



THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN LATVIA

EMN FOCUSED STUDY

Riga, August 2013

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

Pursuant to Council Decision No. 2008/381/EC of 14 May 2008, the European Migration Network was established, its objective shall be to meet the information needs of European Union institutions and of Member States' authorities and institutions, by providing up-to-date, objective, reliable and comparable information on migration and asylum, with a view to supporting policymaking in the European Union in these areas. The European Migration Network also serves to provide the general public with information on these subjects.

The Network is composed by the European Commission and the contact points designated by the Member States. Each contact point establishes a national migration network.

The contact point of each state prepares studies, whose topics have been set in the respective annual programme of activities. The topics of studies are related to the area of migration of third-country nationals.

The Latvian Contact Point of the European Migration Network is the Office of Citizenship and Migration Affairs.

Contacts:

Čiekurkalna 1. line 1, b-3,

Riga, Latvia, LV-1026

Telephone: +371 67219492

Fax: +371 67219431

E-mail: emn@pmlp.gov.lv

Web page: www.emn.lv

Author of the Study:

Ilva Ieviņa,

Coordinator of the Latvian Contact Point of the European Migration Network

Expert of the Study:

Līga Vijupe, Head of the Asylum Affairs Division of the Office of Citizenship and Migration Affairs

Reviewed by:

Maira Roze, Deputy Head of the Office of Citizenship and Migration Affairs

Definitions

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

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

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

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

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

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

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

Unaccompanied minor means a minor who arrives on the territory of the Member States unaccompanied by an adult responsible for him or her whether by law or by the practice of the member State concerned and for as long as he or she is not effectively taken into care of such a person; it includes a minor who is left unaccompanied after he or she has entered the territory of the Member States. (Source: Article 2 (l), Directive 2011/95/EU).

Vulnerable persons refers to minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence. (Source: Article 17, Directive 2003/9/EC and the EMN Glossary).

TOP LINE FACTSHEET

The aim of the focussed study is to inform about the organisation of reception facilities for the applicants for international protection in Latvia, identify the best practices and existing mechanisms of the provision of reception facilities, provide an overview of the quality and cost control of the reception facilities. Focussed study is developed in accordance with a common template for all Member States.

According to the Asylum Law there are three options of residence for asylum seekers in Latvia:

- 1) reception centre for asylum seekers,
- 2) outside the reception centre for asylum seekers,
- 3) premises of structural units of the State Border Guard.

An unaccompanied minor may also stay with a representative appointed by the custody court or at a child-care institution.

There is one collective open reception centre for asylum seekers in Latvia in which all asylum seekers who have filed an application for granting refugee or subsidiary protection status in Latvia are entitled to stay until the final decision regarding their application takes effect and is not subject to any further appeal.

The accommodation of asylum seekers in the asylum seeker reception centre is under the responsibility of the Office of Citizenship and Migration Affairs. Since 2010, technical maintenance and house management of the asylum seeker reception centre is provided by the Provision State Agency. The study is based on the data obtained from both of the abovementioned authorities of the Ministry of Interior.

The reception centre for asylum seekers was opened in 1998. The reception centre for asylum seekers provides comfortable conditions of residence for 100 asylum seekers simultaneously. Should such a necessity arise, the number of places may be increased to 200. The asylum seeker reception centre provides equal living conditions for all asylum seekers. When accommodating the asylum seekers it is ensured to the extent possible that members of one family are placed together, that an unaccompanied minor lives together with the adult relative together with whom he/she has arrived in Latvia, as well as the needs of disabled persons have been considered.

Within the period from 2008 to 2012 the occupancy of the reception centre for asylum seekers grew considerably. Latvia experienced a significant increase in the number of asylum seekers, from 61 persons in 2010 to 335 persons in 2011 and 266 persons in 2012. The increased occupancy of the asylum seeker reception centre is the consequence of the increase in the total number of asylum seekers – the largest number of asylum seekers who were simultaneously staying at the centre was 16 persons in 2008, 40 persons in 2009 and 2010, jumping to 136 persons in 2011 and 110 persons in 2012. For the reception centre for asylum seekers to be able to accept all asylum seekers, measures were taken to increase the number of places and the options and costs of accommodating asylum seekers outside the centre were clarified. The authorities in charge reacted to the rapid increase in the number of asylum seekers with the development of an emergency action plan that provides for the cooperation of organisations in a situation where more than 500 to 3000 asylum seekers arrive in Latvia. Although authorities have confirmed that they

FOCUSSED STUDY

THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

do have resources for temporary accommodation of up to 500 asylum seekers and the Office of Citizenship and Migration Affairs has determined alternative accommodation facilities, a particular cooperation plan for the involved authorities has not been developed yet.

