907/2011.

<sup>23</sup> Article 7, Greek Law 3907/2011.

<sup>24</sup> AIDA (2015) Country Report Greece: Fourth Update (Athens: Greek Council for Refugees).

<sup>25</sup> Presidential Decree (P.D.) 220 on the Transposition into the Greek Legislation of Council Directive 2003/9/EC from January 27, 2003 Laying Down Minimum Standards for the Reception of Asylum Seekers (Official Journal of the European Communities L 31/6.2.2003). Official Gazette volume A 251/13.11.2007.

<sup>26</sup> a.12 p.5 PD 220/07, Law 57/73 entitled Measures for the Social Protection of the Financially Weak Groups and Abolishment of the Law concerning the Poverty State.

<sup>27</sup> Specifically, according to data published by the UNHCR in February 2015: 17 facilities (14 open reception centres/shelters and 3 NGOs running 30 apartments). Total capacity of the facilities: 1 113. Capacity of open reception centres: 973. Capacity of apartments: 140. Of the 17 facilities, eight are shelters exclusively for unaccompanied minors (capacity 223) and five are exclusively for the reception of families with children and unaccompanied minors (capacity 370).

underfunded, or as having to cope with serious delays in payments. While there is an ethical commitment among service providers to support asylum seekers, some services were reported by the Greek expert as having had to cease operation.

The total capacity of the Greek infrastructure is reported to be insufficient.<sup>28</sup> According to a recent report,<sup>29</sup> capacity to host registered asylum seekers in need of accommodation had dropped to only 593 places as of 8 March 2016 in contrast to the Greek Government's commitment to increase the number of reception places to reach a total of 2 500 places by the end of 2015. The actual need is much higher than the registered accommodation requests: the number of asylum applications in 2015 was 13 197,<sup>30</sup> while the number of accommodation requests was 4 087. Very long waiting periods<sup>31</sup> and refusals by asylum seekers to be accommodated in overcrowded units, or to be transferred to facilities in remote areas, result in relatively high no-show rates.<sup>32</sup> If an asylum seeker is accommodated, the usual limit of their stay is one year, but shorter and longer periods of stay can sometimes be negotiated. Nevertheless, despite the severity of the reported inefficiencies, the Greek expert reported that there had been a rapid response from Greece in providing accommodation and reception facilities. Systems had been overwhelmed, but Greece had worked hard to try to manage the influx of migrants it had been confronted with.

### 3.2.2.6 Hungary

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Hungary makes no distinction between new arrivals and other asylum seekers. For instance, the Nagyfa centre near Szeged and the Serbian border, consisting of heated containers hosting up to 300 persons, was set up in January 2015 and initially functioned as a 'distribution centre'.<sup>33</sup> The original intention was that asylum

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<sup>28</sup> 2 264 requests for accommodation in 2012; 3 220 in 2013; 4 269 in 2014; 4 087 in 2015. Note that in 2015, Afghans constituted the main population group, while accommodation requests by Syrians were twice the numbers in 2014 (official data by NCSS).

<sup>29</sup> Amnesty International (2016) *Trapped in Greece: An Avoidable Refugee Crisis* (London: Amnesty International).

<sup>30</sup> Official data from the Asylum Service (2015).

<sup>31</sup> More than seven months for nuclear families; more than six months for adults without their family members; and more than 5.5 months for single-parent families. According to EKKA data, as of 7 November 2014, 381 unaccompanied children, the majority in detention, are waiting for a place, some having already been in detention for 1.5 months (UN High Commissioner for Refugees (UNHCR) (2014), *UNHCR Observations on the Current Asylum System in Greece* (Geneva: UNHCR)). In 2015, the average waiting period was three months. Notably, within the same year, the no-show rate was 72.99 percent for adult requests (Official data by NCSS).

<sup>32</sup> UN High Commissioner for Refugees (UNHCR) (2014), *UNHCR Observations on the Current Asylum System in Greece* (Geneva: UNHCR).

<sup>33</sup> EASO (2015) *Description of the Hungarian Asylum System* (Malta: EASO)

seekers would be transferred to other centres throughout the country after a maximum stay of two days. However, since September 2015, the Nagyfa centre has been formally turned into a regular reception facility<sup>34</sup> dealing with all asylum seekers, yet without undergoing any alterations with a view to accommodating asylum seekers for longer periods.<sup>35</sup>

In Hungary, asylum seekers are escorted to common facilities, reception centres, community shelters or closed asylum reception centres, where they are provided with food, clothes and health care as well as accommodation while they wait for a decision about their application. These services are very much like homelessness services but they are operated by the Office of Immigration and Nationality under the Ministry of Interior Affairs and not by the Ministry of Human Resources, which coordinates the provision of social services, including homelessness. Asylum seekers are accommodated either in open refugee camps or in camps with surveillance. The conditions in such camps are highly variable, e.g., in Bicske, there is a shared bathroom, kitchen and two toilets in housing blocks for six families (approximately 30 people). Existing services have been confronted with high demand. Hungary also uses shipping containers as temporary housing for asylum seekers, while in the recently opened Körmend camp, a share of the people are accommodated in tents.

### 3.2.2.7 Ireland

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In Ireland in 2000, following a significant and historically unprecedented increase in the number of applications for asylum, it was determined by the government of the day to introduce *Direct Provision Accommodation* for those seeking asylum. Prior to this, asylum seekers had, as in France, been directed to homeless services. Due to the unprecedented number of applicants in the late 1990s, it was decided to establish a separate system outside of homelessness services and that remains the case to date.<sup>36</sup> In addition, as the majority of those seeking protection were seeking it in Dublin, it was decided that Direct Provision Accommodation be dispersed throughout the country.

All applicants seeking asylum in Ireland are offered Direct Provision Accommodation, which involves the provision of a bed, meals and a financial allowance. The system is designed to reflect the fact that the persons seeking protection are not entitled to work or to receive most social welfare entitlements. There is no legal obligation to accept the offer of Direct Provision Accommodation, but those who do not are

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<sup>34</sup> AIDA (2015) Country Report Hungary: Fourth Update (Brussels: ECRE).

<sup>35</sup> European Council on Refugees and Exiles (ECRE), Asylum Information Database (AIDA).

<sup>36</sup> For an overview of the system prior to the introduction of Direct Provision Accommodation, see E. O'Sullivan (1997) *Asylum Seekers, Refugees and Access to Housing* (Dublin: Homeless Agency).

nonetheless ineligible for most social welfare payments, and they cannot legally take up employment or start a business.<sup>37</sup> Direct Provision Accommodation is managed by the Reception and Integration Agency, a unit in the Department of Justice. The accommodation centres are, in the main, contracted from private sector providers and are usually hotels and other communal facilities. Only a minority of Direct Provision Accommodation is purpose built.

Direct Provision Accommodation in Ireland was intended to be short term. However, it was estimated that in 2015, 41 percent of asylum seekers had been in the system for more than five years.<sup>38</sup> The primary reason for the lengthy period of residence is the two-stage procedure for assessing qualification to remain, with determination of refugee status determined in the first instance and subsidiary protection determined only after refugee status has been rejected. The norm in all other EU Member States is a single application procedure. In December 2015, the *International Protection Act, 2015* was signed into law and, when fully implemented, will provide for a single application procedure, with the objective of reducing the time spent in Direct Provision Accommodation.

### 3.2.2.8 Italy

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More complex arrangements have been put in place in Italy. A national programme SPRAR (Sistema di Protezione per Richiedenti Asilo e Rifugiati) for asylum seekers is provided by the Ministry of the Interior in corporation with the National Association of Local Administrations (ANCI). The amended legal framework of the Italian reception system draws a (theoretical) line between first reception on one hand, generally provided for a maximum of 30 days in Regional 'Hubs', and second-line reception provided under the System for the Protection of Asylum Seekers and Refugees (SPRAR) on the other.<sup>39</sup>

Once intercepted, either when present on Italian territory or at sea, asylum seekers and migrants are initially placed in temporary centres, then into CARA (Centri di Accoglienza per i Richiedenti Asilo) and, finally, they should be hosted in the second

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<sup>37</sup> The Working Group to Report to Government on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers, in their Final Report (2015, p.66) noted that: "The best estimate is that there are 4330 persons in the system living outside Direct Provision. Little is known about the living circumstances of this group. It is assumed that a significant proportion of them may have already left the State and that the remainder live with family, friends or in private accommodation at their own expense. The precise number currently in the State is unknown in the absence of exit immigration controls and/or the undertaking of a caseload verification exercise."

<sup>38</sup> Working Group to Report to Government on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers (2015) Final Report, p.66.

<sup>39</sup> Articles 9-14, Italian Legislative Decree 142/2015.



level structure, SPRAR. In all hosting centres, they receive all necessary basic services in terms of health, food and clothes. After being granted asylum status, refugees can live in SPRAR and also in Governmental Centres for six months, with a possibility to extend this to a maximum of six more months.

In 2014-15, the number of places in SPRAR projects increased from 3000 to more than 20000, yet demand still exceeds supply. As SPRAR has insufficient places, the Ministry of Interior also provides an additional service, while local prefectures also have the capacity to develop temporary services.

SPRAR was established in Italy in 2002 under Article 32 of Law 189/02 (the so-called 'Bossi-Fini' legislation) and supported by the National Fund for Asylum Policies. The Ministry of Interior acts as institutional guarantor delegating the operational aspects to ANCI (National Association of Local Administrations). SPRAR is intended to be an:

*... integrated model which absorbs and improves the different experiences of public and private non-profit sectors present at local levels, as well as recognising the crucial role played by local municipalities as suppliers of social welfare services and as the main reference for the local service network.*<sup>40</sup>

The situation in Italy was characterised by the national expert as (still) dominated by irregularity, as in 2015 only about 21% percent of asylum seekers could be hosted in the Centres for Asylum Seekers, which are organised at national level and had increased their capacity substantially recently, while 72% percent were hosted in temporary structures, often without access to formal integration measures. In 2015, about 153000 arrivals were reported, but the accommodation capacity of all different kinds of centres for asylum seekers (including seven centres for detention and expulsion) was less than 100000 places and 'only' 83000 first applications for asylum were registered. Considerably less than half (42 percent) of all first instance decisions in 2015 were positive (and only extremely few appeal cases were decided upon), but as the national expert reports, "almost all denials will stay in the territory... scarce access to all services is becoming the norm for many migrants."

