

## **Establishment of Multi-Purpose Reception and Identification Centres: Aide-memoire on issues to consider from a fundamental rights point of view**

One of the central action points of the Memorandum of Understanding on a Joint Pilot for the establishment of a new Multi-Purpose Reception and Identification Centre in Lesvos is the construction of the new centre and the design and planning of the services it should offer.

For asylum applicants, the [EASO guidance on reception conditions](#) explains how to apply the reception standards laid down in Directive 2013/33/EU. The treatment of people in return procedures must comply with the Return Directive (2008/115/EC). A clear definition of material reception standards applicable to the future centres in a national legal act would help ensure consistency when applying them and facilitate oversight.

Based on past observations, FRA identified nine general points for a protection-sensitive planning and design of the new centres.

### **1. Consider protection risks when selecting the location**

The location selected for the construction of a centre can increase or reduce the protection risks of people hosted there. Based on FRA's past observations from the hotspots, when selecting the site for a new centre, the following factors deserve particular attention: accessibility of services and of necessities of life located outside the centre; the availability of necessary infrastructure (e.g. sufficient water supply, sewage connections and reliable internet); adequate terrain to allow people with reduced mobility to reach all services; and absence of environmental or health hazards. Involving a multi-disciplinary team including refugee protection, environment and health expertise in site selection can help to mitigate risks.

### **2. Avoid carceral environment**

A centre intended for the first identification and registration of new arrival should not look like a prison. To avoid as much as possible the risk of re-traumatising effects for people who have experienced violence and persecution, barbed wire and prison-like fencing should not be used and ununiformed personnel deployed, where possible.

### **3. Respect the right to liberty**

Under Article 52 of the EU Charter of Fundamental Rights, any restriction to the right to liberty and security (Article 6 of the Charter) must be provided for by law, pursue a legitimate objective, and be necessary and proportionate. The centre and the services offered should be planned to allow asylum applicants to move freely inside the camp and to come and go (if necessary facilitated through public transport). Effective entry and exit controls should also enable the management to see if migrants and refugees at risk, in particular children, go missing. Persons in return procedures should not be automatically detained or their liberty restricted beyond what is necessary or proportionate.

### **4. Involve refugees and migrants and work with them**

Migrant and refugees have skills and abilities as well as mechanisms to cope with the protection risk that emerge in a camp-based accommodation. Assistance and support provided in the centre should build upon such capacities. Regular participatory assessments with men, women, boys and girls of different background living in the centre help identify what people need and how they can contribute

to address concerns. People should be enabled to take care as much as possible of their daily needs (e.g. allowing them to cook). There should be sufficient space for them to meet and carry out activities.

#### **5. Allocate sufficient space and resources to service providers**

Protection staff, legal counsellors, registration staff as well as medical, social and psychosocial workers, whether provided by public authorities, non-governmental organisation or other actors, need sufficient office space allowing to receive people under dignified conditions, and, where necessary, in private. Linguistic assistance must be available for staff to carry out their duties.

#### **6. Reduce the risk of sexual and gender-based violence**

Some migrants and refugees (e.g. single women) are at heightened risk of sexual and gender-based violence (SGBV) and should be housed in separate areas. Protection actors need to assess continuously SGBV risks, paying particular attention to issues such as safe access to sanitary facilities and lighting at night. Whenever possible, there should only be one family per bedroom. Protection risks should be assessed before placing single persons together. Bedrooms should be lockable and have sanitary and washing facilities inside. Common areas should be sufficient for social workers to engage with women, reveal possible concerns or abuses and access targeted information on support services. In case of SGBV incidents, there must be clear procedures to immediately separate the victim from the perpetrator and organise swift transfer to a safe location outside the centre.

#### **7. Make the centre safe and friendly for children**

Children are entitled to special protection on which FRA will reflect further. The centre's infrastructure and its services should be designed giving a primary consideration to the best interests of the child and children's rights. This includes not only the provision of adequate areas and services for play, leisure and education, but also measures to uphold child safety, opportunities for child participation, and presence of qualified staff with social work or child protection expertise. Children should not be exposed to prison-like fencing and should not witness violence. Unaccompanied children should be placed in adequate housing with necessary support services, including guardians, outside the multi-purpose centres.

#### **8. Ensure safety for all people in the centre**

The Greek authorities are responsible for the safety of migrants and refugees hosted in the centre. Through a regular dialogue with the people staying in the centres, for which police should have easy access to linguistic assistance, the police can be better aware of emerging risks. Female police officers should be present in all patrols at day and night and patrols should visit all residential areas. Social workers should be on duty at night and on weekends. Each area should have visibly displayed emergency call numbers, including for domestic violence cases.

#### **9. Applying differentiated responses to address vulnerabilities**

Before allocating newly arrived people to housing units, the individual situation of each person needs to be assessed, and where necessary, measures to protect and assist the person taken. Multiple and not so obvious vulnerabilities need to be taken into account. A functioning data management system should support social workers and other relevant reception staff by providing them – on a need to know basis – with up to date information on vulnerabilities and actions needed. There will be some

individuals (for example unaccompanied children; victims of domestic violence; people with serious illnesses) whose vulnerability require the transfer to alternative housing to complete the reception and identification procedures.

The location, its size, the physical layout and the way services are organised play an important role in preventing fundamental rights risks for migrants and refugees hosted in accommodation centres. In its [2016 opinion on the hotspots](#) and in its [2019 update](#), FRA described the challenges in providing dignified reception conditions. The protracted stay in remote facilities at borders during the asylum procedure created fundamental rights issues that were extremely difficult to address, FRA noted. FRA research on [Integration of young refugees in the EU: good practices and challenges](#) shows that larger reception facilities are more prone to creating protection risks for the persons hosted there, including risks related to sexual and gender based violence.

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