Asylum seekers may live outside the reception centre for asylum seekers, for example, at their relatives, provided the asylum seeker has notified the Asylum Affairs Division of the Office of Citizenship and Migration Affairs. In such a case the asylum seeker will not receive material support from the Latvian state.

The State Border Guard is responsible for the border crossing points in which asylum seeker may be accommodated for a period of time, and the detained foreigners' accommodation centre. Since both of these accommodation options are related to the restriction of the freedom of the asylum seeker, they are not included in this focussed study.

So far the number of asylum seekers in Latvia has not been large in comparison with other Member States of the European Union and Latvia has been able to provide all asylum seekers with the entire material support they are entitled to under the national laws.

In order to strengthen its asylum seeker reception capacity Latvia prioritises the need to develop the crisis foreseeing capacity so that timely preparations could be made and any likely consequences could be remedied.

1. DIFFERENT TYPES OF RECEPTION FACILITIES AND DIFFERENT ACTORS

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

Table 1
DIFFERENT TYPES OF RECEPTION FACILITIES

Type of accommodation	Does this type of facility exist in your Member State?	If so, how many of these facilities existed at the end of 2012?	Specify the maximum number of applicants the facilities could accommodate	Number of applicants accommodated in such facilities per year during 2008-2012
Collective open reception centres ¹	Yes	1	200	2008 – 22 2009 – 59 2010 – 84 2011 – 353 2012 – 266
Individually arranged accommodation	Yes*	-	-	-

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

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

such as houses, flats, hotels and/or possibilities of staying with friends and/or family				
--	--	--	--	--

*The asylum seeker may stay outside the reception centre for asylum seekers. The asylum seeker must indicate his or her place of stay and he or she shall be accessible at such a place of stay. If the asylum seeker lives outside reception centre for asylum seekers the state does not pay for the stay of that person at the facilities chosen by them and the asylum seeker will not receive means for buying food and first necessity goods. No considerable communities of the residents of other countries who apply for international protection in Latvia have developed yet, hence asylum seekers very rarely choose to live outside the reception centre for asylum seekers and it is not possible to indicate an accurate number of such persons.

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

A – Office of Citizenship and Migration Affairs (Ministry of Interior) and Provision State Agency (Ministry of Interior).

Q3. Which authorities carry executive responsibility² over the facilities:

A – Office of Citizenship and Migration Affairs (Ministry of Interior) and Provision State Agency (Ministry of Interior).

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

-

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

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

-

2. TAKE UP OF RECEPTION FACILITIES FACTORS DETERMINING ACCESS TO THE DIFFERENT TYPES OF FACILITIES

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

All asylum seekers are entitled to reception facilities provided by state.

Standard reception facilities at the reception centre for asylum seekers means that the asylum seeker is accommodated in the living room. Living rooms are intended for 2 to 4 tenants. There are also bigger living rooms where it is possible to accommodate up to 12 asylum seekers. The rooms are furnished with beds, wardrobes, tables and mirrors. These rooms are situated on the second and third floors of the reception centre for asylum seekers. In addition to the described type of

² Executive responsibility refers to the day-to-day running of the reception facilities and would also for example include including quality control of the services provided in the facility.

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

rooms there are 6 living rooms with individual sanitary units on the third floor. On each floor there are 2 kitchens with the necessary furnishings and sanitary units. On the first floor there is a laundry room equipped with washing machines and dryers. The asylum seekers have to keep their rooms, kitchens and sanitary premises clean and orderly.

Specific reception facilities are located on the first floor of the reception centre for asylum seekers. Living rooms are furnished similarly to the rooms on the second and third floors. Corridors and sanitary rooms are adjusted to the needs of disabled asylum seekers. The kitchen includes the necessary equipment and a dishwasher. The premises on the first floor are cleaned by the Provision State Agency. These premises are intended for asylum seekers with physical impairments.

If the asylum seeker has special psychological or medical disorders that do not allow his or her stay in the specific reception facilities at the asylum seeker reception centre and the asylum seeker needs special care, a contract is entered into with a relevant medical or rehabilitation institution regarding his or her treatment and care and the asylum seeker is moved to the respective institution.

With consideration of the best interests of the child, an unaccompanied minor may be accommodated outside the reception centre for asylum seekers with a guardian or at a childcare institution.

Table 2
CATEGORIES OF APPLICANTS ENTITLED TO RECEPTION FACILITIES

Different categories of applicants depending on type/stage of procedure	Entitled to reception facilities (Yes/No)	Are these applicants entitled to standard or specific reception facilities ³ ?
Applicants under Dublin II ⁴	Yes	Standard
Applicants in admissibility procedures ⁵	Yes	Standard
Applicants subject to accelerated procedures	Yes	Standard
Vulnerable groups of applicants ⁶ (with specific psychological/medical assistance needs)	Yes	Specific
Unaccompanied minors awaiting decision for international protection	Yes	Standard

³ Specific reception facilities refer to facilities which divert from mainstream reception facilities, e.g. depending on the type of applicant, or stage/procedure.

