



Hungarian Helsinki Committee



Joint submission

**on the rights of irregular migrants, asylum seekers and refugees
in Hungary**

by

THE HUNGARIAN HELSINKI COMMITTEE

and

MENEDÉK – HUNGARIAN ASSOCIATION FOR MIGRANTS

for

the UN Universal Periodic Review

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EXECUTIVE SUMMARY

This report is submitted to the UN Universal Periodic Review by the Hungarian Helsinki Committee and Menedék – Hungarian Association for Migrants, two non-governmental organisations providing assistance to asylum seekers and migrants in Hungary for more than a decade. The two organisations express concerns and provide recommendations regarding the following issues:

- **The inadequate conditions and the ineffective judicial review of alien policing detention;**
- **The unlawful alien policing detention of asylum seekers;**
- **The limited access of asylum seekers to Hungarian territory and the asylum procedure;**
- **The exclusion of Somali nationals from family reunification;**
- **The insufficient access of refugees and persons granted other forms international protection to the labour market and to adequate health care services; and**
- **The lack of adequate housing measures for refugees.**

INTRODUCTION

This report is a submission by the Hungarian Helsinki Committee (HHC) and Menedék – Hungarian Association for Migrants, to the Office of the High Commissioner for Human Rights (OHCHR) for consideration in its summary of stakeholder submissions for Hungary's appearance before the eleventh Universal Periodic Review session. The report would like to address the main shortcomings in the treatment of irregular migrants, asylum seekers and refugees in Hungary as set forth in the International Covenant on Civil and Political Rights, the Covenant on Economic, Social and Cultural Rights, the 1951 Refugee Convention and various other international human rights instruments.

The Hungarian Helsinki Committee¹ (HHC) is an NGO founded in 1989. It monitors the enforcement in Hungary of human rights enshrined in international human rights instruments, provides legal defence to victims of human rights abuses by state authorities and informs the public about rights violations. The HHC strives to ensure that domestic legislation guarantees the consistent implementation of human rights norms. The HHC promotes legal education and training in fields relevant to its activities, both in Hungary and abroad. The HHC's main areas of activities are centred on non-discrimination, protecting the rights of asylum seekers and foreigners in need of international protection, as well as monitoring the human rights performance of law enforcement agencies and the judicial system. It particularly focuses on access to justice, the conditions of detention and the effective enforcement of the right to defence and equality before the law.

¹ www.helsinki.hu

Menedék – Hungarian Association for Migrants² was established in January 1995 as a civil initiative. The Association operates as a non-profit organisation, independent from governmental institutions. Its objectives are to represent international migrants (asylum seekers, refugees, immigrants and other foreigners in Hungary) towards the majority society; to promote the social, and cultural integration of those refugees and migrants who are planning to stay in Hungary by means of targeted programmes and projects. The Menedék Association aims to step up and provide expertise for the elaboration of Hungary's anti-discrimination and migration policy as well as to make migration-related statistical data and research available primarily for organisations trying to help migrants or researching the topic of migration.

Both organisations are implementing partners of the UN High Commissioner for Refugees (UNHCR).

ISSUES OF CONCERN

1. Inadequate conditions of alien policing detention

The Hungarian policy on the detention of aliens apprehended for unlawful entry or stay has undergone significant change recently in a restrictive direction. In April-May 2010 11 new “temporary” alien policing jails (“temporary guarded shelters”) were opened throughout the country. 9 of these are police jails originally designed to detain criminal suspects for 72 hours (but in any case no longer than 15 days), which were closed in 2004-2005 due to inappropriate detention conditions. The reopening was not preceded by refurbishment; therefore physical conditions are still not appropriate for detention.

Aliens apprehended by the Police for unlawful entry or stay are now immediately detained even if they apply for asylum (previously, those who immediately applied for asylum had the chance to get into an open processing centre). According to the HHC’s information, the only exceptions to the above-described new detention policy are for unaccompanied minors and families with minor children, while pregnant women and married couples are also detained in the new regime (separately within the same jails).