### 3.2.2.9 Poland

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In Poland, the provision of accommodation and support for asylum seekers is a responsibility of a governmental body, the Office for Foreigners (Urząd do spraw Cudzoziemców). Asylum seekers have support while awaiting the decision on their application. They have the right to accommodation in one of the refugee centres. At the beginning of 2016, there were 11 asylum seekers centres in Poland. Four of them are owned by the State and the others are rented from private contractors.

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<sup>40</sup> [www.serviziocentrale.it](http://www.serviziocentrale.it) (translation by Italian Expert).

Some centres are located in remote, isolated places. In stark contrast to Italy and Hungary, these reception centres are not working at full capacity, although the Polish expert also reported that they were understaffed.

Refugee centres in Poland have been criticized by the staff and migrants for poor living standards, issues around conflict between national groups, strict regulations, bad food and having an institutional atmosphere.<sup>41</sup> A more recent audit found that conditions had improved and expected standards were being met.<sup>42</sup> Asylum seekers may also choose to live outside these centres, in which case they receive a monthly allowance. However, their allowance is generally below the market rent for an apartment, especially in the larger cities. Asylum seekers generally also do not have the right to obtain work, at least for the first six months of their stay in Poland. In March 2016, about 1 700 asylum seekers in Poland lived in refugee centres, while about 2 500 lived outside centres and received allowances for living expenses. A large majority in both groups were Russian and Ukrainian citizens.<sup>43</sup>

### 3.2.2.10 Portugal

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In Portugal, asylum seekers also have the right to accommodation in specific reception centres, which provide temporary accommodation and other basic services. These centres are run by NGOs with state support. As an alternative to this in-kind accommodation support, asylum seekers are entitled to a monthly supplementary allowance for housing.<sup>44</sup> One of the major centres is run by the Portuguese Council for Refugees (CPR) – the reception centre for asylum seekers (CAR) located near Lisbon. This reception centre provides several services apart from accommodation, such as a crèche/kindergarten facility, training rooms, a library, kitchen facilities, sports facilities, a library, an Internet kiosk and a conference room. However, according to the CPR, the increasing number of international protection requests has exhausted the CAR's capacity and in 2015, 62 percent of the population supported had to be accommodated in private rooms, guesthouses or small apartments outside the CAR's premises.

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<sup>41</sup> Ząbek, Maciej & Łodziński, Sławomir (2008) *Uchodźcy w Polsce. Próba spojrzenia antropologicznego*, Warszawa, Polska Akcja Humanitarna & Instytut Etnologii i Antropologii Kulturowej UW. [Refugees in Poland. An anthropological perspective, Polish Humanitarian Action, Institute of Ethnology & Cultural Anthropology University of Warsaw]

<sup>42</sup> NIK (2015) *Informacja o wynikach kontroli. Pomoc społeczna dla uchodźców* [Social support for refugees. Information about the audit, Supreme Audit Office]. (Warsaw: Najwyższa Izba Kontroli) p.14.

<sup>43</sup> UDSC, 2016 UDSC (2016) Available statistics from the Office for Foreigners, [www.udsc.gov.pl](http://www.udsc.gov.pl) [last access 01.05.2016]

<sup>44</sup> Equal to 30 percent of the social support index, i.e., around €126 per month in 2016.

### 3.2.2.11 Sweden

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In Sweden, asylum seekers are provided with housing and basic services by the Swedish Migration Agency, which is broadly a separate system. Accommodation is often in shared apartments/flats, although there is some use of hostels. Daily expenses are covered by the State and all asylum seekers are entitled to acute health care and dental care. Traditional homeless organizations like the City Mission might engage in collecting clothing and other items for providing basic needs, but most Swedish homelessness services would not see asylum seekers as their target group.

Whilst accommodation is most often provided by the Migration Agency in Sweden, an asylum seeker can also arrange housing themselves together with friends or family. This is called the EBO-system, where EBO stands for 'Your own Housing'. However, this can cause some trouble for the asylum seeker. There is a risk of over-crowding, eviction or forced moves and unscrupulous behaviour by some of those offering accommodation. Finland has similar arrangements to Sweden, allowing asylum seekers to live in ordinary housing or stay with friends and relatives.

### 3.2.2.12 United Kingdom

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In the UK, which was an EU Member State during the period covered by this research, the accommodation system for asylum seekers relies on a wider range of housing options than in the other countries we have examined, including allocated social and private rented housing when an application is under consideration. Housing is arranged by local authorities with government support. Policies have been put in place to scatter asylum seekers across the UK rather than allow the population to become concentrated in London and South East England.

This policy began under a Labour administration within a broader strategy to reduce migration, asylum seeking and the number of refugees being accepted by the UK under the Immigration and Asylum Act 1999. These policies have been continually pursued and attempts to reduce migration intensified under the 2010-2015 Coalition Government and the current Conservative administration.

There is a broad tendency to use 'difficult to let' social housing in low demand areas, which means asylum seekers may be moved to urban areas characterised by disadvantage and low economic growth. Government information for asylum seekers states the following:

*You'll be given somewhere to live if you need it. This could be in a flat, house, hostel or bed and breakfast. You can't choose where you live. It's unlikely you'll get to live in London or south-east England.*<sup>45</sup>

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<sup>45</sup> <https://www.gov.uk/asylum-support/what-youll-get>

The UK Home Office – the Government Ministry with responsibility for the police and internal UK security – also has 13 detention centres for migrants. These are sometimes called Immigration Removal Centres (IRC) or Short Term Holding Facilities (STHF). According to the Refugee Council, these detention centres have a capacity of some 3800 people (figures correct as at March 2015). Detention is used when there are held to be potential security risks – e.g., attempting to filter out extremists, terrorists and criminals – and when the Home Office makes a judgement that there is a high risk that someone will ‘abscond’ (run away) or refuse to cooperate with the authorities. If someone is judged to be making a manifestly unfounded or abusive claim (obviously false) they will also be held in detention.

### **3.3 Housing provision for refugees when asylum has been granted**

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Whilst there is considerable variation amongst countries in accommodation systems in the asylum application phase, there are even greater differences in the provision of housing after asylum has been granted. Even in countries with extensive systems for asylum seekers, it was common for only partial responsibility to be assumed after asylum has been granted. Refugees were widely expected to find housing on the same terms as other citizens - i.e. find social or private rented housing in a context of scarce supply, such as in Hungary, Sweden and Finland. In countries with less well-resourced systems for asylum seekers, such as Italy or Greece, almost no responsibility is taken for finding housing for refugees.

#### **3.3.1 Housing for refugees in the 12 countries**

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##### **3.3.1.1 Denmark**

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The strongest obligation to secure a permanent housing solution when someone is granted international protection (i.e., granted refugee status or permission to remain) is in Denmark. Municipalities are obliged to provide refugees who have been granted asylum with a long-term housing solution. The Immigration Service will decide in which Danish municipality the refugees will have to settle. The decision is based on the number of refugees each municipality is required to accept, based on criteria such as the share of immigrants and refugees currently living in the municipality. Municipalities with relatively few immigrants and refugees in their current population are generally required to house relatively more newly-arrived refugees. The personal circumstances of the refugee in question – e.g., family already living in Denmark – and the current situation in the individual municipality and surrounding municipalities must also be taken into account by the Immigration Service.

The policy goal is to distribute refugees throughout the whole country in order to promote integration into Danish society. Only after some years, or if they get work and can cover their own living expenses, are refugees allowed to move freely and the municipalities are no longer obliged to provide housing.

Social housing is often used to house refugees through general priority housing allocation systems. Sometimes, other housing solutions are found, such as private rented housing. There are also examples of municipalities buying houses and converting them into accommodation for refugees. Yet, due to the high recent influx of migrants, it has been a challenge to find adequate and affordable housing. Municipalities have often had to house refugees who have been granted asylum in temporary accommodation for a while (e.g., in a barracks) until a permanent solution was found.

To increase housing capacity after the recent inflow of asylum seekers, the government recently initiated a programme to build new housing units, aimed at municipalities that have recently had many newcomers. However, welfare benefits for refugees, along with Danish citizens moving back to Denmark from abroad, have been reduced to a lower level than ordinary social assistance benefit. As housing costs need to be covered out of general benefits, this is likely to increase difficulties in finding affordable housing.

### **3.3.1.2 Finland**

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In Finland, if the asylum application is accepted, refugees will need to move from the reception centre to a municipality, where they can apply for municipal social housing or rent an apartment in the private sector. Refugees who have been granted asylum are financially supported in renting accommodation within the area of the reception centre. Many refugees want to live in the Helsinki metropolitan area because of the ethnic communities in the city and the greater opportunities to enter education and find work. However, there is a shortage of affordable housing in the Helsinki metropolitan area.

### **3.3.1.3 France**

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In France if asylum is granted, the former asylum seeker can stay up to three months in the temporary facilities (CADA-, HUDA- or ASTA-units), and the stay can be renewed once for another three months. Following this, they need to find other housing, but there are no systematic procedures for securing access to housing for refugees.

Refugees have the same rights as French nationals to apply for social housing, of which France has 4.8 million units. If there is no offer, or if the asylum seeker is unable to live independently, another option is temporary housing centres (CPH) aimed at vulnerable refugees, providing support to access employment or vocational training, and assistance with housing and social rights.

Another possibility is to acquire housing through the National Platform for Refugees' Housing – a programme for access to social housing for refugees, which has been implemented by the States. In 2015, the Département Interministériel à l'Hébergement et à l'Accès au Logement (DIHAL, the Interministerial Department of Housing and Access to Housing) created the 'Plateforme nationale pour le logement des réfugiés' (National Platform for Housing Refugees). Coordinators in different regions identify housing offered in areas where housing demand is lower – e.g., rural areas and small cities – and seek to match housing with refugees. By mid 2016, 1 000 refugees had accessed housing through this programme.

However, there is no guaranteed provision of housing for refugees who have been granted asylum in France, and if no housing is found, they may use regular homelessness shelters like any other person. These services would typically be emergency shelters, reinsertion shelters (CHRS – Centre d'Hébergement et de Réinsertion Sociale) or some low-cost form of hotel (see Chapter 4).

