



## **EMN Ad-Hoc Query on Distribution of flux of asylum seekers throughout the national territory**

Requested by calmels TOMMY on 26th July 2017

### **Protection**

Responses from Austria, Belgium, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Slovak Republic, Slovenia, Sweden, United Kingdom, Norway (22 in total)

#### Disclaimer:

*The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*

## **Background information:**

The migration situation experienced by the European Union and France leads to a sharp increase in the flow of asylum seekers between 2014 and 2017. In response to this increase France has been trying to adapt its national system for the reception of asylum seekers in order to reach 100% of asylum seekers hosted in accommodation facilities by 2020.

However, the existence of large flows unevenly distributed over the national territory creates situations of bottlenecks within existing structures of the regions most impacted by these flows. A distribution of the flows organized at the national level turned out to be necessary in particular to avoid the establishment of illegal camps and to improve the political acceptability of the reception of these persons looking for protection in France.

The Law on asylum adopted by France in 2015 enshrines this national distribution of flows that includes an obligation for the Ministry of the Interior to draw a scheme defining the accommodation capacity for each region for a period of 3 years.

The present Ad-Hoc query is part of the current discussions in order to draft the distribution decision for the period 2018-2020. Looking overall, it seeks to gather the practices of our European partners in terms of distribution of flows in order to amend the current system.

## **Questions**

1. Does your Member State organize at national scale, a regional distribution of the current flows on its territory?
2. If Yes, does this distribution only apply to asylum applicants or does it also concern foreign nationals who have not yet submitted an asylum application and refugees?
3. What are the legal obligations of foreign nationals territorially oriented? Are there sanctions in case of non-compliance?
4. On which indicators is the key for distribution based (population, poverty, unemployment ...)?
5. Has the outcome of such a distribution, organized at national scale, been satisfactory? Has it avoided concentrations of migrants in areas already overwhelmed?

## **Responses**

	<b>Country</b>	<b>Wider Dissemination</b>	<b>Response</b>
	Austria	Yes	<b>1.</b> Yes. Within the framework of reception benefits (Basic Welfare Support), asylum seekers and other beneficiaries may be assigned to certain reception centers and to a certain province (see Art. 1 para 1 and

			<p>Art. 3 Basic Welfare Support Agreement; Art. 2 para 1a Federal Basic Welfare Support Act).</p> <p><b>2.</b> This distribution also applies to other beneficiaries of Basic Welfare Support, in particular recognized refugees within the first four months after they have been granted asylum and irregularly staying foreigners (see Art. 2 para 1 Basic Welfare Support Agreement).</p> <p><b>3.</b> According to some provincial basic welfare support acts, reception benefits may be reduced or withdrawn where the beneficiary keeps away from the accommodation assigned (see Lukits, migralex 1/2017, p. 19; Koppenberg, The Organization of the Reception System in Austria (2014) 28, available at <a href="http://www.emn.at/wp-content/uploads/2017/01/Organization-of-Reception-Facilities_EN_final.pdf">www.emn.at/wp-content/uploads/2017/01/Organization-of-Reception-Facilities_EN_final.pdf</a>). During the admission procedure, asylum seekers in general have to stay in the same district (Art. 12 para 2 Asylum Act). A violation against this obligation is an administrative offence and may be punished with a fine of up to EUR 5,000 (Art. 121 para 2 Aliens Police Act).</p> <p><b>4.</b> The distribution within the framework of reception benefits is mainly based on the population of the provinces (Art. 1 para 4 Basic Welfare Support Agreement).</p> <p><b>5.</b> The coordination office which is part of the Federal Ministry of the Interior safeguards an even and fair distribution of foreigners across the provinces. It is also a central communication point for the provinces. In addition, the Coordination Council of the Federal State and the provinces provides the possibility to find a joint solution for possible problems and challenges. By these means, an excessive concentration of migrants can be avoided in any case. Source: Federal Ministry of the Interior.</p>
	Belgium	Yes	<p><b>1.</b> Belgium has legal provisions for a regional distribution of asylum seekers on its territory, but is not implementing a distribution plan at the moment. There are two legal bases for a distribution plan for asylum seekers in Belgium. The first one is provided in Article 11, §3, L2, 2° of the Reception Act of 12 January 2007 (available in French: <a href="http://www.ejustice.just.fgov.be/eli/wet/2007/01/12/2007002066/justel">http://www.ejustice.just.fgov.be/eli/wet/2007/01/12/2007002066/justel</a>) which makes a distribution plan of asylum seekers possible by referring them to a Public Social Welfare Centre to receive financial support. The second one is provided by Article 57ter/1 of the Organic Law on Public Social Welfare Centres of 8 July 1976, (available in French: <a href="http://www.ejustice.just.fgov.be/eli/wet/1976/07/08/1976070810/justel">http://www.ejustice.just.fgov.be/eli/wet/1976/07/08/1976070810/justel</a>). This provision aims at material</p>