⁴ Applicants under Dublin II means those applicants for which a Dublin procedure has been initiated and who are awaiting a Dublin decision determining the responsible country for examining the asylum claim.

⁵ Admissibility procedures refer to the stage of the application in which (Member) States determine whether an application will or will not be considered in substance based on the criteria laid down in Article 25 of Directive 2005/85/EC (the Asylum Procedures Directive) which stipulates circumstances in which Member States are allowed to declare application as inadmissible and are subsequently not required to examine the application.

⁶ The Reception Conditions Directive makes reference to the following categories of applicants under vulnerable groups: unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, persons who have been subjected to torture, rape, or other serious forms of psychological, physical, or sexual violence.

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

Unaccompanied minors who have exhausted the procedure for international protection and are awaiting return	Yes	Standard
Applicants who have lodged an appeal procedure	Yes	Standard
Applicants who have lodged a subsequent application	Yes	Standard
Applicants who have received a positive decision on their international protection application⁷	Yes	Standard*
Applicants who have exhausted the procedure for international protection and who are awaiting return	No	-
Other (e.g. applicants from other EU Member States, families with children with an irregular migrant status, applicants from safe third countries of origin etc. Please specify)**	-	-

* These persons may stay in the reception centre for asylum seekers for 2 months, though other reception conditions are applied (rent must be paid).

** All persons who have filed the application for international protection are entitled to stay at the reception centre for asylum seekers except in the cases of detention of the applicant. Unless the asylum seeker has any special needs as already mentioned in this table, he or she is accommodated in the standard reception facility.

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

No.

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

Yes.

The available documentation of a medical nature regarding the accommodated asylum seekers is assessed at the reception centre for asylum seekers or these persons have to undergo an initial medical examination. On the basis of the above information asylum seekers with physical impairments are placed in specially equipped rooms, but if asylum seekers have considerable health disorders that do not allow them to take care of themselves a decision is passed regarding the transfer of the asylum seeker to a relevant health care or rehabilitation institution.

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

a) Obligatory and laid down in law No

c) Standard practice Yes

b) Optional No

⁷ If possible please specify for what duration they are still entitled to reception facilities.

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

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

After receipt of the application for international protection the State Border Guard passes a decision on transferring the asylum seeker to the reception centre for asylum seekers.

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

i) Capacity;

There is one reception centre for asylum seekers in Latvia and its capacity has been sufficient to ensure the reception of all asylum seekers from 2008 through 2012.

ii) Dispersal Mechanism;

Not applicable.

iii) Type of asylum procedure;

Not applicable.

iv) Stage of asylum procedure;

After the receipt of a negative final decision the applicant for international protection who has been accommodated at the reception centre for asylum seekers is no longer deemed to be an asylum seeker and hence he or she has no right to stay at the reception centre for asylum seekers.

v) Profile of the asylum applicant;

Asylum seekers with physical impairments are assigned to specially equipped facilities on the 1st floor of the reception centre for asylum seekers.

Asylum seekers with minor children are assigned to the living rooms with individual sanitary units on the 3rd floor of the reception centre for asylum seekers.

Other persons from the vulnerable groups listed in the Reception Standards Directive are assigned to standard facilities.

vi) Duration of the asylum procedure;

Not applicable.

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

To the extent possible one family is accommodated in one standard living room.

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

a) Laid down in legislation Yes

b) Outlined in soft law/guidelines No

c) Not outlined in official documents, but there is a standard practice in place No

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

FOCUSSED STUDY

THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

Yes. An asylum seeker may live elsewhere than in the reception centre for asylum seekers. The asylum seeker shall notify his or her address of the place of residence to the Asylum Affairs Division of the Office of Citizenship and Migration Affairs.

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

No

3. QUALITY. NATIONAL LEGISLATION ON MATERIAL RECEPTION CONDITIONS

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

- a) Food;*
- b) Clothing;*
- c) Financial allowance⁸.*

State-guaranteed support for asylum seekers who are staying at the reception centre for asylum seekers is stipulated by the the Cabinet of Ministers Regulations.