#### 3.3.1.4 Germany

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In Germany, refugees who have been granted asylum (or subsidiary protection for more than a year) have the legal status of anyone with the right to residence in Germany. They have a right to the welfare benefits for job-seekers, they may apply for social housing and they will have their housing costs covered by minimum benefits as long as the costs are 'reasonable' and they are not earning enough to be ineligible. If they have not found permanent accommodation they are in the same legal situation as homeless people, but municipalities have a strict duty to provide them with temporary accommodation. In practice, homeless refugees have often been allowed to stay on in the special temporary accommodation for asylum seekers until they have found something else (which only became possible once the numbers of new arrivals began to decrease).

#### 3.3.1.5 Greece

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In Greece, those granted refugee status have access to social protection on the same terms as Greek citizens. The same applies for access to healthcare, education, employment, accommodation and social integration programmes. There is assistance in finding private rented accommodation. However, in the absence of other

support facilities or any financial allowance, along with limited access to the labour market and high unemployment rates, refugees may be unable to cover their living and housing expenses.

If refugees need housing support, they have to turn to the limited resources of the homelessness services system. Considering the increased demand for homelessness services from Greeks and the absence of a social housing sector, refugees' access to emergency or temporary accommodation can be restricted.

Refugees "are often subject to discriminatory treatment as those who operate shelters do not have the expertise, or cannot properly communicate with, beneficiaries", or they are rejected "due to the absence of the required documentation."<sup>46</sup> Existing accommodation arrangements address the needs of asylum seekers and unaccompanied minors, and consequently recognise that refugees are at risk of losing their accommodation if they are granted asylum.<sup>47</sup> Many refugees are homeless or face the risk of homelessness and destitution, especially in large cities. At the same time, there are no viable options for their social integration.<sup>48</sup> Despite the fact that refugees are included in the 2014 National Integration Plan, a comprehensive strategy for the integration of those granted with international protection is yet to be developed. Refugee access to labour markets, employment and social integration programmes is limited since their educational and professional qualifications cannot be easily recognised, while the bureaucracy and the required documentation sets further obstacles.<sup>49</sup>

### 3.3.1.6 Hungary

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In Hungary, once someone receives refugee status, they can remain in the reception centre for another 60 days. During this time, they are expected to secure official papers and determine where they want to live in Hungary. Refugees have to choose the municipality where they want to settle during this process. They are expected to cooperate with the social worker of the local Social Welfare Centre ('family

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<sup>46</sup> UN High Commissioner for Refugees (UNHCR) (2014), UNHCR Observations on the Current Asylum System in Greece (Geneva: UNHCR).

<sup>47</sup> Indicatively, Article 9 of P.D. 266/99, Official Gazette AA 217/20.10.1999 concerning the operational regulation of a state-funded reception centre in the Attica area (Lavrio).

<sup>48</sup> Indicatively, as underlined by the UNHCHR in 2013: "The majority of those granted refugee status or subsidiary protection remain unemployed, destitute and many are homeless or live in extremely difficult conditions of social exclusion, with no viable options for to integrate. With the economic crisis the situation has deteriorated and the need for support measures has become even more imperative." Current Issues of Refugee Protection in Greece, UNHCR Greece, July 2013, See also UN High Commissioner for Refugees (UNHCR) (2014), UNHCR Observations on the Current Asylum System in Greece (Geneva: UNHCR).

<sup>49</sup> UNHCR Observations: Current Situation of Asylum in Greece – December 2014

protection service') in their chosen municipality. Under the Asylum Act they have four months to submit their demand for an Integration Agreement, which is a two-year package of housing/subsistence allowance and (obligatory) social support. However, it is the responsibility of refugees to find accommodation on their own; no public (social or non-social) housing is offered through this programme.

It can be very difficult for someone who does not speak Hungarian (or English) to secure affordable housing. Refugees may encounter prejudice if they are from developing countries, with anecdotal evidence suggesting landlords will not let housing to some groups.

Many refugees are reported to have to move in with someone else or, because of housing costs, several people may need to rent an apartment together. Those who cannot find a place to rent either stay with friends or turn to homeless services for help.<sup>50</sup> One of the NGOs interviewed by the Hungarian experts reported that only about one in ten refugees are able to find housing. Moreover, the law regulating services available for refugees was under review in June 2016 and it was expected that refugees will only be able to remain in a reception centre for 30 days once accepted. Integration support will no longer be available to refugees, who will only be entitled to "exactly the same services and forms of support as Hungarian citizens".

### 3.3.1.7 Ireland

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In Ireland, if asylum applicants are granted refugee status, they are entitled to the same social housing supports as an Irish citizen, including rent supplement payments. However, due to the considerable difficulty in accessing social housing supports experienced by all citizens, refugees can find themselves living in Direct Provision Accommodation for considerable periods of time. Those granted status have found it particularly difficult to access social housing supports. A report from February 2015 showed that nearly 700 persons who were granted refugee status, subsidiary protection status or leave to remain were still in Direct Provision Accommodation because they could not access social housing.<sup>51</sup>

### 3.3.1.8 Italy

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Refugees live in SPRAR programme reception centres and also in Government Centres for six months after having been granted refugee status, which can be renewed for maximum of a further six months.

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<sup>50</sup> Homeless shelters are free of charge, while hostels generally ask for €35-40/month for a shared room.

<sup>51</sup> For further information, see M. Ni Raghallaigh and M. Foreman (2016) *Transition from Direct Provision to Life in the Community: The Experiences of Those who have been Granted Refugee Status, Subsidiary Protection or Leave to Remain in Ireland* (Dublin: UCD/TCD).



There are reported to be cultural and political barriers to housing for refugees in Italy, where the approach to migration has been strongly politicised and described as an emergency that needs to be managed. There is not a clearly defined programme or set of policies focused on the integration of refugees into housing or into the social and economic life of Italian society. Refugees may need to resort to homeless services if they are unable to secure housing (see Chapter 4).

### 3.3.1.9 Poland

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In Poland, when granted protection, migrants can continue to live in a reception centre for two months. Afterwards, persons with refugee status or subsidiary protection have the right to a year-long integration programme, which includes social assistance, Polish language courses and a living allowance.

After the integration programme, refugees are entitled to the same social assistance and access to social housing as Polish citizens. However, in practice, the housing situation of refugees in Poland is often very difficult. In the context of a severe general lack of social housing in Poland, many barriers to housing exist. Municipalities set allocation criteria for their social housing and Lublin is the only city in which refugees are treated as a priority group on a waiting list.<sup>52</sup> Access to social housing is also hindered by local bylaws that may only give access to people who have been resident in a municipality for five to ten years,<sup>53</sup> and a lack of knowledge about refugees' rights to social housing among service providers and refugees themselves.<sup>54</sup> City districts in Warsaw that are responsible for allocating housing can refuse to house refugees and other migrants if they are not resident

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<sup>52</sup> A. Chrzanowska and I. Czerniejewska (2015) „Mieszkamy tutaj, bo nie mamy innego wyjścia...” Raport z monitoringu warunków mieszkaniowych uchodźców w Polsce [We Live Here, because we don't have a Choice... Monitoring the Living Conditions of Refugees in Poland]. Analizy raporty ekspertyzy nr 2/2015 (Warsaw: Stowarzyszenie Interwencji Prawnej)

<sup>53</sup> K. Wencel and K. Witold (2010) *Dyskryminacja cudzoziemców w Polsce 2008-2010* [Discrimination against Foreigners in Poland 2008-2010], in: K. Witold (Ed.) *Sąsiedzi, czy intruzi? O dyskryminacji cudzoziemców w Polsce*, pp.61-129. (Warszawa: Stowarzyszenie Interwencji Prawnej); K. Wencel (2011) *Dyskryminacja cudzoziemców w dostępie do usług mieszkaniowych w Polsce. Między teorią a praktyką* [Discrimination against Foreigners in Access to Housing Services in Poland. Between Theory and Practice]. Analizy raporty ekspertyzy nr 5/2011 (Warszawa: Stowarzyszenie Interwencji Prawnej).

<sup>54</sup> MPiPS (2013) *Polska polityka integracji cudzoziemców – założenia i wytyczne. Projekt* [Polish foreigners integration policy – presumptions and guidelines]. (Warszawa, Ministerstwo Pracy i Polityki Społecznej).

within their administrative boundaries for long enough.<sup>55</sup> Warsaw designates just five apartments per year for refugees. The rules governing access to social housing can be subject to frequent change. In a 2012-2014 audit, 5% percent of families in integration programmes were found to have been allocated social housing.<sup>56</sup>

Municipalities may also not acknowledge that refugees are in a state of homelessness if they were not living, or could not prove that they were living, in a homeless shelter. Squatting is seen as a crime, which prohibits access to social housing. There have been interventions by human rights organizations and NGOs supporting migrants in particular cases, which have also contributed towards change in regulations.

A monitoring report of refugee housing in Poland (from 2015), which focused on families experiencing difficulties, found a very poor standard of living. Fifty-one flats in four cities were inhabited by 233 people, 135 children among them, constituting 69 families. Some of the migrants were still awaiting a decision on their status, while some had international protection status and had been living in Poland for years. Half of the adult migrants did not have a job and many families were headed by single mothers. Overcrowding was highest in Warsaw, where there were many households in one flat and on average more than three persons per room. On top of that there were many friends, family members living temporarily there for lack of other options. Apartments were of poor standard, often damp with malfunctioning infrastructure, lacking basic appliances and furniture; inhabitants were sharing beds.<sup>57</sup>

### 3.3.1.10 Portugal

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According to the asylum law, beneficiaries of refugee status and beneficiaries of subsidiary protection have the same rights to housing as any legal resident. Refugees have to find their own accommodation in the private or public sector in Portugal.

However, refugees being relocated under the European Migration Agenda are relocated in different parts of the country with the support of municipalities, public entities, NGOs and private entities. This relocation process has allowed refugees and their families to benefit from individual, rather than institutional accommodation.

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<sup>55</sup> A. Chrzanowska and I. Czerniejewska (2015) „Mieszkamy tutaj, bo nie mamy innego wyjścia...” Raport z monitoringu warunków mieszkaniowych uchodźców w Polsce (Warsaw: Stowarzyszenie Interwencji Prawnej). [We live here, because we don't have a choice... Monitoring the living conditions of refugees in Poland. Association for Legal Intervention]

<sup>56</sup> NIK (2015) Informacja o wynikach kontroli. Pomoc społeczna dla uchodźców [Social support for refugees. Information about the audit, Supreme Audit Office]. (Warsaw: Najwyższa Izba Kontroli).