According to the HHC’s recent experience,³ in most of the temporary alien policing jails the detention regime is extremely strict. Detainees are locked up in their cells all day and all night long, except for a few hours that allow them to have a shower and spend some time in community areas. Hygienic conditions are extremely poor in some of the jails. Access to an open air space/courtyard is not provided, only a room containing windows without glass is available for outdoor activities. Detainees in the “temporary” detention facilities have no access to psycho-social assistance or counselling, community activities, etc. The lack of proper medical and psychological care seemed to be a serious issue in all of the 10 visited jails, as well as in others in Kiskunhalas and Nyírbátor in August 2010. Aliens and asylum seekers with special needs such as pregnant women, elderly persons, single women, or asylum seekers with post-traumatic stress disorder (PTSD) or other psychological problems do not receive adequate differentiated treatment.

Despite the fact that Hungarian law⁴ explicitly prohibits the alien policing detention of minors (persons under 18), the HHC is aware of some cases where minors were nevertheless detained. A recent proposal for the amendment of the immigration legislation allows for a maximum 30-day alien policing detention of unaccompanied minors and families with children, an unjustified and inadequate regime for children that are often seriously traumatised, fleeing persecution or serious human rights violations.

² www.menedek.hu

³ The HHC conducted monitoring visits to 10 of the 11 newly opened temporary alien policing jails in August 2010. Most of the findings described below are based on the direct experience of the HHC staff.

⁴ Act II of 2007 on the entry and stay of third country nationals, Section 56

The new (temporary) jails were opened without allowing any time for preparation for the staff (in some cases they were informed only a few hours or one day before the opening). In some jails police officers have no experience in working with foreigners; most of them have never worked as jail guards before. Communication between detainees and guards is hardly manageable due to the language barrier (the vast majority of guards do not speak any foreign language).

2. Unlawful detention of asylum seekers

The continuous practice of keeping asylum seekers in alien policing detention beyond the period of pre-assessment procedure of maximum 15 days is in violation of the law.⁵ The HHC confirms that the practice remained similar to that described in the US Department of State's annual human rights report (released on 12 March 2010), which explicitly refers to the unlawful detention of asylum seekers in Hungary: "On April 21, the Prosecutor General determined that the Office of Immigration and Nationality (OIN) was unlawfully detaining certain asylum seekers. The Prosecutor General sent a notice to the OIN demanding that it immediately enforce the law by releasing all asylum seekers whose applications had been admitted into the final asylum procedure. The OIN challenged this notice at the Ministry of Justice and Law Enforcement, suggesting an amendment to the law. The HHC reported that the unlawful practice continued at the end of the year despite the Prosecutor General's intervention."⁶

3. Asylum seekers' limited access to territory and the asylum procedure

The HHC has been carrying out regular border monitoring activities in cooperation with the UNHCR Regional Representation in Central Europe and the National Police Headquarters since 2007. The aim of these activities is to obtain first-hand information on the realisation of the right to asylum at Hungarian borders.

Article 33 (1) of the 1951 Convention Relating to the Status of Refugees sets forth the general principle of *non-refoulement*: "No Contracting State shall expel or return ("*refouler*") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." This principle has since been broadened and reinforced by the evolving jurisprudence of the European Court of Human Rights (with reference to the extraterritorial application of the prohibition of torture, inhuman or degrading treatment or punishment).

Several years of experience show that exercising the right to seek asylum in practice is possible only if the communication between the Police and the foreigners allows the potential asylum seeker to express his/her wish to submit an asylum application in a way that is comprehensible to the proceeding border police officer. The practical importance of measures taken prior to the enforcement of a return measure⁷ is that the Police must conduct these investigations usually within a few hours, without any legal obligation or practical opportunity to carry out a more detailed interview with the foreigner.

The HHC's border monitoring experience established that regarding implemented expulsion orders, the Police, in compliance with their legal obligations, usually consult the Office of Immigration and Nationality (OIN) unit on duty in each case. In cases where the necessity of an expulsion order arose, the OIN gave the Police its country of origin information assessment – based on the registered minutes of interviews – during the assessment of the *non-refoulement* principle. The HHC's experience shows that

⁵ Section 55 (3) of the Act LXXX of 2007 on Asylum provides that the asylum authority (a part of the Office of Immigration and Nationality) shall initiate the release of asylum seekers in alien policing detention, whose asylum claim has been admitted to an in-merit procedure (following a maximum 15-day admissibility assessment).

⁶ The full report is available at: <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136035.htm>

⁷ Act II of 2007 on the entry and stay of third country nationals, Section 40

the country information assessment carried out by the OIN and its conclusions are often too short, and fail to provide sufficient time and space for an exhaustive assessment of the specific circumstances of the case, which would be indispensable for a thorough assessment of all of the relevant circumstances of a case. It is of further concern that outside office hours (when most apprehensions occur at the border) it is not the OIN's specialised country information unit, but its general duty service that provides the assessment in question, and the specific expertise of the latter is questionable.