Cabinet of Ministers Regulation No. 24 of 12 January 2010 (subject to the Asylum Law) “Regulations Regarding the Amount of Expenses for the Purchase of Subsistence, Hygiene and Basic Necessities for Asylum Seekers and the Procedures for Covering of these Expenses” prescribes that the asylum seekers that reside at the reception centre for asylum seekers of the Office of Citizenship and Migration Affairs shall receive LVL 1.50 (2.15⁹EUR) per day for the purchase of subsistence, hygiene and basic necessities. Such an allowance is received by all asylum seekers accommodated at the centre, regardless of their age and family status, who have notified the Office of Citizenship and Migration Affairs that they do not have sufficient financial resources at their disposal. Asylum seekers receive the cash in advance (for seven days). This is the only state-guaranteed financial support out of those mentioned in this focussed study that is received by asylum seekers who live at the reception centre for asylum seekers.

Cabinet of Ministers Regulation No. 173 of 26 February 2010 “Internal Rules of Procedure of an Accommodation Centre for Asylum Seekers” determines that upon their arrival at the centre the asylum seekers receive a set of bedclothes (a sheet, blanket cover, blanket, a pillow and pillowcase, a hand towel and bath towel), a set of tableware (a mug, plate, glass, a teaspoon, tablespoon, a knife and fork) and articles necessary for special needs.

In addition to the support set forth by the national laws and regulations the asylum seekers accommodated at the reception centre for asylum seekers have

⁸ Please explain what costs the financial allowance is intended to cover (e.g. does it cover accommodation costs, does it include pocket money etc) and specify whether the financial allowance is provided de facto and/or whether it can be used to remunerate applicants who carry out work (small tasks) within the reception facility.

⁹ Here and further in the text exchange rate fixed by the Bank of Latvia is used 1 LVL=0,702804 EUR

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

received food products from the European Refugee Fund project since 2012, but this support is not regular and depends on the funding available in the project.

Donated second-hand clothes are available for the asylum seekers at the asylum seeker reception centre.

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

Table 3
OTHER QUALITY CRITERIA FOR RECEPTION FACILITIES THAT RELATE TO
THE APPLICANT'S EXPERIENCE OF BEING ACCOMMODATED IN A
RECEPTION FACILITY

Type of accommodation	Available surface per applicant in square meters	Supervision rate (number of staff per applicant)	Possibility of leisure activities? Yes/No. If yes, briefly describe
Collective open reception centres	5,73*	0,07**	<p>Yes. All asylum seekers at the reception centre for asylum seekers have access to a gym with body workout machines, 2 computer classes, a library, a children's playroom and TV sets that are located in the lobbies on the 2nd and 3rd floors.</p> <p>Computer classes offer a Latvian language e-study programme for self-education. NGOs organise training and thematic events for asylum seekers depending on the available funding.</p> <p>Asylum seekers may spend their leisure time at their own discretion also outside the reception centre for asylum seekers.</p>
Individually arranged accommodation such as houses, flats, hotels and/or possibilities of staying with friends and/or family***	-	0	-

* The total area of buildings of the reception centre for asylum seekers is 3115.7m². The asylum seeker living rooms occupy 572.6 m². Other premises include kitchens, sanitary rooms, computer classes, gym, children's playroom, library, nurse's office, administrative premises, etc. The calculation is based on the area of living rooms and the number of asylum seekers – 100 persons.

** The calculation has been made assuming that there are 100 persons staying at the centre.

FOCUSSED STUDY

THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

*** The data on the area available to an asylum seeker and the options of leisure time activities is not surveyed.

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

Yes.

Taking into account that there is only one open collective reception centre for asylum seekers in the country and that the state is fully responsible for ensuring the operation thereof, the procedure of accommodation and stay of asylum seekers at this centre is prescribed by the Cabinet of Ministers Regulations.

In 2012 the Latvian Centre for Human Rights published an informative booklet in English and Russian about the asylum procedure and the rights of asylum seekers in Latvia. Booklets are available to asylum seekers in the reception centre for asylum seekers.

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

The reception centre for asylum seekers is part of the Asylum Affairs Division of the Office of Citizenship and Migration Affairs. The head of the Asylum Affairs Division ensures control over compliance with the reception conditions stipulated by regulatory enactments. Asylum seekers confirm with their signatures that they have been provided with the relevant reception conditions (received money for the purchase of subsistence, hygiene and basic necessities, the necessary household items – tableware, bedclothes, room keys, etc.). The centre's employee reports the number of asylum seekers accommodated at the reception centre for asylum seekers to the administration of the Office of Citizenship and Migration Affairs on a weekly basis. The financial assets are disbursed subject to a decision passed by the deputy head of the Office of Citizenship and Migration Affairs in line with an earlier approved list of asylum seekers.

Employees of the reception centre for asylum seekers devise a list according to which the asylum seekers accommodated at the centre have to clean the common use areas, and control the cleanliness of the rooms.