aid. Article 57ter/1 Article states that: "To ensure a balanced distribution of reception places across the municipalities, the Public Social Welfare Centre is required to establish local reception initiatives, referred to in Article 64 of the Reception Act. The King determines, by a decree adopted after consultation in the Council of Ministers, the criteria for such distribution, taking into account the specific situation of each municipality. That distribution plan will come into effect from a date determined by the King, by decree, after consultation with the Council of Ministers. If the Public Social Welfare Centre does not establish local reception initiatives, it may be imposed with a financial penalty, the rules and destination of which will be determined by the King in a decree determined after consultation in the Council of Ministers. " Because of the large influx of asylum seekers, the Belgian government approved on 27 November 2015, a mandatory distribution plan for asylum seekers. An agreement was reached on 5,000 additional reception places (local reception initiatives) to be distributed equally across the municipalities. The Royal Decree of 17 May 2016 determining the criteria for a balanced spread over the municipalities of reception places for asylum seekers came into force on 10 June 2016 (available in French and Dutch on

[http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=2016051706&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2016051706&table_name=loi)). This royal decree published in the Official Belgian Gazette (Moniteur Belge) defines the criteria, the method of calculation and the sanctions in connection with the mandatory distribution plan. It is in fact the basic Decree for any future distribution plans for Local Reception Initiatives. This basic Decree further states that the date of entry into force and the number of reception places to be established, have to be determined in another Royal Decree deliberated by the Council of Ministers. Meaning that an 'activation' Decree is needed to enable an effective distribution plan to come into force. The Council of Ministers decided on 3 June 2016 that the distribution plan will not be activated given the decrease of asylum applicants arriving in Belgium since the beginning of 2016.

**2.** The distribution plan as described above (question 1) only concerns asylum seekers.

**3.** The distribution plan was not implemented. But in general, the 'sanction' for an asylum seeker who do not live in the reception facility that is assigned to him, is that he is not entitled to material aid - accomodation, food, clothing, social counselling, access to interpretation services, access to training and a small daily allowance as provided by the reception structures (he can only receive this material aid in the reception facility he is assigned to). He will be only entitled to medical care. The sanctions for Public Social Welfare Centres that do not comply with the distribution plan are stated in the Royal Decree of 17

May 2016: The reception places in Local Reception Initiative created under the Royal Decree (see above) have to be made available within a period of six months from the date of entry into force of the distribution plan. When the Public Social Welfare Centre fails to create the whole of the reception places as determined in the distribution plan, the Federal Agency for the reception of asylum seekers (Fedasil) impose one or more financial sanctions (s). Any penalty shall be limited to a period of three months and shall be set by the Agency within six months following this period. The calculation of the amount of each financial penalty shall be determined per reception place and per day that the reception place was not created. For each reception place that was not created in time, the amount of the penalty will be twice the amount of the indexed amount for a reception place that is occupied (determined by Article 1, § 1 of the Royal Decree of 24 July 2012 to regulate the reimbursement by Fedasil of the cost of material aid provided by the Public Social Welfare Centers to a beneficiary of reception housed in a Local Reception Initiative). For 2017 amount is €38,53 x 2 = €77,06 per day and per reception place.

