

5 key points for the improvement of the international protection system in reception countries

Several organizations from Belgium, Canada, France, Germany, Sweden and Spain, with a wide experience in the reception of asylum applicants and refugees have met during 6th and 7th March of 2019 in Mérida (Spain), to think on the good practices and the challenges of the international protection system in each country.

The organizations that have taken part in this international meeting: **Vluchtelingenwerk Vlaanderen** (Belgium), **La Cimade** (France), **Pro Asyl** (Germany), the **Swedish Refugee Advice Center** (Sweden) and **CEAR** (Spain), have adopted the present Joint Document where there are gathered five essentials points that Governments must take into account in order to guarantee respect of asylum seekers and refugees' rights within the framework of their international protection systems.

1. ACCESS TO THE INTERNATIONAL PROTECTION PROCEDURE

- **Remove obstacles to enter** the countries:
 - Give up the policy of closing ports in the Mediterranean.
 - Stop 'push-backs' at borders.
- Guarantee **safe and legal avenues** to access the international protection procedure, through:
 - Issuance of humanitarian visas.
 - Resettlement programs.
 - Promotion of family reunification policies and removal of obstacles to access Embassies, Consulates and diplomatic offices abroad to apply for family reunification permits.
 - Reinforce of rescue operations at the European seas, guaranteeing safe disembarkations and effective access to international protection.
- Ensure **access to information** about the possibility to ask for international protection and about the procedures and the asylum applicants and refugees' rights, and prevent the spread of fake news, rumors and misleading information.
- Adopt, within the European context, a **shared policy** regarding **rescues and disembarkations** (and other forms of sea arrivals) and **relocations** of people in need of protection who arrive in Europe.
- Ensure **more flexibility and transparency** concerning mechanisms of shared responsibility between different countries and institutions.

2. PROCEDURES AND APPEALS

- Avoid long delays in asylum procedures and reduce the time to guarantee **reasonable periods of resolution**.
- **Stop discrimination based on nationality** when investigating and deciding on asylum applications and **remove lists** and implementation of the concepts of 'safe country of origin' or 'designated country of origin', 'third safe country' and 'first country of asylum'.
- Guarantee **access in equal conditions** to procedures and appeals for all the asylum applicants.
- Take always into consideration **gender issues** during all the international protection procedure.
- Guarantee **quality, independent and individualized decisions** in each case regardless of the person's country of origin.
- Grant **automatic suspensive effect** to all the appeals introduced in the context of the international protection procedure.
- Guarantee access to **independent and individual legal counselling** during all the procedure (registration, investigation and appeal).

3. PEOPLE IN SITUATIONS OF VULNERABILITY

- Implement **mechanisms of early and continuous identification** of people in a vulnerable situation.
- Take always into account the **mental health status** and possible suffered traumas during the asylum procedure, and guarantee **specialized attention and accompaniment** in the reception.
- Guarantee the use of **appropriate tests for age determination** of non-accompanied children that grant prevalence to psychosocial aspects rather than to the results of a medical examination, and ensure the appointment of a **guardian at the shorter period possible**.
- Respect **ownership of the person** over their case and avoid taking any action with respect to a case unless the individual it impacts or someone protecting their best interests **is aware of the action**, especially when it comes to people with mental health problems and unaccompanied children.
- Improve **proper and specialized training of the people involved** in the international protection procedure and the reception and integration process. This, paying especial attention to the **authorities and decision makers** dealing with people in situation of vulnerability.

4. RECEPTION AND INTEGRATION

- Favour a **better coordination** between different levels of administration taking part in the reception and integration processes.
- Creating **sufficient adapted places** for vulnerable people.

- Allow **freedom of movement and residence** during the procedure of international protection and afterwards.
- Guarantee **access to health care, education and safe housing** during all the procedure.
- Start working on the integration of the person **from the first reception**.
- Promote **channels of participation for civil society and local groups** in the integration process.
- Ensure **equal and immediate access to the labor market**.
- Carry out **independent evaluation processes** of the reception conditions and the success of integration mechanism.

5. DETENTION

- **A person should not be in detention for the sole reason that he or she is seeking international protection.** So refrain from detention of asylum seekers, especially those in situation of vulnerability, and stop detention of children.
- Guarantee **adequate information on international protection** to people deprived of liberty.
- Promote **alternative measures to detention**. Detention must be always a last resort.
- Guarantee **immediate legal assistance** when it comes to detention, especially for migrants and people in need of protection.
- Ensure **automatic, systematic and independent review of the decision** of detention.



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