<sup>57</sup> A. Chrzanowska and I. Czerniejewska (2015) „Mieszkamy tutaj, bo nie mamy innego wyjścia...” Raport z monitoringu warunków mieszkaniowych uchodźców w Polsce (Warsaw: Stowarzyszenie Interwencji Prawnej). [We live here, because we don't have a choice... Monitoring the living conditions of refugees in Poland. Association for Legal Intervention]

If an asylum seeker is granted refugee status, specific financial support ceases and access to social security support is available under the same eligibility criteria as any Portuguese citizen (e.g., the minimum income scheme). The lack of affordable housing and the low levels of social benefits may constitute real challenges for finding housing and for covering the respective housing costs.

### **3.3.1.11 Sweden**

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In Sweden, as soon as an asylum seeker is granted a refugee status, they have to apply for housing on the regular housing market. They can stay in the accommodation that the Migration Agency provides for a period of time, but the responsibility for the person will shift over to the municipality. So, if a refugee cannot provide for their housing themselves, they will have to seek help from social services. A general challenge is that there is a severe housing shortage in many Swedish municipalities. Today, 240 of the 290 municipalities have a housing shortage and 94% percent of all Swedish citizens live in municipalities with a housing shortage. As a consequence, in an acute situation like the humanitarian crisis, temporary and emergency housing is often the first response to the housing needs of refugees.

### **3.3.1.12 United Kingdom**

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In the UK, once someone has refugee status they are able to access the same services and supports as a UK citizen. This includes the statutory homelessness system, social housing and welfare benefits that pay subsistence and make additional allowances to enable someone to rent somewhere to live. A refugee who became homeless would have access to the same homelessness services as any UK citizen. A failed asylum seeker or undocumented migrant would be unable to access most services, including many homelessness services, which require someone using them to claim welfare benefits (which undocumented migrants cannot do). These arrangements may be subject to change should the UK leave the European Union.

## **3.3.2 Barriers to housing**

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In most of the countries we examined, systems for resettling people are only partial or overburdened, or no such system exists because someone given asylum can access whatever supports are available to the citizens of that country, which can be highly variable.

In countries with more developed reception and support facilities, support is available but access to housing is still not necessarily rapid or even guaranteed. The general housing and welfare services available in each country can be crucial to the chances of someone who has been granted asylum to access housing.

In the less developed welfare states in the South and East, it can be difficult to find housing for people who have been granted asylum. Despite sometimes being given – at least theoretically – the same or similar rights to citizens, low social benefits and scarce social housing, alongside a lack of affordable private rented housing, can make it very difficult for refugees to find adequate housing.

### **3.4 Temporary accommodation for rejected asylum seekers until expulsion**

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If an asylum application and any appeal against a first decision has been rejected, most countries provide some form of temporary accommodation until the point of repatriation. Failed asylum seekers may, depending on how systems function, be able to disappear into the general population, though lacking formal identification may place them at a severe social and economic disadvantage in everything from seeking health care through to securing housing, claiming welfare benefits or being able to legally work.<sup>58</sup>

#### **3.4.2.1 France**

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In France, people who have their asylum application refused can stay in CADA, HUDA or ATSA facilities for one month after the final decision. If they want to request a re-examination of their situation, which is possible under certain very strict criteria, they can stay longer. If they want to solicit a voluntary return to their country, they can also stay in their accommodation units until they are repatriated. Amongst the about 50000 people whose asylum claim was rejected in 2015, only 5601 introduced a re-examination claim and 18873 were sent back to their country of origin. The others remained in France, sometimes making use of emergency accommodation.

An accommodation centre to prepare rejected asylum seekers to go back to their country of origin opened in Moselle (Eastern France) in April 2016. Rejected asylum seekers, irregular migrants and migrants willing to return to their country are sent to this centre. The Moselle centre nominally places these people under a form of house arrest for 45 days, but the centre is open and experience to date has been that one third of the people left. The OFII (Office Français de l'immigration et de l'intégration) supports migrants to plan their return and will provide financial support for those who return voluntarily. According to the French expert, there is no legal framework to manage these new centres, but another one is about to open in Rhone Alps during the summer of 2016.

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<sup>58</sup> N. Pleace (2011) Immigration and Homelessness, in: E. O'Sullivan, V. Busch-Geertsema, D. Quilgars and N. Pleace (Eds.) Homelessness Research in Europe, pp.143-163. (Brussels: FEANTSA).

### 3.4.2.2 Greece

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In Greece, rejected asylum seekers are subject to deportation/return procedures and transferred to detention facilities or a pre-removal centre, or to the “Open Temporary Hospitality Structure” – structures that are in the process of being developed at the time of writing. Refused applicants are no longer granted the protection and services provided under the asylum legislation, meaning that they are deprived of any right to access and use accommodation/housing services for asylum seekers and refugees.

Conditions in detention centres in Greece have been criticised as inhumane. People are detained for quite long periods, up to 12 months, in facilities that were designed for 24 hours of use. Many detention facilities:

*... lack outdoor access and there is usually a lack of ventilation and natural light. The conditions in these facilities are frequently poor and constantly deteriorate due to overcrowding, insufficient maintenance and lack of refurbishment. In combination with the lack of medical services, these facilities provide an environment which constitutes a risk to the physical and mental health of detainees.<sup>59</sup>*

The UNHCR reported that conditions in the detention centres need to be improved urgently. The UNHCR also recommended that new locations for detention centres on the islands should be identified and developed to facilitate swift readmission to Turkey.<sup>60</sup>

Failed asylum seekers may submit a further claim to remain for humanitarian reasons under the migration laws in Greece.<sup>61</sup> Assistance from homeless services is only available if their new application for migrant humanitarian status is accepted. Undocumented migrants have no access to social protection if they become

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<sup>59</sup> UN High Commissioner for Refugees (2014) UNHCR Observations on the Current Asylum System in Greece (Geneva: UNHCR).

<sup>60</sup> Communication from the Commission to the European Parliament, the European Council and the Council, First Report on Relocation and Resettlement, EU Commission, Brussels, 16.3.2016 COM(2016) 165 final.

<sup>61</sup> It refers to asylum applicants that had submitted their application before 2013, provided that the rejecting asylum authority had recognized the existence of such reasons, or, according to the recent legal amendments, those whose application has been pending for more than five years. Under the provisions stipulated in a.28 PD 114/10 OG 195 A/22-11-2010 and a.21 L. 3907/11 OG 7 A/26-1-2011as amended by a.22 L4375/16 OG 51 A/03-04-2016. See also Ministerial Decision no 30651/2014/14 OG 1453 B/05-06-2014.

homeless. Under Greek law, homeless undocumented migrants are not officially recognized as homeless, and they are not entitled to social protection or access to accommodation and related services.<sup>62</sup>

#### 3.4.2.3 Hungary

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In Hungary, people who are refused asylum are held in closed camps. Failed asylum seekers can be detained for up to one year. If they have not been repatriated after one year, they leave the camp and may then seek to leave Hungary. People may leave the camps before the one-year period has expired and seek to leave the country by their own means.

#### 3.4.2.4 Portugal

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In Portugal, accommodation for rejected asylum seekers is mainly provided in the so-called *Centros de Instalação Temporária* or temporary reception centres located in the airports and a dedicated centre located in the city of Oporto. These centres provide basic accommodation and services for a short period of time. The Oporto centre may accommodate up to 30 adults for a maximum period of 60 days. In cases where the asylum request is not considered admissible, the person has 20 days to leave the country. If someone does not comply, coercive expulsion from the Portuguese national territory may follow. Sometimes a person will disappear during these 20 days and continue to stay illegally as an undocumented migrant. Undocumented migrants may then end up in very difficult conditions and ask for support from homeless services, although there is at present only anecdotal evidence of this. In Lisbon, the Santa Casa da Misericórdia de Lisboa<sup>63</sup> is responsible for ensuring social support for those asylum seekers whose judgement on appeal is pending.

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<sup>62</sup> Article 29, Law 4052/12 (Official Gazette A 41): aA homeless person is a person who resides legally in Greece and who lacks access or has insecure access to adequate, self-owned, rented or granted housing, which meets the necessary technical standards and provides basic water and electricity supply services. The following are indicatively included among the homeless population: rough sleepers/those residing on the streets; and those residing in hostels, institutions, or temporary or inadequate accommodation.

<sup>63</sup> Major charity responsible for social action support in the city of Lisbon.

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## 4. Homelessness Services, Asylum Seekers and Refugees

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### 4.1 Introduction

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This chapter examines the role that homelessness services play in providing accommodation and other basic support to asylum seekers and/or refugees.

The chapter begins by discussing existing legal regulations that can determine the use of homelessness services by asylum seekers and refugees. The discussion then moves on to the variations in homelessness services that were found in the 12 countries included in this research. Finally, the chapter explores existing evidence on the implications of the current flow of asylum seekers and refugees in the operation of homelessness services, their responses and upcoming challenges.

### 4.2 Asylum seekers, refugees and homelessness services

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#### 4.2.1 Asylum seekers

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In all the EU Member States included in this study, the use of homelessness services by asylum seekers and refugees is conditioned by the existence of an overall distinction between two systems (see Chapter 4):

- The asylum seeker management systems that use various forms of reception centres and other dedicated programmes to house, support and monitor asylum seekers, to varying degrees.
- Arrangements for people who are granted refugee status or subsidiary protection, which vary between the provision of dedicated support systems, through to granting people equivalent or, in some cases, near-equivalent rights to those of citizens.

Overall, asylum seekers are dealt with by specific systems – often under the responsibility of Home Affairs, Migration Agencies and other specific statutory bodies – and are entitled to specific accommodation and other types of basic

support during their application process. Therefore, they use specific accommodation places and services, which are generally handled in all countries by services that are *outside* the homelessness sector.

Asylum seekers were often not prohibited from using homelessness services by laws or regulations, which may be a function of separate systems being in place for asylum seekers that mean they do not need to use homelessness services. However, there were some exceptions to this pattern:

- In some countries, France, Greece and Hungary being examples, experts emphasized the legal entitlement to homelessness services for asylum seekers. In France, unconditional access to emergency support is established in law.<sup>64</sup> In Greece, experts refer to a Constitutional duty on the State to be responsible for the protection of legally vulnerable groups, which includes the homeless population – including homeless asylum seekers and refugees. In Hungary, the Social Act of 1993: III also ensures asylum seeker entitlement to use homeless shelters and hostels.
- In Ireland, there is no legal or regulatory prohibition on asylum seekers using homelessness services, but regulations requiring a local connection to an area to access homelessness services, which also affect Irish citizens, would also potentially limit the access that asylum seekers have to services.
- In the UK, asylum seekers are explicitly prevented by law from accessing the statutory homelessness systems that are operated by municipalities and the Northern Ireland Housing Executive – i.e., the State will not permit them to access social housing or to be rehoused with municipal assistance in the private rented sector on the same basis that UK citizens are. Asylum seekers may be able to access charitably-run homelessness services, but the many homelessness services commissioned by local authorities that offer accommodation would often expect someone to be claiming welfare benefits, which asylum seekers are prohibited from doing.