Employees of the Provision State Agency provide for that the technical conditions of the reception centre for asylum seekers are adequate for the accommodation of persons.

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

No.

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

Yes.

In 2009 the Office of Citizenship and Migration Affairs inspected the technical condition of the reception centre for asylum seekers and the condition of

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

the buildings was evaluated as satisfactory. The technical defects indicated in the assessment were rectified by 2013.

In order to optimise the functions of the system of the Ministry of Interior, the Office of Citizenship and Migration Affairs developed a concept of a more effective maintenance model for the asylum seeker reception centre in 2009 and as a result the most effective of the centre maintenance models presented in the concept was adopted. As a result of the implementation of the model the management of the centre was taken over in 2010 by the Provision State Agency, thus transferring the functions not related to the Office of Citizenship and Migration Affairs (house management and maintenance of the relevant technical condition) to the Provision State Agency.

4. FLEXIBILITY

Q20 National statistics

Table 4
NATIONAL STATISTICS ON FLEXIBILITY

	2008	2009	2010	2011	2012
Total number of applicants entitled to reception*	-	-	-	-	-
Total number of applicants accommodated in reception facilities	22	59	84	353	266
Maximum number of applicants that could be accommodated in reception facilities	200	200	200	200	200
Average occupation rate in reception facilities**	7%	25%	30%	77%	68%

* No such data are available. In more than 95 per cent of cases, asylum seekers who have not been detained, stay at the reception centre for asylum seekers.

**The calculation uses the data of the capacity of the asylum seeker reception centre – 100 persons.

Q 21. Please describe any pressure that your State may have experienced in relation to the reception of applicants for international protection during the period 2008-2012 and briefly explain possible reasons for such pressure.

Latvia experienced a gradual rise in the number of asylum seekers within the period of 2008-2012, reaching the largest number of applications for international protection – 335 - in the history of Latvia in 2011. Within the period from 2008 to 2010 the number of asylum seekers simultaneously accommodated at the reception centre for asylum seekers did not exceed 40 persons. In 2011 it was already necessary to accommodate 136 persons at the reception centre for asylum seekers. Practice shows that the infrastructure of the centre allows the provision of comfortable living conditions for 100 persons and it has been furnished for the accommodation of 100 asylum seekers in regular circumstances. If more than 100 persons are simultaneously staying at the centre, as it was in 2011 and the beginning of 2012, the asylum seekers have to manage with less comfort, since the kitchens and sanitary facilities of the reception centre for asylum seekers are not suitable for satisfaction of the needs of such a big number of asylum seekers.

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

The increase in the number of asylum seekers at the reception centre for asylum seekers is of a seasonal nature, usually becoming more acute during winter months, when in addition to the handling of accommodation issues the centre's employees also have to take actions related to ensuring the health care of asylum seekers.

The increase in the number of asylum seekers in Latvia in 2011 was related to the general increase of the number of asylum seekers in the European Union, as well as changes in the global migration routes, because in most cases asylum seekers choose Latvia as a transit country on their way to moving to more developed welfare Member States of the European Union.

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

Table 5
FLEXIBILITY MECHANISMS

Type of mechanism	Does this exist in your (Member) State? (Yes/No)	If yes, please describe	Has this mechanism been used? (Yes/No) If yes, please describe
Early warning mechanism ¹⁰ (including any software programmes monitoring capacity and occupancy in reception facilities)	No	-	-
Additional reception centres acting as buffer capacity	No	-	-
Emergency plans	Yes	Is implemented when number of asylum seekers reaches 500-3000 people.	No

¹⁰ An early warning mechanism refers to a monitoring system, e.g. a mechanism that monitors the inflow of applicants for international protection, evaluating in particular whether the (Member) State possesses the necessary capacity to deal with increased (or decreased) pressure. Such a monitoring system would enable identification of possible shortcomings (or excess capacity) at an early stage. An early warning mechanism could for example include a.o. any software programmes monitoring capacity and occupancy rate in reception facilities.

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

Budget flexibility (to increase or decrease the budget when necessary)		It is indicated in the action plan for coordinated conduct of authorities in relation to a possible mass arrival of asylum seekers in Latvia from crisis-stricken countries that in the event of application of the plan an operative administration centre is set up for the attraction of resources. It would be possible to attract resources within the above plan for 3-6 months.	No
	Yes	If the number of asylum seekers increases by 20% over the previously planned number, the Office of Citizenship and Migration Affairs is able to reallocate the internal funding and use it for disbursement of allowances to asylum seekers.	Yes. Funds were reallocated in 2010, 2011 and 2012 when the number of asylum seekers received at the asylum seeker reception centre gradually increased.
		If the number of asylum seekers increases the planned number by more than 20%, the Office of Citizenship and Migration Affairs may require additional financing from the state budget contingency fund.	No.
Employing more case-workers to speed up decision-making	Yes	Attracting of additional employees for the reviewing of asylum seeker cases to the Asylum Affairs Division of the Office of Citizenship and Migration Affairs, using financing from the European	Yes. Within the framework of the European Refugee Fund projects two experts have been engaged by the Asylum Affairs Division of the Office of Citizenship and Migration Affairs from

