



## Reception conditions for children seeking international protection

The information presented in this fact sheet is extracted from the [Asylum Report 2022](#).  
Direct link to the section: <https://euaa.europa.eu/asylum-report-2022/section-5-children-and-people-special-needs-asylum-procedure>

The recast Reception Conditions Directive sets the standards for the conditions which must be met during the reception phase of an asylum procedure and aims to ensure that rights and obligations are harmonised across all Member States. The reception of applicants for international protection encompasses rules on material reception conditions, financial allowance, freedom of movement, access to health care, education for children, access to the labour market, language instruction and socio-cultural orientation. The directive applies to all applicants throughout the whole asylum procedure and for all types of procedures until they are allowed to remain on the territory

The recast Reception Conditions Directive defines applicants with special reception needs. It also lists examples, which are non-exhaustive, but they cover a slightly different scope. It explicitly mentions unaccompanied minors, single parents with minor children, victims of human trafficking and victims of FGM, but it does not refer to gender, sexual orientation or gender identity. Detailed provisions are listed in the recast Reception Conditions Directive, Chapter IV and require Member States to take into account the specific situation of a vulnerable applicant, assess vulnerabilities within a reasonable period and ensure that the needs are addressed. Chapter IV also lists specific provisions for minors, unaccompanied minors and victims of torture and violence. Article 11 lists the conditions for detaining vulnerable persons and applicants with special reception needs.

### Data at a glance

<b>Total asylum applications in EU+ countries, 2021</b>	648,000
<b>Asylum applications by unaccompanied minors, EU+ total, 2021</b>	23,600 (4% of all asylum applications)
<b>Top receiving EU+ countries, 2021</b>	Austria: 5,600 Germany: 3,300 Bulgaria 3,200

Source: Eurostat [migr\_asyunaa] as of 22 April 2022.



## Key developments extracted from the Asylum Report 2022

- The United Nations Committee on the Rights of the Child published its concluding observations on Luxembourg,<sup>1</sup> Poland<sup>2</sup> and Switzerland<sup>3</sup> in 2021, and on the Netherlands<sup>4</sup> in early 2022, mentioning concerns related to the best interests of the child in the asylum procedure and their reception conditions.
- A new national coordination board dedicated to unaccompanied children was established in Italy, with its first meeting foreseen for spring 2022. It includes stakeholders from the national coordination board on reception and the integration of beneficiaries of international protection.<sup>5</sup>
- Croatian authorities observed that guardians often consent to unaccompanied children aged 16 years and older to be accommodated in regular reception facilities in order to stay close to adult relatives in the same facility. Guardians receive basic training on international protection, but the authorities noted that they may need more specialised knowledge to address the specific circumstances surrounding the protection of children. The Croatian Ministry of the Interior established good relations with guardians and schools, facilitating the school enrolment of both accompanied and unaccompanied children.
- In 2021, the European Committee of Social Rights **concluded** that Greece was in breach of several provisions of the European Social Charter. An effective guardianship system for unaccompanied children was not in place and the protective custody scheme in practice meant that many children were detained. The committee also noted violations related to the reception of applicant children.
- In Slovenia, authorities can request an age assessment already when an asylum application is made, instead of when it is lodged. These amendments were introduced to ensure that children can have access earlier to tailor-made reception and support, and authorities can start arranging procedural guarantees.<sup>6</sup>
- Fedasil in Belgium signalled the need for more reception places in September 2021 due to the influx of applicants (especially unaccompanied minors), the loss of capacity due to flooding in Wallonia,<sup>7</sup> the resettlement of Syrian refugees, an increase in the length of stay in reception, the evacuation of applicants from Afghanistan, and continued COVID-19 requirements.<sup>8</sup> To ease the pressure, in January 2022 Fedasil opened a night shelter<sup>9</sup> and a temporary facility for unaccompanied minors<sup>10</sup> for those who could not be hosted immediately in the arrival centre.
- The influx of new applicants added a strain on the reception system in Bulgaria as well, where the occupancy rate increased to 50%, compared to 7% in 2019. Due to the high number of unaccompanied minors, mainly from Afghanistan, safe zones for unaccompanied children needed to be restructured. The Ombudsperson found poor living conditions, with a lack of adequate furniture and overcrowding. When the security zone was full, children were accommodated in the gym separately from adults.<sup>11</sup>