The OIN's practice in the examination of the principle of *non-refoulement* in respect of Ukraine is contrary to the position of the UNHCR on that country from October 2007.⁸ While the UNHCR (together with a number of NGOs) raise serious concerns about the functioning of the Ukrainian asylum system, the OIN appears to consider Ukraine as a safe third country.

4. Ineffective judicial review of alien policing detention

Alien policing detention is to be reviewed and can only be prolonged by a local court (every 30 days). However, this remains a merely formal procedure. Local courts issue basically identical decisions every 30 days, the reasoning of which is short and laconic, lacking proper fact assessment and individualisation. The HHC's long-standing experience shows that – unlike in most European states – the extension of alien policing detention is automatic in Hungary. Not a single case has become known in several years where a court would have terminated the detention with reference to, for example, the impossibility of carrying out an expulsion measure. In addition, the judicial review of alien policing detention fails to assess whether the conditions to make use of alternatives to detention are met as would be necessary according to Act II of 2007 on the entry and residence of third country nationals.

5. Limited access to free legal aid for asylum seekers in alien policing jails

As a general European tendency it is obvious that “asylum seekers are increasingly detained during the examination of their asylum claim and most notably at the border and in accelerated or ‘fast track’ systems. Access to lawyers is not only essential for assistance with asylum claims but is also necessary to safeguard against arbitrary detention and protect the asylum seeker’s right to liberty.”⁹ Recently, in January 2010, in its “Resolution on detention of asylum seekers and irregular migrants in Europe”, the Parliamentary Assembly of the Council of Europe called on Member States to ensure that “detainees shall be guaranteed effective access to legal advice, assistance and representation of a sufficient quality, and legal aid shall be provided free of charge”.¹⁰

Regarding the legal obligation to provide free and accessible legal aid for aliens in detention, the EU Council Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third-country nationals guarantees those subject to a decision relating to return an effective remedy, including the “possibility to obtain legal advice [and] representation”. Necessary legal assistance and/or representation must be granted free of charge in accordance with “relevant national legislation or rules regarding legal aid”.

The HHC's experience shows that asylum seekers (together with irregular migrants) held in detention are unable to have access to proper legal aid. The detention regime is extremely harsh, similar to that of a high-security prison for convicted criminals and the means to contact and hire a lawyer are extremely

⁸ UN High Commissioner for Refugees, UNHCR Position on the Situation of Asylum in Ukraine in the Context of Return of Asylum-Seekers, October 2007, Corr. Available at UNHCR's website: <http://www.unhcr.org/refworld/docid/472f43162.html>

⁹ ECRE-ELENA Survey on Legal Aid for Asylum Seekers in Europe, p. 46; [http://www.ecre.org/files/ECRE_ELENA_Survey_on_%20Legal_Aid_for_Asylum%20Seekers_in_Europe_October_2010.p](http://www.ecre.org/files/ECRE_ELENA_Survey_on_%20Legal_Aid_for_Asylum%20Seekers_in_Europe_October_2010.pdf)
[df](http://www.ecre.org/files/ECRE_ELENA_Survey_on_%20Legal_Aid_for_Asylum%20Seekers_in_Europe_October_2010.pdf)

¹⁰ Council of Europe, Parliamentary Assembly, Resolution 1707 (2010), Detention of asylum seekers and irregular migrants in Europe, para. 9.2.9.

limited. The only possibility to communicate with the outside world is a daily 5-10-minute long phone call at the cost of the detainee. This is clearly not enough to obtain information on legal aid services in an unknown country. Even if a lawyer could be contacted, the legal aid system does not reimburse travel and interpretation costs, which would impede any sort of communication between him/her and the client. Therefore legal assistance remains solely dependant on the involvement of NGOs (such as the HHC) and external funding.