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

		Refugee Fund.	2011 in matters related to countries of origin of asylum seekers, one Dublin Regulation expert in 2011-2012 and since 2012 – one expert in asylum procedure matters.
Fast-tracking procedures	Yes	The Asylum Law prescribes cases when the application for international protection may be reviewed under the accelerated procedure that provides shorter reviewing terms both at the 1st instance and in the Administrative District Court.	No
Application of different standards/modalities of reception conditions in emergency situations¹¹	Yes	If the capacity of the reception centre for asylum seekers is exceeded and it is not possible to place asylum seekers in other facilities, a field camp is established for the reception of asylum seekers.	No
Provision of financial vouchers/allowance to cover costs of private accommodation	No	-	-
Review for specific categories of applicants who obtain priority access to reception	No	-	-
The use of excess space for other purposes	Yes	The free rooms at the reception centre for asylum seekers may be rented to persons with refugee or subsidiary protection	Yes. Persons with refugee or subsidiary protection status do employ the possibility of continuing their stay at the reception centre for asylum seekers in

¹¹ Article 14 paragraph 8 of the Reception Conditions Directive 2003/9/EC stipulates that: “Member States can exceptionally set modalities for material reception conditions different from those provided for in Article 14 for a reasonable period which shall be as short as possible, when: an initial assessment of the specific needs of the applicant is required; material reception conditions, as provided for in article 14, are not available in a certain geographical area; housing capacities normally available are temporarily exhausted; the asylum seeker is in detention or confined to border posts. The different conditions must cover in any case basic needs”.

FOCUSSED STUDY

THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN

LATVIA

		status.	rare cases.
Increasing the number of places in the existing asylum seeker reception centre	Yes	The number of asylum seekers possible to receive at the reception centre for asylum seekers might be increased to 200 persons.	Yes. In 2011 the number of places was increased at the reception centre for asylum seekers so that 140 persons could stay there simultaneously.
Employing of existing employees of the responsible authority for the reviewing of cases	Yes	The Office of Citizenship and Migration Affairs has a group of 20 employees trained in asylum case reviewing matters and in the event of necessity these employees may add to the number of employees who are engaged in the reviewing of asylum seeker cases on a regular basis, thus increasing the number of cases that may be reviewed within the same period of time.	No

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

In 2011, when the number of asylum seekers who lived at reception centre for asylum seekers exceeded the capacity of the centre (100 persons), rearrangement works were carried out in the centre and the number of places was increased by replacing regular beds in living rooms with bunk beds. Since the number of persons simultaneously staying at the reception centre for asylum seekers did not exceed 136 persons, it did not significantly affect the quality of reception conditions. To provide accommodation for more than 150 persons it is possible to place additional beds in corridors and transfer the classrooms in living rooms.

To ensure necessary financial assets for the purchase of food and first necessity goods by asylum seekers, annual forecasts of the likely number of asylum seekers are considered and the option of reallocation of the authority's funding is employed.

Since normally the occupancy of reception centre for asylum seekers is below 100%, persons who have received a positive decision have the possibility to rent premises at the reception centre for asylum seekers until the issue of a further place of residence is solved. This possibility is used only in very rare cases and in general is not encouraged by the responsible authority, because the persons who have obtained the status have to start their independent living in Latvia.

5. EFFICIENCY

Q24. National statistics

Table 6
NATIONAL STATISTICS ON EFFICIENCY

	2008	2009	2010	2011	2012
National budget allocated to the reception of applicants for international protection*	90 240	112 525	94 509	135 587	177 011
Total costs of reception**	329 661	332 232	246 114	350 301	342 831
Total direct costs¹²	329 661	332 232	246 114	350 301	342 831
Total indirect costs^{13***}	-	-	-	-	-
Total costs of reception including Dublin cases	329 661	332 232	246 114	350 301	342 831
Total costs of reception excluding Dublin cases***	-	-	-	-	-
Inflow of new applicants to reception facilities	20	41	55	319	182
Inflow/return of applicants who have temporarily left a reception facility	-	-	-	-	5
Outflow of applicants from reception facilities, who do not return later	2	30	50	269	234
Share of applicants in reception facilities who have received a final decision on their application	0	0	0	0	0
Median¹⁴ range of an applicants' stay	72	98	120	37	49
Interquartile¹⁵ ranges of an applicants' stay	87	132,5	87	65	87,6

¹² Direct costs refer to explicitly defined costs and budgets for the reception of applicants for international protection in each (Member) State.