- In contrast, the Danish Immigration Service closed a facility for unaccompanied minors in Østrup due to the decreasing number of unaccompanied children over time.<sup>12</sup>
- The Italian authorities issued a tender for the rental of five private vessels to accommodate migrants rescued at sea during the quarantine period. Issues were reported concerning the confinement of migrants on quarantine vessels, with the National Guarantor for the Rights of Persons Deprived of Liberty expressing concern about the protection of fundamental rights, especially of minors and vulnerable persons.<sup>13</sup> ASGI criticised the conditions onboard the vessels which allegedly led to the death of two minors and an adult who drowned. They also noted the lack of medical staff and lack of support to victims of trafficking and other vulnerable people.<sup>14</sup> As of October 2021, the authorities started accommodating unaccompanied minors in dedicated reception centres during the quarantine period.
- The reception system was under great stress in Luxembourg, where an emergency structure was activated in autumn 2021 as the occupancy rate of facilities continued at full capacity throughout 2021. A large part of new arrivals came through family reunification programmes and there was an important increase in the arrival of unaccompanied minors. Compared to previous years, more babies were born to families in reception in 2020 and 2021, requiring accommodation and support to be swiftly adapted.
- The CPT recommended to Malta to introduce specific measures for vulnerable groups (especially families with children, unaccompanied and separated minors, and women) and called for immediate action to transfer vulnerable people to open centres and out of detention.<sup>15</sup>
- Despite long-standing advocacy by the Ombudsperson in Slovenia and other stakeholders, the National Human Rights Institution (NHRI) highlighted the continued practice of unsuitable accommodation for minors and that practically all minors who are to be returned were detained in the Postojna detention centre.<sup>16</sup>
- In Bulgaria, safe zones for unaccompanied children needed to be restructured. The Ombudsperson found poor living conditions, with a lack of adequate furniture and overcrowding. When the security zone was full, children were accommodated in the gym separately from adults.<sup>17</sup> The Ombudsperson also requested the Supreme Administrative Court to adopt an interpretative decision related to children's rights when they are placed in detention together with an adult relative pending a return. The court [rejected](#) the request, as it found no contradiction in jurisprudence and practice. It reiterated that children can appeal against a detention decision in their own name, the information provided by the police on the relationship between the child and the accompanying adult was not a binding one, and the authority ordering the detention can further assess this relationship.
- New facilities for unaccompanied children were opened in Belgium. Cyprus was also planning to increase its reception facility dedicated to unaccompanied children. The safe zone in Limnes was completed in 2021, with a capacity of 18 places, which could be increased up to 36 places. The bids for a structure in the safe zone in Pournara was foreseen for spring 2022. However, the Cyprus Refugee Council reported that children

were accommodated outside of the safe zones and there had been incidents of alleged sexual harassment.<sup>18</sup> UNHCR observed similar instances and expressed concern about the living conditions for children.<sup>19</sup> In March 2022, the Deputy Minister for Social Welfare announced plans to transfer children from Pournara to a dedicated facility in Famagusta.<sup>20</sup> The move followed the opinion published by the Ombudsperson for Children,<sup>21</sup> decisions taken during the extraordinary meeting of the Council of Ministers on the situation in Pournara<sup>22</sup> and the president's visit to the centre.<sup>23</sup>

- Due to a rise in arrivals, the number of specialised reception places for unaccompanied children was increased in Slovakia. In Slovenia, amendments to the International Protection Act clarified that unaccompanied children should be accommodated in child-friendly institutions, instead of reception centres.<sup>24</sup>
- The Italian SAI network's capacity for unaccompanied children was increased from 3,887 places in 148 facilities to 4,672 places in 239 facilities at the end of 2021. The Ministry of the Interior signed an agreement with UNICEF to monitor reception conditions for unaccompanied children.<sup>25</sup> The Ministry's Department of Civil Liberties and Migration published an operational handbook on the identification and reception of unaccompanied children, developed with support from the EUAA and other international and national stakeholders.<sup>26</sup> To provide immediate support, the department signed an agreement with the civil society organisation Terres des Hommes Italia for psychological and psychosocial assistance from disembarkation to first reception.<sup>27</sup> The department also concluded an agreement with Save the Children to continue the provision of targeted support to unaccompanied children.<sup>28</sup>
- Reception conditions for unaccompanied children in Spain, especially in Ceuta, Melilla and the Canary Islands, remained of serious concern. Accem reported that the government of the Canary Islands had started an investigation into alleged cases of sexual exploitation in a reception facility for unaccompanied minors.<sup>29</sup>
- The AIDA report for Germany cites a study from the Federal Association for Unaccompanied Refugee Minors published in 2021, which acknowledged general improvements in reception conditions for unaccompanied children but highlighted vast differences across the federal states.<sup>30</sup>
- In a [case](#) related to Greece, the European Committee on Social Rights noted that the state did not provide adequate protection for applicant children from physical and moral dangers, and that children did not have access to education, neither on the islands or on the mainland, nor access to sufficient health care on the islands. The committee found that the state failed to provide adequate accommodation for applicant children on the islands and long-term accommodation on the mainland.
- In this light, Greek authorities made some further steps to provide a safe space for unaccompanied children, and the Ministry for Migration and Asylum established a National Mechanism for the Detection and Protection of Unaccompanied Children, in cooperation with the IOM, Aris, METAdrasi and the Network for Children's Rights. The mechanism includes a hotline in six languages to help guiding homeless unaccompanied children to emergency accommodation in Athens and Thessaloniki.<sup>31</sup>

-  The Swiss Observatory on Asylum and Foreigners' Law published a series of articles highlighting the gaps in the reception of unaccompanied children, for example in monitoring special facilities,<sup>32</sup> procedures to follow when a child disappears from a facility,<sup>33</sup> and inconsistencies in the roles and responsibilities when a child is at risk of abuse.<sup>34</sup>
-  The Portuguese High Commission for Migration signed a cooperation protocol with an NGO to develop targeted support for single-parent families and children in reception.<sup>35</sup>
-  The Swedish Migration Agency issued a new legal position to clarify that municipalities and regions are entitled to be reimbursed for the care of unaccompanied children from the moment they express a wish to apply for asylum.<sup>36</sup>

To search for more developments by topic, country or year, consult the [National Asylum Developments Database](#).

To read more case law related to asylum, consult the [EUAA Case Law Database](#).

## Sources

Please see [Sources on Asylum 2022](#) for the full list of over 1,000 references which were consulted for the Asylum Report 2022.

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<sup>5</sup> Ministry of the Interior | Ministero dell'interno. (2022, November 16). *Lamorgese annuncia prossima apertura di un tavolo dedicato ai minori stranieri non accompagnati [Lamorgese announces the forthcoming establishment of a working group dedicated to unaccompanied minors]*. <https://www.interno.gov.it/it/notizie/lamorgese-annuncia-prossima-apertura-tavolo-dedicato-minori-stranieri-non-accompagnati>

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