6. The exclusion of Somali refugees from family reunification

In recent years, Somali refugees and beneficiaries of subsidiary protection have faced insurmountable difficulties when trying to be reunited with their family members in Hungary. Bearing a valid travel document is a general condition for family reunification. Hungary, similar to the vast majority of EU member states, does not accept Somali travel documents as valid, based on security concerns. At the same time, other EU Member States have elaborated practical solutions in order to sort out the problem of Somali citizens not bearing a recognised travel document in the process of family reunification, such as for example the use of a “Uniform Visa Format Form” based on Council Regulation (EC) No 333/2002, the acceptance of the Red Cross travel document or the issuance of a special one-way *laissez-passer* regulated by national law. Hungary has not established any similar alternative regimes in order to substitute the non-accepted Somali travel documents. Therefore, while Hungarian legislation in force provides for the right to family reunification, Somalis are *de facto* excluded from this possibility.

As the UNHCR Regional Representation for Central Europe reported, Somali refugees recognised in Hungary often refer to the lack of opportunities to reunite with their family members as a reason to leave the country and move to another EU member state.¹¹ This often results in an unlawful stay in another member state and a later forced or voluntary return to Hungary. As a consequence, a number of Somalis find themselves in a hopeless situation after returning to Hungary, having lost most opportunities for state-supported housing or integration services (due to the fact that they had previously “voluntarily” left the country). Homelessness is an increasing phenomenon among this population, the majority of whom have already gone through seriously traumatising experiences in Somalia or while *en route* towards Europe and are in a poor condition of health.¹² The Hungarian authorities’ denial of family reunification for Somali refugees therefore significantly contributes to the creation of a refugee population stranded in Hungary without any integration possibilities and often even in a protracted situation of homelessness.

7. Limited access to the labour market

Most of the problems related to the right to social security and adequate standard of living derive from the fact that Hungary has so far failed to elaborate a complex and comprehensive integration strategy that would give refugees and other foreigners granted international protection a chance to better integrate into the Hungarian society from an early stage.

The experience of Menedék Association (hereinafter referred to as Menedék) shows that the Hungarian labour market is almost inaccessible both for qualified and unqualified refugees. From a comparative viewpoint, it can be established that refugees and beneficiaries of subsidiary protection¹³ are allowed limited access to the labour market, *not* due to bureaucratic restrictions (such as the need to obtain a work permit) but due to communication difficulties and the lack of recognition of diplomas from their countries of origin. Effective and needs-based language training – which would be essential to be able to integrate into the labour market – are not available for those who are likely most in need (e.g. illiterate

¹¹ See for example: <http://www.unhcr-budapest.org/index.php/news/210-even-a-homeless-shelter-is-out-of-reach-for-young-somali-refugee>

¹² Idem.

¹³ The so-called *oltalmazott* status, based on the common EU definition of subsidiary protection

persons, or women with young children who cannot attend language courses as they are obliged to look after their children 24 hours a day). In addition, racism and xenophobia are deeply rooted in Hungarian society; therefore refugees often face discrimination in the labour market despite their efforts or existing qualifications. There has not been any governmental initiative to tackle this problem at a strategic level, consequently refugees and beneficiaries of subsidiary protection often face insurmountable hardship when trying to become self-reliant and integrate into Hungarian society, regardless of their relatively “privileged” legal status (as compared to other forms of international protection).

The access to the labour market is even more problematic in the case of other categories of international protection. The combination of an unreasonably short-term (one-year) residence entitlement and the obligation to obtain a work permit often leads to the *de facto* exclusion from the labour market of persons granted tolerated¹⁴ or stateless status.¹⁵ This major impediment to becoming self-reliant has multiple negative impacts, among others it has a negative impact on the overall (social, cultural, etc.) integration process and may lead to extreme poverty or even homelessness, raising serious doubts about the effectiveness of the protection these statuses are supposed to grant.

8. Right to adequate living conditions and housing

Refugees and beneficiaries of subsidiary protection are entitled to stay in a reception centre (*befogadó állomás*) for six months following the recognition of their status, provided that they are unable to ensure their own accommodation in another way. This period may be extended by a further six months.¹⁶ Accommodation at a reception centre includes three meals per day and the provision of basic items for clothing, nutrition and hygienic needs, as well as a little pocket money.¹⁷ In addition, refugees and beneficiaries of subsidiary protection may be entitled to various forms of financial support aimed at assisting them to move out of the reception centre and to establish their own home.¹⁸ This includes a single allowance¹⁹ upon, or within six months of, moving out, as well as a monthly housing allowance²⁰ for six months (renewable twice for a further six months).