¹³ Indirect costs refer to costs that are not directly measurable (as costs are borne by a wide range of stakeholders and further relate to the applicant's access to general public services).

¹⁴ The median is the numerical value separating the higher half of the distribution of the lower half (middle value).

FOCUSSED STUDY

THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN LATVIA

*Includes remuneration for employees of the reception centre for asylum seekers, costs of translation services for the needs of implementation of the asylum policy and primary health care services of asylum seekers, cash assets for asylum seekers to purchase food, hygiene and first necessity goods, expenses related to the laundering of linen, repairing of household appliances, minor repairs in the building, postal expenses, services of the national data transmission network; heating, water, sewerage, electric power and waste collection costs.

**Includes state funding and funding from the European Refugee Fund used for ensuring a higher quality of reception of asylum seekers (health care and psychologist services, translation services, purchase of hygiene and food products, purchase of transport tickets, covering of lunch costs for asylum seekers who attend school, improvement of the Unified Migration Information System, facilitation of the reception centre for asylum seekers and improvement of the technical condition thereof).

***Such information is not surveyed.

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

Calculations have been made regarding expenses that would be necessary if asylum seekers had to be accommodated in facilities outside the reception centre for asylum seekers. If 100 asylum seekers had to be accommodated outside the asylum seeker reception centre for 1 year, the accommodation costs could be EUR 103 000 and upwards.

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

After having received a positive decision asylum seekers may stay for 2 more months at the reception centre for asylum seekers, although subject to other rules of staying: these persons do not receive money to purchase subsistence, hygiene and basic necessities, they are not provided with health care and translation services and they have to pay for their stay at the reception centre for asylum seekers. Persons with refugee or subsidiary protection status receive an allowance that covers the accommodation costs and enjoy other rights following from the type of the issued residence permit.

6. CONCLUSIONS

Q27. Please summarise the organisation of reception facilities in your (Member) State, indicating main strengths and weaknesses.

The present asylum seeker reception system in Latvia is able to provide the former numbers of asylum seekers with the services indicated in Council Directive 2003/9/EC laying down the minimum standards for the reception of asylum seekers. Quality is ensured through utilising the financing of the European Refugee Fund in addition to the funds allocated by the state.

The following aspects should be marked as strengths:

- 1) the principles observed in the accommodating of asylum seekers:
 - members of one family live together;
 - an unaccompanied minor lives together with the adult relative with whom he or she has arrived in Latvia;

¹⁵ The interquartile ranges refer to the value of the first quartile (25 percentile) and the third quartile (75 percentile) in a distribution.

FOCUSSED STUDY

THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

- needs of persons with physical impairments are considered.
- 2) the collective open reception centre for asylum seekers is under the supervision of the same authority that reviews the asylum seeker cases, which ensures effective communication both with the employees of the reception centre for asylum seekers and the asylum seekers and also allows measures to be taken, e.g. by accelerating the asylum case review terms in order to control the total capacity of the reception centre for asylum seekers;
 - 3) there is only one collective open reception centre for asylum seekers and the situation at the centre is transparent and manageable;
 - 4) the Office of Citizenship and Migration Affairs closely cooperates with the State Border Guard that is in charge of the border crossing points and the detained foreigners accommodation centre. If a person from a vulnerable group is taken to the detained foreigners accommodation centre, the decision regarding the possibility to transfer that person to the open reception centre for asylum seekers is immediately considered.

According to Article 21 of Directive 2013/33/EU of the European Parliament and of the Council laying down the standards for the reception of applicants for international protection, the asylum policymakers have to improve the procedure of assessment of the asylum seeker's belonging to the category of vulnerable persons in order to ensure compliance with the special needs of these persons, especially in cases when the asylum seeker fails to indicate such belonging or it is not established during the initial health examination.

The following may be considered as weaknesses of the asylum seeker reception system in the event of a considerable increase in the number of asylum seekers:

- 1) limited possibilities of applying for and receiving the necessary financial assets within a short period of time, for ensuring the rights of asylum seekers during accommodation;
- 2) insufficient experience of accommodating asylum seekers outside the reception centre for asylum seekers;
- 3) regulatory enactments do not contain an accurate indication of the number of asylum seekers upon the reaching of which the action plan for the coordinated conduct of authorities in relation to a possible mass arrival of asylum seekers in Latvia from crisis-stricken countries is activated;
- 4) insufficient experience of work with unaccompanied minors because there were only 11 such persons within the period from 2008 to 2012;
- 5) there is no mechanism for determining a person's belonging to a vulnerable group and ensuring the special needs of such persons, if the asylum seeker himself or herself does not indicate such belonging or if it is not established during the initial health examination;
- 6) there is no uniform approach for ensuring health care for persons with mental disorders or serious physical impairments, because within the period from 2008 to 2012 such care was necessary for less than 5 persons and each case was solved individually.

