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## **Conclusion on reception of asylum-seekers in the context of individual asylum systems**

*The Executive Committee,*

*Recalling* its Conclusion No. 22 (XXXII) on protection of asylum-seekers in situations of large-scale influx, Conclusion No. 44 (XXXVII) on detention of refugees and asylum-seekers, Conclusion No. 47 (XXXVIII) on refugee children, Conclusion No. 64 (XLI) on refugee women and international protection, Conclusion No. 73 (XLIV) on refugee protection and sexual violence, Conclusion No. 82 (XLVIII) on safeguarding asylum, Conclusion No. 84 (XLVIII) on refugee children and adolescents, as well as Conclusion No. 91 (LII) on registration of refugees and asylum-seekers,

*Welcoming* the discussion which took place on reception of asylum-seekers in individual asylum systems in the context of the Global Consultations on International Protection,<sup>1</sup>

*Acknowledging* the centrality of applicable international human rights law and standards in the development and implementation of reception policies,

*Bearing in mind* the need to provide a safe and dignified environment for asylum-seekers as well as discourage misuse of asylum systems,

*Acknowledging* that asylum systems are different, entailing assistance in kind or financial assistance, or a combination of both, as well as involving both governmental and non-governmental actors,

*Recognizing* that many asylum-seekers are capable of attaining a certain degree of self-reliance if provided with an opportunity to do so,

(a) *Recognizes* the need to establish and apply fair and expeditious asylum procedures, so as to identify promptly those in need of international protection and those who are not, which will avoid protracted periods of uncertainty for the asylum-seeker, discourage misuse of the asylum system and decrease the overall demands on the reception system;

(b) *Recommends* that the reception of asylum-seekers should be guided by the following general considerations:

- i. While there is scope for flexibility in the choice of reception arrangements to be put in place, it is important that the various reception measures respect human dignity and applicable international human rights law and standards;
- ii. Asylum-seekers should have access to the appropriate governmental and non-governmental entities when they require assistance so that their basic support needs, including food, clothing, accommodation, and medical care, as well as respect for their privacy, are met;
- iii. Gender and age-sensitivity should be reflected in reception arrangements, these should address in particular the educational, psychological, recreational and other special needs of children, especially unaccompanied and separated children. They should also take into account the specific needs of victims of sexual abuse and exploitation, of trauma and torture,<sup>2</sup> as well as of other vulnerable groups;
- iv. Reception arrangements should allow for the unity of the family as present within the territory, particularly in the context of reception centres;
- v. For the purpose, inter alia, of protection against refoulement, as well as access to reception arrangements, both male and female asylum-seekers should be registered and be issued appropriate documentation reflecting their status as asylum-seeker, which should remain valid until the final decision is taken on the asylum application;

- vi. The range and scope of relevant social and economic benefits may vary, depending on the nature of the asylum procedure, and the type of reception arrangements in place;
- vii. Reception arrangements can be mutually beneficial where they are premised on the understanding that many asylum-seekers can attain a certain degree of self-reliance, if provided with the requisite opportunities;
- viii. In the context of facilitating cooperation between States and UNHCR, and in accordance with data protection and confidentiality principles, UNHCR should be given access to asylum-seekers in order to exercise its function of international protection, taking into account the well-being of persons entering reception or other refugee centres; and asylum-seekers are entitled to have access to UNHCR;
- ix. Key to the effective operation of any reception arrangement are public opinion favourable to asylum-seekers and refugees and confidence and trust in the asylum system, the promotion of both is an important responsibility to be pursued in tandem with the arrangements themselves;

(c) *Stresses* that responsibility and burden-sharing and the availability of durable solutions promote and strengthen the capacity of host States with limited resources to receive asylum-seekers and to provide adequate reception arrangements, under the supervision of UNHCR;

(d) *Urges* States and UNHCR, in collaboration with other relevant actors, to combat acts of racism, racial discrimination, xenophobia, and related intolerance directed against asylum-seekers and to take appropriate measures to create or enhance harmonious relationships with the local communities, inter alia, by promoting respect for asylum-seekers and refugees, by creating awareness of their needs, as well as promoting respect for the local culture, customs and religions among asylum-seekers.

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<sup>1</sup> EC/GC/02/2 and EC/GC/01/17.

<sup>2</sup> For definition of "torture", see 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.