In the presence of separate reception centres and related systems for asylum seekers, experts in most of the countries studied reported that homelessness services do not play any formal role in providing accommodation and other support to asylum seekers.

Asylum seekers may be present in the French, Greek and Hungarian homelessness systems, but this aspect of policy is fluid at the time of writing, as many countries continue to adjust to an influx of asylum seekers. Greece has been developing

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<sup>64</sup> Article L.345-2-2 of the Code de l'Action Sociale et des Familles.



complex and rapidly evolving institutional responses to the humanitarian crisis. For example, the newly established General Secretariat for Reception is developing a range of new services.

In general, potential asylum seekers do not use homelessness services before they apply for asylum in any of the 12 countries. The existence of separate systems that are responsible for the provision of accommodation and other basic support to potential asylum seekers is likely to be the main reason for this. However, experts from Ireland, Poland, Portugal and Sweden reported that conclusive evidence was not available to determine whether or not this was the case. In Greece and Hungary, there were reports of people who had not yet claimed asylum living in homelessness services for very short periods, though many of these people were in transit to North Western Europe.

#### 4.2.2 Refugees

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In the countries analysed, homelessness services play a formal role in supporting refugees who have been granted asylum, as they are homeless under the same conditions – and facing the same barriers – as any national citizens. The extent to which this is the case varies, though only Denmark has a dedicated programme designed to ensure the provision of ordinary housing for people given international protection (i.e., granted refugee status or permission to remain).

In the countries we have examined, refugees may use homelessness services if they become homeless. Being a refugee, particularly in those countries with highly developed welfare systems and relatively high levels of economic prosperity, must not be assumed to always place an individual at heightened risk of homelessness. Refugee populations can and do experience social and economic marginalisation, but refugees are heterogeneous and much can depend on the situation in which they find themselves, as well as on their own characteristics, needs and experiences.<sup>65</sup>

### 4.3 Use of homelessness services

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There are differences between the use of homelessness services by asylum seekers and refugees. This reflects the often significant differences in rights and entitlements of these two groups.

The potential effects on Europe of the mass, forced displacement of people by war, persecution and environmental disaster are not constant. Countries experience catastrophic events at different times and the routes by which migrants seek to

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<sup>65</sup> N. Pleace (2011) Immigration and Homelessness, in: E. O'Sullivan, V. Busch-Geertsema, D. Quilgars and N. Pleace (Eds.) Homelessness Research in Europe, pp.143-163. (Brussels: FEANTSA).

enter Europe change, particularly as has happened in the currently ongoing humanitarian crisis where routes into Europe – i.e., access via the Balkans or across the Mediterranean Sea – have been at least partially constricted.

In 2014, more than three quarters of all migrants and refugees reaching Europe by sea arrived through Italy and only one fifth came through Greece. However, figures reported in 2015 demonstrate that routes constantly change: between January and August 2015, 204 954 people had crossed the Mediterranean Sea to Greece, while 115 500 migrants had disembarked in Italy. During the first part of 2015, Syrian refugees arriving in the EU were primarily fleeing from Turkey to Greece through the so-called ‘Western Balkan’ route, until this was effectively sealed via EU agreement with Turkey.<sup>66</sup>

### 4.3.1 The twelve countries

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#### 4.3.1.1 Denmark

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In Denmark, low-threshold homelessness services report that the recent influx of asylum seekers has not resulted in increased demand. This is likely to be the result of the extensive system of reception centres for asylum applicants and the obligation on municipalities to provide regular housing for refugees who have been granted asylum (see Chapter 3).

However, following the recent influx of refugees, municipal social housing provision has come under increased pressure from refugees in need of housing who have been granted asylum status (as municipalities are obliged to provide this, see Chapter 3). This is putting pressure on general housing provision for socially marginalised groups, including homeless people. There is also evidence that some refugees who settled several years ago have resorted to accessing homeless shelters following eviction. This is unrelated to the 2015 influx and in some sense is no different to the experience of Danish citizens who become homeless, but it raises the possibility that some people from the 2015 influx may eventually become homeless and start using services.

#### 4.3.1.2 Finland

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The Finnish expert provides evidence on the rise in homelessness among people with migrant backgrounds (not necessarily refugees), mainly in Helsinki and contrary to the overall decrease of homelessness figures at the national level. The Finnish

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<sup>66</sup> M. Mouzourakis, A. Taylor, J. Dorber, E. Sbarai and K. Pollet (2015) Common Asylum System at a Turning Point: Refugees Caught in Europe’s Solidarity Crisis- Annual Report 2014-2015 (Brussels: ECRE).

expert reported that it is realistic to assume that some of those whose applications are refused will stay in Finland illegally as undocumented migrants. The legislation changed in the summer of 2015 and the impact of the change will become evident during the autumn of 2016. Equally, among those who get accepted to stay, there might at some point in their lives be an experience of homelessness; if this happens sufficiently often, it might lead to increased pressure on homelessness services.

#### 4.3.1.3 France

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The French expert reported two specific situations under which potential asylum seekers are actually supported by homeless services: first, potential asylum seekers seeking emergency shelter as a consequence of the long time they have to wait before registering their asylum claim in big cities (according to CESEDA there is an obligation to register any asylum claim within 10 days);<sup>67</sup> and second, in Calais and in Paris, camps providing emergency shelter programmes for potential asylum seekers have been created by the homelessness sector. In these camps different homelessness organisations support and accommodate migrants, regardless of their administrative situation and final destination. At the time of writing, the Calais camp is being removed.

It is impossible to provide figures on the number of asylum seekers who use homeless services after applying for asylum in France, as due to the principle of unconditional access, shelters are not able to transmit or publish that information. However, there is evidence at the local level that asylum seekers are present in homelessness services. In Marseille, a study run by the municipality between November 2015 and April 2016 in an emergency shelter called *Madrague* (with about 300 users) showed that 30 percent of users were asylum seekers. Most of them were single persons, as families are mostly temporarily accommodated in hotels.

The ELIPA study in France followed the same group of refugees from the year after they were given international protection, 2010, through to 2013. The first year after they got refugee status, about 42 percent of the refugees interviewed were living in social or private housing, while about 25 percent were accommodated in temporary shelter (CADA, CPH, CHRS, homeless services), and the remainder were sleeping at friends' places. Three years later their situation had improved, as only 13 percent were in temporary shelters and 15 percent were being accommodated by relatives.

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<sup>67</sup> According to EU law (and as explained in the introduction), registration shall take place no later than three working days after the application is made – but it is true that simultaneous applications for international protection by a large number of third-country nationals make it very difficult in practice to respect the time limit, such that Member States may provide for the time limit to be extended to 10 working days.

In France, families with children are mostly accommodated in social hotels where the social support provided is very light and based on basic needs. Homeless services tried to link with the asylum platform (PADA) in order to provide the minimum of service in terms of asylum support procedures. Access to food for asylum seekers that are out of asylum services (CADA / HUDA) and who are in hotels, or living rough or in squats is now being reported as a real problem. Increasing numbers are living without any resources for months, in connection with the 2015 asylum system reforms.

There is some evidence indicating a concentration of homeless refugees in Paris. Other capital cities also report relatively high levels of migrant homelessness, such as London and Dublin.

#### 4.3.1.4 Germany

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Germany is apparently experiencing a 'selected pressure' on homelessness services. There is some evidence of this from larger cities, where the substantial rise in the numbers of homeless people accommodated between 2014 and 2015 was mainly due to a sharp increase in the numbers of refugees (e.g., in Berlin and Hamburg). Nevertheless, the large numbers of refugees anticipated by some German service providers had not yet happened at the time of writing, probably due to the closure of the Balkan route. As many applications for asylum were still to be processed, the extent to which increasing numbers of refugees may have an impact on homelessness services was unclear at the time of writing.

In Germany, according to the experts interviewed, an increasing number of homeless refugees have asked to be provided with temporary accommodation by municipalities, which have a duty to provide temporary accommodation for people at risk of being roofless. Refugees who have gone through the asylum procedure while staying in accommodation for asylum seekers in the same municipality are often allowed to stay on in the same place after they have been granted asylum and until they have found housing. But municipalities also report a growing number of homeless refugees arriving from other localities without any home to go to.

#### 4.3.1.5 Greece

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The Greek expert underlines the limited reception capacity for ensuring minimum living conditions for those arriving in the country and not applying for asylum, alongside deficiencies in the operation of the asylum process, which often lead to delays in accessing the system. Both of these factors could lead asylum seekers to resort to homelessness services, mainly to day centre services.

However, the development of informal sites on the Greek mainland and at the borders seems to indicate that most migrants who were in transit did not resort to using the available homeless system.

In Greece, there is also scarcity of provision in reception facilities, and there are issues with the quality of premises (up to 18 persons lodged in one room). This can push asylum seekers to find alternatives and they often claim for support from agencies within the 'emergency shelter scheme', to which they are legally entitled.

A recent assessment of the actual reception capacity in Greece – versus targets established at EU summits – is particularly critical. This may help explain both individual and institutional drivers for the use of homelessness services by asylum seekers waiting for a decision on their application:

*Asylum seekers falling outside the scope of the Relocation Decisions are therefore likely to find themselves unable to benefit from both newly established reception places and UNHCR's rent subsidy programme. As highlighted by Greek NGOs, persons applying for international protection in Greece can find stable accommodation in one of the country's 17 reception centres, whose total capacity is below 1 500 places. Despite the general capacity figure of 34 419 places, the Commission confirmed in March that dedicated facilities for asylum seekers are at a capacity of 1 221 places.<sup>68</sup>*

The Greek expert referred to the specific situation of those homelessness services involved in the management of emergency sites, or the implementation of the UNHCR resettlement services. Increased pressure was reported as resulting from migrants trusting and using the agencies that they contacted first upon their arrival.