Despite the above described legal framework, housing remains a problematic issue for refugees and beneficiaries of subsidiary protection. Reception conditions are often inadequate in state-run shelters and the sanitary equipments are of poor quality. Once leaving these facilities, refugees face serious discrimination when attempting to find private housing on the basis of their racial and ethnic background. The “Promoting the Integration of Migrants by Reducing Discrimination” project of the Menedék Association confirmed in 2009 (through antidiscrimination testing) that wide-spread discriminatory practices exist in Hungarian society in all areas of life; housing, leisure activities, schooling, etc. For example, house-owners often draw back when they find out that the future tenant of their apartment would be a refugee of non-European origin.

The practice of the Office of Immigration and Nationality does not help to facilitate access to private housing. The single allowance upon moving out from state-run reception facilities is only paid if the refugee is able to present an official invoice showing that he/she rents an apartment. In the context of private housing in Hungary, this restriction poses a disproportionate and unnecessary administrative

¹⁴ The so-called *befogadott* status, based on a general provision of *non-refoulement* in national law

¹⁵ See more details in Gábor Gyulai, Practices in Hungary Concerning the Granting of Non-EU-Harmonised Protection Statuses, p. 42, <http://helsinki.hu/dokumentum/Non-EU-Harmonised-Protection-Statuses-Hungary%20final.pdf>

¹⁶ Government Decree 301/2007. (XI. 9.) on the execution of Act LXXX of 2007 on Asylum, Section 41 (1)-(2)

¹⁷ *Ibid.*, Section 21 (1)

¹⁸ *Ibid.*, Sections 47 and 54

¹⁹ The amount of the minimum old-age pension (approx. 100 € per month) multiplied by six, per person.

²⁰ Calculated per household, not per person. Its amount is the minimum old-age pension, multiplied by two if the household includes at least one minor child, multiplied by three if it includes at least three minor children. The benefit cannot exceed the monthly rental or accommodation fee.

burden on both parties of the tenancy as landlords are not required by the law to issue an invoice, a contract should be sufficient proof of the tenancy. As a result of the above administrative restrictions many refugees fail to benefit from the housing allowance as landlords do not want to let their flats with this extra bureaucratic procedure.

For a number of specific reasons, refugee homelessness has become an increasingly frequent phenomenon in recent years, especially affecting Somali refugees.²¹ This problem has not been addressed by state authorities in any manner. Homeless refugees report frequent problems (based on language and cultural barriers, discrimination, etc.) when trying to access mainstream social services for homeless people.

9. Right to physical and mental health

Refugees and beneficiaries of subsidiary protection are entitled to a wide range of public health care services for a period of two years following the recognition of their status, even if they are not employed (in which case, contributions deducted from their salaries would entitle them to have access to the public health care system). To summarize, these health care services include:²² a general practitioner's regular services; health care services (including examinations, treatment, medicines, bandages, hospitalisation, meals while in hospital, etc.) in emergency cases²³ and afterwards until the stabilisation of the patient's conditions or her/his recovery; pre-natal and maternity care, abortion²⁴; vaccination and emergency dental care (but only the less costly treatment alternative). Despite the relatively favourable legislative framework, which provides refugees with access to health care under favourable conditions (as compared to other foreigners granted international protection), some issues remain particularly problematic in practice. Language and cultural barriers as well as the lack of awareness amongst medical staff about the relevant regulation in force often prevent refugees from accessing the health care services they are entitled to.

Access to health care is even more problematic in the case of other categories of international protection. A person granted tolerated or stateless status, who is unemployed, is only entitled to an extremely limited array of basic health care services, such as epidemic examinations or immediate ambulance services in case of emergency. As these categories' access to the labour market is extremely complicated (see section 7), and as the number of those granted tolerated status tend to outnumber that of refugees, this remains an issue of serious concern.

Refugees who are victims of torture or inhuman or degrading treatment often suffer from post-traumatic stress disorder (PTSD) for years after the traumatising events and having found refuge in a host country. Proper psychological and psychiatric assistance is necessary to enable these persons to start a new life and be able to learn a new language, find employment and integrate into the host society. Practice shows that Hungarian psychiatrists in general do not have expertise in treating patients with completely different cultural, linguistic and social background or suffering from trauma that results from armed conflicts in war zones. Consequently, state institutions are reluctant to receive refugee patients. No state-provided psycho-social assistance is available for refugees or persons in need of international protection who suffer from PTSD with the exception of one NGO, the Cordelia Foundation for the Rehabilitation of Torture Victims, which lacks stable state funding (similarly to other refugee-assisting NGOs in

²¹ See more details in UNHCR, Refugee Homelessness in Hungary, March 2010, <http://www.unhcr.org/4bd59fe96.html>; see also Section 6 of this report

²² For more comprehensive information see Sections 26, 28 and 44 (1) of the Government Decree 301/2007. (XI. 9.) on the execution of Act LXXX of 2007 on Asylum, together with Section 17 (1) of the Asylum Act.

