

Reception Conditions: reforming the Common European Asylum System

13 July 2016

The Commission is proposing to reform the Reception Conditions Directive to increase the level of harmonisation of reception conditions, ensure dignified reception standards throughout the EU, reduce incentives for secondary movements and enhance self-sufficiency by granting more favourable conditions for access to the labour market. The reform will contribute to a better management of the asylum flows and the proper treatment of applicants across the EU.

Main objectives of the proposal

Further harmonisation of reception conditions in the EU

Member States must take into account **common standards and indicators** on reception conditions when **monitoring** and **controlling** their reception systems.

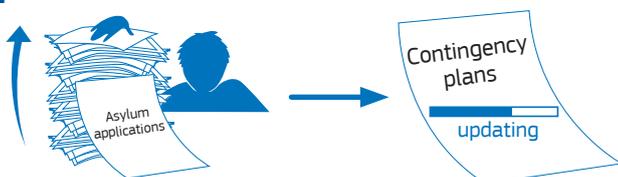


When an **applicant is not** in the Member State where he/she is required to be, he/she **is not entitled** to:

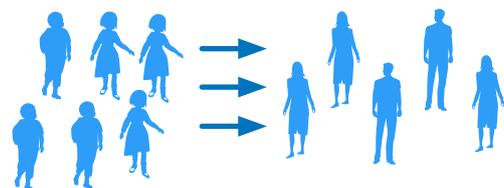


However, applicants **will always be entitled to health care** and to a **dignified standard of living, in accordance with fundamental rights**. Children will always have access to **educational activities** pending the transfer to the Member State responsible.

Member States are required to draw up, and regularly update, **contingency plans** to ensure the **adequate reception of applicants** in cases where they are confronted with a **disproportionate number of applicants**.

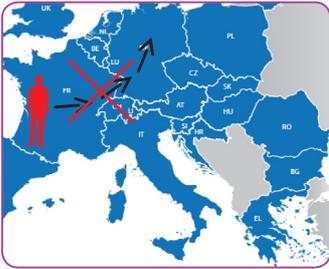


Member States have **5 days** from the moment the application is made to assign a **guardian** to represent and assist an **unaccompanied minor**.



Reducing incentives for secondary movements within the EU

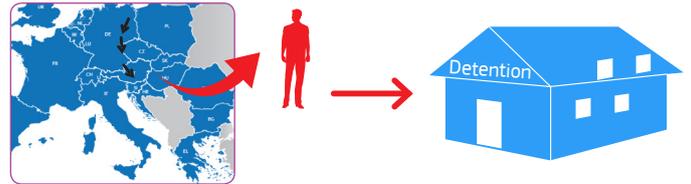
To ensure an orderly management of migration flows, the applicants should remain **available to the competent authorities** and **should not abscond**.



Introduction of **targeted restrictions** to the applicants' **freedom of movement**, such as the designation of the residence and reporting obligations

→ **more effective monitoring**

Introduction of additional grounds for detention: in case an applicant has been assigned a specific place of residence but has not complied with this obligation and when there is a continued risk of absconding, **the applicant may be detained**.

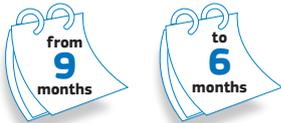


All **guarantees** provided in the current Reception Conditions Directive regarding detention remain unchanged (only justified when it proves necessary, on the basis of an individual assessment and if other less coercive alternative measures cannot be applied effectively).

Increasing self-reliance and integration prospects for applicants in the EU: access to the labour market

Rule:

The **time limit for access to the labour market** is reduced



from the lodging of the application, when an administrative decision on the asylum application has not been taken.

Particular cases:

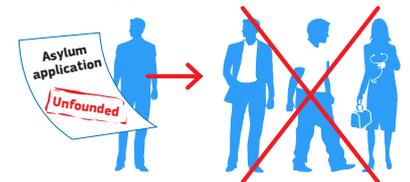
The application is likely to be **well-founded**:

Member States are **encouraged to grant access no later than**



from the lodging of the asylum application

The application is likely to be **unfounded**:



Applicants are **excluded** from access to the labour market.

Access to the labour market should be in full compliance with labour market standards* **which should help to avoid distortions in the labour market.**

Equal rights

Education & Vocational training

Freedom of association & affiliation



Asylum applicants

=



Nationals & third-country nationals

Working conditions
Social security

Recognition of professional qualifications

*Equal treatment with nationals of the Member States should be ensured, subject to possible restrictions, for example regarding family or unemployment benefits