In Greece, the effects of the influx of migrants were mixed, with some positives being reported. Providing accommodation and support to asylum seekers and refugees was viewed by many services as an opportunity for modernizing and expanding integration policies and for establishing social housing and social rented schemes.

During 2016, 16 250 places will become available within a scheme designed to offer a rental plan, hotel vouchers and host-family programmes; the goal is to offer an additional 20 000 places in total. There is a goal to relocate 66 400 persons from Greece by the end of 2017; UNHCR support will cover 20 000 people, raising questions about the capacity of voluntary sector organisations, such as PRAKSIS, to provide support for the others.

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<sup>68</sup> M. Mouzourakis and A. Taylor (2016) Wrong Counts and Closing Doors – The Reception of Refugees and Asylum Seekers in Europe (Brussels: ECRE).

#### 4.3.1.6 Hungary

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Faced with an unprecedentedly large arrival of asylum seekers, many Hungarian homeless service providers distributed food and basic supplies, and provided access to their day services during the course of 2015. Hungary's exposure to high numbers of refugees in transit, rather than prompting a re-design of its reception system, resulted in initiatives to reduce the capacity of asylum services in general.

Many homeless service providers distributed food, water, blankets, toys and toiletries to the migrants arriving in Hungary during the summer of 2015. Most asylum seekers did not formally ask for asylum in Hungary and intended to stay in the country for one or two nights, sleeping in hotels, bed and breakfasts or sleeping rough during that time. According to the Hungarian experts, reports of someone asking for accommodation were very rare. Currently, very few people are given refugee status or subsidiary protection, and most of them do not use homeless services. At the time of writing, the borders of Hungary are closed, though this has led to protests from some other Member States. Some services do offer accommodation to homeless migrants who do not fall into any of the categories they are legally able to serve, which means they do not receive funding for these users.

#### 4.3.1.7 Ireland

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Ireland was not reported as experiencing any particular pressure from asylum seekers or refugees on homelessness services. While migration has increased, numbers remain low and the separate systems for housing asylum seekers and refugees, while becoming characterised by long stays for refugees, appeared to be removing pressure from homelessness services.

#### 4.3.1.8 Italy

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In Italy, the expert reported that Help Centres located near railway stations and the ONDS (National observatory on Solidarity in Railway Stations) have hosted many people in transit. It has been calculated that 87 000 Syrians and Eritreans stayed at the Central Station of Milan, and similar numbers of Somalians and Eritreans stayed at Rome's Tiburtina Station in 2013. Many homeless services were being used by more and more migrants who were described as being on the move, seeking to claim asylum in North Western Europe.

In Italy, only around 20 percent of asylum seekers can be hosted by the Centres for Asylum Seekers and Refugees,<sup>69</sup> in spite of a considerable increase in the number of places made available in recent years. Thus, as the Italian expert reported, a large

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<sup>69</sup> SPRAR projects are coordinated by a national service in cooperation with municipalities (see Chapter 3).

number of asylum seekers waiting for their interview or for the renewal of their residence permit get in touch with homelessness services looking for support. According to local NGOs, more and more asylum seekers try to find alternative solutions to the lack of accommodation support within the asylum system, including emergency accommodation within the homelessness system, squatting or rough sleeping.

The Italian expert also reported resource problems within the homeless sector, but considered that the most worrying aspect was the overall funding framework and the lack of an integrated approach to addressing homelessness. Many services for homeless people have been cut and those working in homelessness services can lack the necessary skills to support asylum seekers and refugees, but the main problem reported is an emergency 'firefighting' approach to providing emergency accommodation in response to what is a structural phenomenon.

#### 4.3.1.9 Poland

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In Poland, refugees experience problems as they attempt to move from reception centres into mainstream housing. In common with Polish citizens, they are confronted with a shortage of affordable housing, which can mean ending up relying on homelessness services. Discrimination can arise when seeking housing in the private rented sector, and access to the social rented sector can be highly restricted (see Chapter 3). Homelessness might also occur when integration programmes end, although levels were not reported to be very high. No systematic data monitoring exists, but anecdotally, homelessness services and women crisis centres have reported accommodating only limited numbers of refugees. Voluntary organizations supporting migrants have reported severe housing deprivation among refugees but mainly outside the homeless sector.<sup>70</sup>

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<sup>70</sup> K. Wysieńska and N. Ryabińska (2010) *Refugee Homelessness in Poland – Results of a Pilot Study* (Warszawa: Institute of Public Affairs and the Office of the United Nations High Commissioner for Refugees); K. Wysieńska (2013) *Gdzie jest mój dom? Bezdomność i dostęp do mieszkań wśród ubiegających się o azyl, uchodźców i osób z przyznaną ochroną międzynarodową w Polsce – aktualizacja badania z 2010 roku* (Warszawa: Instytut Spraw Publicznych & Wysoki Komisarz Narodów Zjednoczonych do spraw Uchodźców). English version of this study: K. Wysieńska (2013) *Where is my Home? Homelessness and Access to Housing among Asylum Seekers, Refugees and Persons with International Protection in Poland* (Warsaw: Institute of Public Affairs & UNHCR); K. Wysieńska (2014) *Niewidzialni i niepoliczalni – rodzaje i skala bezdomności uchodźców i osób „w procedurze”* [Invisible and Unaccountable: Types and Scope of Homelessness among Refugees and Asylum Seekers]. (Warszawa: Stowarzyszenie Interwencji Prawnej).

#### 4.3.1.10 Portugal

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Refugees can enter homelessness services in Portugal if they have had difficulties securing suitable, affordable housing. Refugees do not, however, tend to make use of homelessness services because of the systems that are in place to actively relocate refugees across Portugal (see Chapter 3). Homelessness has not been reported as creating pressures on homelessness services. Risks of homelessness among resettled refugees is a concern in Portugal in the context of a shortage of affordable housing, particularly once the transition period of two years where additional support is available comes to an end.

#### 4.3.1.11 Sweden

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Swedish homelessness services are reported as not generally providing support to asylum seekers or refugees. Although it is apparently rare that homeless services provide any support to these groups, support might be delivered in specific cases, e.g., if the person has a substance misuse or any other problem.

According to the Swedish expert, a new law (Act 2016: 38) forcing municipalities to house newly arrived immigrants may have both positive and negative impacts. The new legislation requires municipalities to accept refugees and provide them with housing, which could create stress in the housing market. This could lead to conflict and competition between groups and, in the worst-case scenario, fuel an anti-immigration political movement. More positively, the law will distribute the refugees evenly across municipalities and will, hopefully, enhance the possibility of social integration for new arrivals.

#### 4.3.1.12 United Kingdom

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The UK has not experienced issues with asylum seekers or refugees entering homelessness services in significant numbers. Migration, insofar as it relates to homelessness service operation, is seen as a homelessness problem only when economic migrants from other EU Member States become homeless. Some homelessness services may see quite high numbers of homeless people from Eastern and Southern EU countries, but not large numbers of asylum seekers or refugees. This is largely a reflection of an immigration policy designed to minimise the numbers of people who seek asylum in the UK and thus restrict the numbers who can be granted international protection by the UK. In 2005, research suggested that



refugees, who can enter the statutory homelessness systems like any UK citizen, were present in London's statutory homelessness system, although the numbers were small.<sup>71</sup>

#### 4.4 Rejected asylum seekers

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Data on the extent to which people whose asylum application has been rejected may be using homelessness services are scarce. It is certainly possible that they will be assisted by services that do not ask questions, require formal referrals or need someone to be eligible for welfare benefits (which an undocumented migrant cannot claim) in order to meet their operational costs. There are, throughout Europe, charitable and faith-based services provided by various religious groups as well as spontaneously organised or grass-roots solidarity initiatives that provide homeless populations with food or basic shelter, and these may be used by undocumented people. How far this is an issue is not clear, as there are no data from which to generate any sort of understanding:

- Denmark, Finland, Germany and Sweden have tight registration systems with identity requirements operating in their homelessness sectors, making these services difficult for undocumented former asylum seekers to use. Many UK services expect users to claim welfare benefits to meet their operating costs, which could be difficult for an undocumented migrant.
- France, Greece and Italy do have reports of increases in the numbers of migrants using homelessness services, where repatriation of asylum seekers whose claims have been rejected does not always occur.
- Hungary and the UK have policies to reduce the presence of failed asylum seekers in their national territories.
- In Ireland, Poland and Portugal there is possible use of homelessness services by failed asylum seekers, but there are no reliable data and figures are likely to be low.

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<sup>71</sup> N. Pleace et al. (2008) *Statutory Homelessness in England: The Experience of Families and 16-17 Year Olds* (London: Department for Communities and Local Government).

## 4.5 Pressures on homelessness services

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With the exception of France and Italy, the current influx of asylum seekers has generally not led to significant pressure on homelessness services. However, some countries report specific situations in which pressure exists and others report that, as asylum seekers are accepted as being owed international protection (refugee status and permission to remain), the pressure on homelessness services may increase:

- Refugee homelessness may increase in contexts where general levels of homelessness are linked to critical shortages of affordable housing. This concern was reported in Germany, Finland, Hungary, Italy, Poland, Portugal and Sweden.
- Discrimination may restrict access to parts of the private rented sector, something that was a potential issue in all 12 countries.
- There might be less protection and support for single adult refugees than for families with children or young people. The UK, for example, would take an unaccompanied asylum-seeking child or refugee into social services care, but would not protect an 18 year-old in the same way.
- Reductions in the flow of asylum seekers have been secured through creating buffer zones in Turkey; these arrangements may not be sustainable, although the pressures generating the influx of asylum seekers, such as the Syrian war, may also cease.
- Tensions may arise if homelessness services can be portrayed as ‘supporting’ the presence of asylum seekers, refugees and undocumented migrants, particularly in the context of the rise of Far Right political parties in much of Europe. Equally, the perception that the presence of migrant populations (asylum seekers and refugees but also economic migrants) is putting pressure on affordable and social housing stocks could also fuel political tensions.

At present in most countries, the need to provide housing for refugees rather than asylum seekers does not seem to have largely affected access to affordable or social housing for homeless people who are national citizens. However, one reason for this is that, in most countries, refugees who have had their asylum application approved are actually not systematically provided with housing. Another reason is that the impact of the humanitarian crisis is hugely uneven; the influxes seen in Germany, Greece, Italy or Sweden have simply not occurred elsewhere. This said, huge numbers are not needed to create potential problems; Denmark, for example, was reported as experiencing pressure in its housing supply as a direct consequence of the humanitarian crisis.