²³ Emergency meaning the risk of death or serious or irreparable harm in one's health without medical intervention, see Act CLIV of 1997 on Health, Section 3 (i). Decree 52/2006 (XII. 28.) of the Ministry of Health on Emergency Health Care Services specifies the list of situations which qualify as "emergency".

²⁴ If the necessary legal conditions are fulfilled

Hungary).²⁵ Psychiatric care for those suffering from PTSD relies therefore entirely on limited, project-based funding (mainly by international donors).

RECOMMENDATIONS

The Hungarian Helsinki Committee and the Menedék Association urge the Hungarian government to comply with the following recommendations:

With regard to the conditions of alien policing detention:

- Children and vulnerable persons should not be held in alien policing detention.
- Physical conditions of detention must meet both national and international standards and should reflect the non-punitive character of detention.
- At least one hour daily outdoor exercise should be provided.
- Proper, state-funded medical care and psycho-social care should be made available.
- Sufficient nutrition needs to be provided for with due regard to the detainees' cultural background.
- Meaningful recreational activities should be ensured.
- Adequate training for jail staff should be ensured, including language, intercultural communication and conflict resolution training.

With regard to the unlawful detention of asylum seekers

- The practice of arbitrarily detaining asylum seekers in alien policing detention beyond the period prescribed by the law should be stopped.

With regard to the judicial review of alien policing detention

- The judicial review of alien policing detention should be made effective and should verify on its merits whether the grounds and conditions for the prolongation of detention are met.

With regard to access to free legal aid in alien policing jails

- Effective access to free legal aid in alien policing jails should be ensured.
- The free legal aid scheme should be reformed in a way that enables the reimbursement of domestic travel and interpretation/translation costs in cases where the beneficiaries are asylum seekers or are being held in alien policing detention.

With regard to asylum seekers' access to territory and the asylum procedure

- Adequate mechanisms to identify potential asylum seekers in border procedures should be established and provided with proper procedural safeguards, in order to ensure respect for the principle of *non-refoulement*.
- The UNHCR's position regarding the assessment of certain states as "safe third countries" should be observed to the maximum extent.

With regard to the family reunification of Somali refugees

- A mechanism should be elaborated which enables Somali citizens granted protection in Hungary to reunite with their family members not holding a valid and recognised travel document (in compliance with Section 19 (2) of Act II of 2007 on the Admission and Right of Residence of

²⁵ http://www.cordelia.hu/index_eng.html

Third-Country Nationals), primarily through the due practical implementation of Council Regulation (EC) No 333/2002 of 18 February 2002.

- Cooperation with other EU member states, the United Nations High Commissioner for Refugees (UNHCR), the Red Cross and non-governmental organisations should be enhanced in order to facilitate the reunification of Somali citizens granted protection in Hungary with their family members remaining in Somalia or neighbouring countries.

With regard to the right to work

- Effective and needs-based language training should be guaranteed for all persons granted international protection, with special attention to the needs of illiterate persons and women with children who may have difficulties in following general language courses.
- Persons granted tolerated (*befogadott*) and stateless status should be enabled to work without any specific permit.

With regard to the right of adequate living conditions and housing

- The administrative burden on refugees willing to move out of reception centres should be eased so that they can benefit from the on-time housing allowance.
- Refugee homelessness should be addressed through improving access to mainstream social services for homeless people and through intervention aimed at identifying and solving the root causes of this phenomenon.

With regard to the right to physical and mental health

- Asylum seekers, refugees, and other persons granted international protection, who suffer from post-traumatic stress disorder (PTSD) should be provided with proper psychological and psychiatric assistance free-of-charge. Such services should be funded on a permanent basis by the state.
- Efforts should be made to train medical staff on how to deal with people with different cultural background and on how to deal with victims of torture, inhuman or degrading treatment.
- An early identification system should be elaborated and applied in cooperation with all authorities and NGOs involved in the asylum system in order to identify victims of torture and persons suffering from PTSD at an early stage of their asylum procedure and/or alien policing detention.