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN
LATVIA

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

The occupancy of the reception centre for asylum seekers increased in 2011 when more than 130 asylum seekers were staying there simultaneously. An additional load in 2011 and 2012 was created by the more intensive turnover of asylum seekers, who arrived at and left the centre – about one half of the asylum seekers who were accommodated at the reception centre for asylum seekers stayed there for less than a month. The workload of the employees of the reception centre for asylum seekers increased because rooms had to be prepared for a larger number of asylum seekers and at the same time the living rooms of the asylum seekers who had left the centre had to be arranged for the reception of the new tenants. This, however, is not considered a considerable burden, since the centre is able to receive 200 persons if necessary and ensure a dwelling and allocation of funds for the purchase of food, hygiene and first necessity goods.

The application reviewing terms within the above mentioned period complied with the statutory requirements and were not delayed.

Attraction of financing through implementation of the European Refugee Fund projects could be mentioned as the most successful measure of solving the existing loads.

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

The asylum seeker sustenance costs are planned and included in the state budget. During the period from 2008 to 2012 Latvia has employed the budget flexibility option provided through the reallocation of financial assets at the Office of Citizenship and Migration Affairs.

Reception Conditions in different Reception facilities

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

Table A0.1
RECEPTION CONDITIONS IN DIFFERENT RECEPTION FACILITIES

	Collective open reception centres	Individually arranged accommodation ¹⁶	Other premises	Comments
Food	-	-	-	
Clothing	-	-	-	
Financial allowance¹⁷	+	-	-	For the purchasing of subsistence, hygiene and basic necessities
Emergency health care	+	+	-	
Medical care	+	-	-	
Psychological care	-	-	-	
Free legal assistance	+	+	-	
Interpretation services	+	+	-	
Access to education	+	+	-	
Access to vocational training	-	-	-	
Access to employment (after which period of	+	+	-	Asylum seekers are permitted to work if

¹⁶ E.g. houses/flats/hotels and/or staying with friends and family.

¹⁷ Please explain what this consists of.

FOCUSSED STUDY
THE ORGANISATION OF RECEPTION FACILITIES FOR ASYLUM SEEKERS IN LATVIA

time?)				1 year has passed since the submission of the application for international protection, but the 1st instance has not passed the decision and it is not due to the asylum seeker's fault.
--------	--	--	--	--

LIST OF LITERATURE AND SOURCES

1. Asylum Law – Latvian Herald, No.100, 30.06.2009. – [come into force 14.07.2009]
2. Cabinet of Ministers Order No. 312 of 4 July 2012 “Regarding Plan of Measures for Coordinated Action of Institutions in Relation to Possible Arrival of Asylum Seekers from Crisis-affected Countries to Latvia”. – Latvian Herald, No. 106, 06.07.2012. – [come into force 04.07.2012.]
3. Cabinet of Ministers Regulation No. 24 of 12 January 2010 “Regulations Regarding the Amount of Expenses for the Purchase of Subsistence, Hygiene and Basic Necessities for Asylum Seekers and the Procedures for Covering of these Expenses” – Latvian Herald, No.8, 15.01.2010. – [come into force 16.01.2010]
4. Cabinet of Ministers Regulation No. 173 of 23 February 2010 “Internal Rules of Procedure of an Accommodation Centre for Asylum Seekers” – Latvian Herald, No.33, 26.02.2010. – [come into force 27.02.2010]
5. Cabinet of Ministers Regulation No.490 of 6 August 2013 “Amendments to Cabinet Regulation No.24 of 12 January 2010 “Regarding the Amount of Expenses for the Purchase of Subsistence, Hygiene and Basic Necessities for Asylum Seekers and the Procedures for Covering of these Expenses”” – Latvian Herald, No.153, 08.08.2013. – [will come into force 01.01.2014.]
6. Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers – Official Journal L 031, 06.02.2003.
7. 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 (recast) – Official Journal, L180, 26.06.2013.
8. Immigration Law – Latvian Herald, No.169, 20.11.2002. – [come into force 01.05.2003]
9. Instruction No 31 of the State Border Guard of 1 December 2005 Regarding the Action of the State Border Guard Officials in the Case if A Foreigner Applies for Asylum in the Republic of Latvia – Latvian Herald, No.194, 06.12.2005.- [come into force 07.12.2005]