As the last two years have shown, influxes of migration cannot be anticipated far in advance, planned for or properly resourced. The wars and persecution that cause mass population displacement will be replaced with further wars and instability, as an ever-increasing population competes for diminishing resources in the context of growing environmental damage. The consequences for homelessness services depend on how Europe manages its borders (and how the UK manages its borders under a 'Brexit') and what resources are available to handle migration. Clearly, the capacity of some Member States to tackle homelessness properly – such as France, Greece and Italy – has been reduced as homelessness services are being used by refugees and asylum seekers, and other systems, like social housing in Denmark, are under increased strain. In Hungary, increasingly negative attitudes towards foreigners have been associated with the influx of migrants, even though many moved on to other EU Member States.

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## 5. Discussion

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### 5.1 Introduction

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There is, as ever, a need for sufficient prevention, for carefully tested and effective services for people with more complex needs, and for an increase in affordable housing, to reduce the problem of asylum seeker and refugee homelessness where it exists in Europe. Yet this is not a simple policy issue. Within Europe, some argue that there are clear economic and cultural benefits from migration, but others mainly perceive risks, or a mixture of positive and negative effects. As perceptions differ, migration is a politically charged aspect of public policy. Asylum seekers and refugees, from sometimes radically different cultures to those found within Europe, can be the subject of polarized arguments.

This final chapter explores questions about the balance between ensuring a humanitarian response to asylum seeker, refugee and undocumented migrant homelessness, against the various concerns that EU national governments have about maintaining border controls. The chapter then considers the level of impact that the humanitarian crisis has had on homelessness services and where future opportunities or risks might lie in those countries where numbers of refugees are significant. Finally, the chapter considers what this research can tell us about how we might think about migrant homelessness.

### 5.2 A complex question

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This research has not, for the most part, suggested that the humanitarian crisis has overwhelmed, or even necessarily had any substantial effect on homelessness services in the 12 Member States examined. Clearly, there are some important exceptions; France, Greece and Italy have all seen their homelessness services come under pressure because of the influx of people escaping the Syrian war, as well as other conflicts and persecution.

Arriving at the correct policy and service-level responses to homelessness among asylum seekers, refugees and undocumented migrants ('failed' asylum seekers) is not a simple matter. It is not simply a question of resources and more effective service coordination; rather, the extent and nature of any issue is also a function of immigration and asylum policy.

Adequate homelessness services and *separate* housing services for asylum seekers and refugees are required. If homelessness services are under pressure, it presents a potential risk to the resources available to a country's own citizens who are homeless. If asylum seekers are using homelessness services, it means they are not being properly accommodated while a decision on their status is made; if refugees are homeless, it could mean they are not receiving sufficient or appropriate support.

Some of the 12 Member States in this study cannot afford or choose not to adequately fund homelessness services or reception and support systems for asylum seekers and refugees. Extolling the virtues of sufficient expenditure to a country like Greece, still suffering from the effects of the 2008 crash, is not a realistic argument.

The evidence presented here indicates that asylum seekers and refugees are experiencing unacceptable and, in some instances, arguably inhumane treatment within Europe and are becoming homeless. The *numbers* of asylum seekers and refugees is the result of one policy decision; allowing people in those populations to become homeless is a *different* policy decision. This report raises some concerns about the treatment of asylum seekers and refugees, both while asylum is being sought and once refugee status has been granted.

### **5.3 The effects of the humanitarian crisis**

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Clearly there have been real effects on homelessness services in countries like France, Greece and Italy as a result of the events of 2015. However, refugees and asylum seekers and – probably – undocumented migrants are not widely present in homelessness services in most of the 12 countries reviewed.

This may change. The delays in processing asylum seekers who arrived in 2015 may lead to increased levels of homelessness among asylum seekers and refugees in some countries. The flow of asylum seekers into Germany has been greatly reduced during 2016, but at the time of writing, there are a great many asylum seekers still to be processed from the 2015 influx.

In France, Greece and Italy, homelessness services have become involved in supporting asylum seekers and refugees because existing systems were overwhelmed. This risk has manifested in three countries, but if there were another spike in asylum seeker numbers – for example, if the current agreement for the containment of the influx from Syria within Turkey's boundaries broke down – the same problem might also appear elsewhere.

Another risk is that, where systems for repatriation are less than entirely effective, undocumented or 'failed' asylum seekers might start to appear in homelessness services in larger numbers. As the backlogs of asylum seekers from 2015 are processed, this is a possibility in some countries.

The UK is likely to add to the already significant barriers to asylum seekers in the short term and will make itself still more inaccessible following Brexit. While internal border controls in the European Union may not increase permanently, the external border (which will, in future, include the border with the UK) may be collectively strengthened. Countries like Hungary and Sweden have acted unilaterally to reduce asylum seeker numbers, as the UK has done while still a Member State.

The UNHCR estimates that, globally, there were 65.3 million people who were displaced at the end of 2015.<sup>72</sup> As wars, persecution and global environmental degradation and climate change affect farming, fresh water supply and coastal regions, mass displacements may occur on a still larger scale than has resulted from wars and persecution.<sup>73</sup> Further influxes, matching or exceeding the levels seen in 2015, are possible and, within those influxes, there may be asylum seekers who are at risk of homelessness once they enter the EU, if the proper systems to support them are not in place.

## 5.4 Rethinking homelessness

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Developed some years ago, the ETHOS typology of homelessness<sup>74</sup> includes people in reception centres and other accommodation for asylum seekers and refugees as being homeless. The definition has been contested, as it makes no allowance for time. A refugee or asylum seeker, in such a situation, may not be there for very long and may move straight into housing once they leave. Migrant populations are also not a group of people that governments are eager to count as 'homeless' and, by implication, in need of support, which might include being housed.<sup>75</sup>

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<sup>72</sup> <http://www.unhcr.org/uk/news/latest/2016/6/5763b65a4/global-forced-displacement-hits-record-high.html>

<sup>73</sup> <http://www.unhcr.org/uk/environment-disasters-and-climate-change.html>

<sup>74</sup> <http://www.feantsa.org/spip.php?article120>

<sup>75</sup> N. Pleace and J. Bretherton (2013) *Measuring Homelessness and Housing Exclusion in Northern Ireland: A Test of the ETHOS Typology* (Belfast: Northern Ireland Housing Executive).

The ETHOS typology does, however, highlight that being in the systems designed for asylum seekers and refugees can, in itself, be regarded as a type of homelessness. An asylum seeker in a reception centre may lack their own space, privacy and any legal right to occupy the space they are living in, and their rights may also be far more restricted than those of a citizen of the country where they are seeking assistance, including not being able to work or access support and housing services. Conditions in some of these services can also be very poor, as the evidence reported above has shown.

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## 6. Appendix: Legal Framework

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The 1951 Geneva Convention relating to the status of refugees,<sup>76</sup> as amended by the 1967 New York Protocol, defines who has refugee status. The Convention established a common approach towards refugees, which has been one of the cornerstones of attempts to build a common asylum system within the EU. In Article 1 of the Convention, a refugee is defined as any person who has a:

*“well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.”*

Since the 1999 Tampere Programme,<sup>77</sup> the EU has worked towards creating a common European asylum system. In Tampere, the European Council reaffirmed the importance that the Union and Member States should attach to the absolute respect of the right to seek asylum, and agreed to work towards establishing a Common European Asylum System. The goal of this system was centered on ensuring that nobody is sent back to persecution – i.e., maintaining the principle of non-refoulement. The system was intended to include a clear and workable determination of which State was responsible for the examination of an asylum application and common standards for a fair and efficient asylum procedure. There was also a goal to establish common minimum conditions for the reception of asylum seekers and for an approximation of rules on the recognition of refugee status. The long-term objective was to establish a common asylum procedure and a uniform status for those who are granted asylum valid throughout the EU. Moreover, it was agreed to develop a financial reserve to support temporary protection, which would be available in situations where there was a mass influx of refugees.

Following the Tampere Programme, three directives and a regulation have been developed. The four main legal instruments on asylum – all recently recast – are: 1) the Qualification Directive 2011/95/EU on standards for the qualification of non-EU nationals and stateless persons as beneficiaries of international protection,

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<sup>76</sup> Convention and Protocol relating to the status of refugees – <http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf>.

<sup>77</sup> Presidency conclusions, Tampere European Council 15 and 16 October 1999, [http://www.europarl.europa.eu/summits/tam\\_en.htm](http://www.europarl.europa.eu/summits/tam_en.htm).



for a uniform status for refugees or for persons eligible for subsidiary protection;<sup>78</sup> 2) the Procedures Directive 2013/32/EU on common procedures for granting and withdrawing international protection;<sup>79</sup> 3) the Conditions Directive 2013/33/EU, laying down standards for the reception of applicants for international protection;<sup>80</sup> 4) the Dublin Regulation (EU) 604/2013, establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national (national of a non-member country) or stateless person.<sup>81</sup>

On 5 November 2004, heads of state and governments adopted the Hague Programme,<sup>82</sup> which acknowledged the progress made since 1999 and urged for continuing efforts towards the establishment of a common asylum procedure and a uniform status for those who are granted asylum or subsidiary protection. In response to this call, the European Commission presented the June 2008 policy plan on asylum, which included three main elements: 1) bringing more harmonisation to standards of protection by further aligning the EU Member States' asylum legislation; 2) effective and well-supported practical cooperation; 3) increased solidarity among EU Member States and between the EU and non-member countries. With this in mind, in 2009 the European Commission made a proposal to establish a European Asylum Support Office (EASO) whose task would be to support Member States in their efforts to implement a more consistent and fair asylum policy. EASO, which became operational in 2011, provides technical and operational support to EU Member States facing particular pressures.

In response to the exceptional number of asylum seekers arriving in the EU in the first months of 2015 and throughout the year, the Commission made several proposals. In May 2015, the European Agenda on Migration<sup>83</sup> was published,

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<sup>78</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32011L0095:EN:NOT>

<sup>79</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32013L0032:EN:NOT>

<sup>80</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32013L0033:EN:NOT>

<sup>81</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32013R0604:EN:NOT>

<sup>82</sup> The Hague Programme: Strengthening Freedom, Security and Justice in the European Union, available at: [http://ec.europa.eu/home-affairs/doc\\_centre/docs/hague\\_programme\\_en.pdf](http://ec.europa.eu/home-affairs/doc_centre/docs/hague_programme_en.pdf).

<sup>83</sup> COM (2015) 240 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A European Agenda on Migration.

followed by a proposal to establish an emergency relocation mechanism.<sup>84</sup> This was followed by an EU Action Plan on Return<sup>85</sup> in September 2015 and, in April 2016, a proposal to reform the Common European Asylum System.<sup>86</sup>

The European Agenda on Migration has four elements: reducing incentives for irregular migration; border management; a stronger common asylum policy and a new policy on legal migration. With regard to asylum, the proposal focuses on adequately implementing the existing legislation. The Commission also proposed to establish a new monitoring and evaluation system to improve standards on reception conditions and asylum procedures, to draft guidelines to fight against abuses of the asylum system, to strengthen safe country of origin provisions, to promote systematic identification and fingerprinting and to re-evaluate the Dublin Regulation.

In the September 2015 proposal, the Commission estimated there was a need for the relocation of 120 000 people in need of international protection. This included 15 600 people in Italy, 50 400 in Greece and 54 000 in Hungary. A budget of €780 million was allocated to facilitate this relocation. There was also a goal to establish a permanent relocation mechanism, which could be triggered by the Commission to help any Member State experiencing extreme pressure on its asylum system. Besides relocation, the Commission proposed to add Albania, Bosnia and Herzegovina, Macedonia, Kosovo, Montenegro, Serbia and Turkey to the common EU list of safe countries of origin.

The main objective of the EU Action Plan on Return is the systematic return, either voluntary or forced, of those who do not have, or no longer have the right to remain in Europe. In order to deliver on this objective, the Commission proposed to strengthen the mandate of Frontex and increase the agency's budget by €5 million, and to establish hotspots – EU-run reception centres – in 'frontline' Member States.

In the proposal to reform the Common European Asylum System, made by the Commission in April 2016, five priorities were put forward to address structural shortcomings: 1) establish a sustainable and fair system for determining the Member State responsible for asylum seekers – i.e., amending the Dublin Regulation;

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<sup>84</sup> 2015/0208 (COD), Proposal for a Regulation of the European Parliament and of the Council Establishing a Crisis Relocation Mechanism and Amending Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 Establishing the Criteria and Mechanisms for Determining the Member State Responsible for Examining an Application for International Protection Lodged in one of the Member States by a Third-country National or a Stateless Person.

<sup>85</sup> COM (2015) 453 final, Communication from the Commission to the European Parliament and to the Council: EU Action Plan on Return.

<sup>86</sup> COM (2016) 197 final, Communication from the Commission to the European Parliament and to the Council Towards a Reform of the Common European Asylum System and Enhancing Legal Avenues to Europe.

2) reinforce the EURODAC system to achieve greater convergence by establishing a single common asylum procedure; 3) adopt a Qualification Regulation, replacing the Qualification Directive, and introduce targeted modifications of the Reception Conditions Directive; 4) prevent secondary movements within the EU; 5) establish a new mandate for the EU's Asylum Agency (EASO). According to this proposal, there will be punishments for asylum seekers who do not stay in the responsible Member State. The punishment consists of losing all benefits (health, education, welfare and accommodation) except for emergency health care while their asylum applications are assessed. Asylum seekers who flout the Dublin rules would therefore be left largely unsupported. Moreover, if a Member State should be responsible for X asylum applications under those criteria, other Member States would be obliged to relocate asylum seekers from that Member State, once it is responsible for X + X/2 applications. The Commission suggests that Member States may opt out of relocating asylum seekers, but they would have to pay €250 000 per asylum seeker not accepted.

The EU Asylum Acquis builds on five main instruments: the Asylum Procedures Directive,<sup>87</sup> the Reception Conditions Directive,<sup>88</sup> the Qualification Directive,<sup>89</sup> the Dublin Regulation<sup>90</sup> and the EURODAC Regulation.<sup>91</sup>

The EURODAC Regulation establishes an EU asylum seeker fingerprint database. EURODAC has been operating since 2003 and when someone applies for asylum, no matter where they are in the EU, their fingerprints are transmitted to the

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<sup>87</sup> Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on Common Procedures for Granting and Withdrawing International Protection.

<sup>88</sup> Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 Laying down Standards for the Reception of Applicants for International Protection.

<sup>89</sup> Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on Standards for the Qualification of Third-country Nationals or Stateless Persons as Beneficiaries of International Protection, for a Uniform Status for Refugees or for Persons Eligible for Subsidiary Protection, and for the Content of the Protection Granted.

<sup>90</sup> Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 Establishing the Criteria and Mechanisms for Determining the Member State Responsible for Examining an Application for International Protection Lodged in one of the Member States by a Third-country National or a Stateless Person.

<sup>91</sup> Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the Establishment of 'EURODAC' for the Comparison of Fingerprints for the Effective Application of Regulation (EU) No 604/2013 Establishing the Criteria and Mechanisms for Determining the Member State Responsible for Examining an Application for International Protection Lodged in one of the Member States by a Third-country National or a Stateless Person and on Requests for the Comparison with EURODAC data by Member States' Law Enforcement Authorities and Europol for Law Enforcement Purposes, and Amending Regulation (EU) No 1077/2011 Establishing a European Agency for the Operational Management of Large-scale IT Systems in the Area of Freedom, Security and Justice.

EURODAC central system. The regulation sets time limits for fingerprint data to be transmitted, addresses data protection requirements and provides safeguards when national police forces and Europol compare fingerprints linked to criminal investigations with those contained in EURODAC.

The Dublin Regulation establishes the Member State responsible for the examination of the asylum application. The criteria for establishing responsibility run, in hierarchical order, from family considerations, to recent possession of visa or residence permit in a Member State, to whether the applicant has entered the EU irregularly or regularly. The Regulation also sets the procedures for taking charge and taking back asylum applicants and the guarantees that individuals concerned have.

The Asylum Procedures Directive sets common rules on how to apply for asylum, and common procedures for granting and withdrawing international protection. It applies to all applications for international protection made within the territory of the Member States, including at the border, in territorial waters or in transit zones-Member States. However, it does not apply to Denmark, which has opted out. EU countries are obliged to apply this Directive to the procedures for handling applications for asylum, based on the Geneva Convention.

According to the Directive, when a person makes an application for international protection, to an authority competent under national law for registering such applications, the registration shall take place no later than three working days after the application is made. If the application for international protection is made to other authorities that are likely to receive such applications, but not competent for the registration under national law, Member States shall ensure that the registration shall take place no later than six working days after the application is made. Member States are expected to ensure that those other authorities that are likely to receive applications for international protection such as the police, border guards, immigration authorities and personnel of detention facilities have relevant information and training.

Where simultaneous applications for international protection are made by a large number of third-country nationals – as it has been happening over the last couple of years – Member States may extend the time limit to ten working days. Applicants are allowed to remain in the Member State until the determining authority has made a decision. While their application is being processed, they are entitled to a number of guarantees, which include information in a language they understand and the services of an interpreter for submitting their case. There are common rules as to, among other things, the obligations of the applicants, how personal interviews should be carried out, medical examinations, free legal assistance, guarantees for unaccompanied minors, procedures in the event of withdrawal of the application, the examination procedure, the concept of a safe country, procedures for the withdrawal of international protection and appeal procedures.

These rules apply to all third-country nationals and stateless persons who make an application for international protection on the territory, including at the border, in the territorial waters or in the transit zones of a Member State. These rules apply as long as a person is allowed to remain on the territory as an applicant. There are general provisions on reception conditions, guaranteeing, among other things, access to information, access to documentation, safeguards for those applicants who are detained, right to family unity, access to education for minors, entitlement to work no later than nine months from the date when the application is lodged, and access to vocational training and health care.

Member States have to ensure that reception centres provide an adequate standard of living for applicants, guaranteeing their subsistence and protecting their physical and mental health. Where housing is provided in kind, there should again be a guarantee of an adequate standard of living – private houses, flats, hotels or other premises adapted for housing applicants. Member States have to ensure that applicants are guaranteed the protection of their family life and have the possibility of communicating with relatives, legal advisers or counsellors, persons representing the UNHCR and other relevant national, international and non-governmental organisations and bodies. Gender and age-related concerns and the needs of vulnerable persons must also be taken into account, including adequate staff training.

The Qualification Directive establishes common grounds for granting international protection. It defines how assessment of the facts and circumstances should be carried out and what constitutes persecution or serious harm. Rights are also accorded to those who qualify for international protection with regard to family unity, residence permits, travel documents, access to employment, access to education, social welfare, healthcare, access to accommodation and access to integration facilities, alongside specific provisions for children and vulnerable persons. Member States have to issue a residence permit to beneficiaries of refugee status, which must be valid for at least three years, and they must issue a renewable residence permit to beneficiaries of subsidiary protection status and their family members, which must be valid for at least one year. Beneficiaries of international protection must have full access to the labour market and social assistance.

Member States may limit the social assistance granted to beneficiaries of subsidiary protection status to core benefits. This includes adequate healthcare including psychiatric care and counselling, antenatal care and support for disabled people. With regard to accommodation, which is often a huge challenge for people who have just obtained international protection and have to leave the reception centres in which they were residing as asylum applicants, Member States have to ensure access to accommodation under equivalent conditions as other third-country

nationals regularly residing there, and to implement policies aimed at preventing discrimination against beneficiaries of international protection and at ensuring equal opportunities regarding access to accommodation.

The extent to which the UK will continue to follow these regulations, directives and expectations following Brexit is unclear at the time of writing. It is very unlikely that the UK will cease to follow international law and agreements on asylum and refugees agreed by the UN and it may continue to follow aspects of policy recommended by the Commission. However, the UK is likely to strengthen border controls, including a tightening of the border between itself and the EU.

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European Observatory on Homelessness

# Asylum Seekers, Refugees and Homelessness

## The Humanitarian Crisis and the Homelessness Sector in Europe

Unprecedented numbers of people are seeking safety and a better life in the European Union. This research explores the consequences for homelessness services as existing systems for processing asylum seekers and refugees have attempted to process a new level of mass migration and have come under sometimes unprecedented strain. Looking at 12 countries, including Greece, Italy and Germany, the research explores the use of homelessness systems to support migrants and considers the risks of increased homelessness among migrant groups in the European Union. This comparative report is the sixth in a series produced by the European Observatory on Homelessness (EOH) exploring pan-European issues through a questionnaire-based approach using a group of national experts.

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