**4.** In the determination of the number of reception places per municipality, the capacity of the municipality and the delivered and current efforts regarding the reception of asylum seekers are taken into account. The municipalities that have twice as much reception places for asylum seekers as the average number of reception places per thousand inhabitants are exempted from creating new places in Local Reception Initiatives under the distribution plan. In addition to the number of places to be divided, the government has also set the parameters on which this distribution will take place. The parameters and weights given to this are the following: • Population (number of inhabitants registered in the municipality): 35% • Total net taxable income: 20% • Number of reception places (a local reception initiative is taken into account for 100%, another type of reception place is taken into account for 75%) in the municipality: 30% • Number of beneficiaries per 1,000 inhabitants of an integration income and social aid (for which the Public Social Welfare Centre receives a state refund) : 15% Thus, it takes into account the capacity of the municipalities and the existing and current efforts already made. The number of reception places per municipality will only be permanently fixed at the time of entry into force of the ‘activation’ Royal Decree.

**5.** Not applicable. For your information: And Fedasil, the Federal Agency for Asylum Seekers, produced two information brochures addressed to municipal administrations: • A reception centre in your town : a brochure for municipalities that have (or are going to have) a reception center on their territory. Available in French (<http://fedasil.be/fr/plan-de-repartition>) and Dutch (<http://fedasil.be/nl/spreidingsplan>), And: •

			<p>The opening of a reception center for asylum seekers: this publication gathers various practical information concerning the opening of a reception facility (local reception initiative or collective reception centre). Also available in French (<a href="http://docs.fedasil.be/brochure_ouverture_structure_accueil/">http://docs.fedasil.be/brochure_ouverture_structure_accueil/</a>) and Dutch (<a href="http://docs.fedasil.be/informatiebrochure_opening_opvangstructuur/#p=1">http://docs.fedasil.be/informatiebrochure_opening_opvangstructuur/#p=1</a>).</p>
	Croatia	Yes	<ol style="list-style-type: none"> <li>1. Croatia does not have organized distribution of the current flows of migrants at the national scale.</li> <li>2. N/A</li> <li>3. In accordance to the International and Temporary Protection Law, Article 54, applicants and foreigners under transfer shall have the right of freedom of movement in the Republic of Croatia, which may be restricted in the specific cases deemed necessary and specified in the law.</li> <li>4. N/A</li> <li>5. N/A</li> </ol>
	Cyprus	Yes	<ol style="list-style-type: none"> <li>1. No such distribution takes place</li> <li>2. N/A</li> <li>3. According to the Cyprus Refugee Law, the applicant has the right of free movement and residence in the areas controlled by the Republic of Cyprus. The applicant has the right to choose his/her place of residence and inform the competent authorities in case of change of place of residence. According to the same Law, the Minister of Interior may decide to restrict the freedom of movement of applicants in some of the areas controlled by the Government of the Republic of Cyprus and/or decide the place of residence of applicants for reasons of public interest or public order. The authorities of the Republic may reduce or withdraw material reception conditions where an applicant does not comply with the above mentioned decision of the Minister.</li> <li>4. N/A</li> </ol>

			5. Such restriction has not been applied yet.
	Czech Republic	Yes	<p>1. No. Asylum applicants are accommodated in asylum residential centres or in private housing in a place they choose. Beneficiaries of international protection can also freely choose place of their residence.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p>
	Estonia	Yes	<p>1. No, Estonia does not organize at national scale a regional distribution.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p>
	Finland	Yes	<p>1. Yes. Asylum seeker can leave an application for international protection in Border Crossing Points (Schengen border) or in Police Stations (inland). He is registered immediately. After that asylum seeker is pointed a Reception Center (RC) where he gets the services (accommodation, food...). There are four areas for that: Helsinki (southern Finland), Turku (South-west), Lappeenranta (South-east) and Oulu (North). When Finnish Immigration Service (FIS) has interviewed the asylum seeker, he is appointed to another RC, where he is accommodated till his case is over. Asylum seeker can also manage his own private accommodation (he/she pays the rent him/herself). This can be anywhere in Finland. There are 70 RCs in Finland (July 2017). 20 of them are for unaccompanied children. RCs are located all around Finland. In the end of July, there are about 11 300 asylum seekers accommodated in RCs and about 4 000</p>

in private accommodation. The Situation Center of Reception Unit / FIS decide from which RC the asylum seeker can have the accommodation and services. If there will be so many asylum seekers, that the registration cannot be made in normal way, FIS will establish a Registration Center (hotspot) together with the Police. There was a Registration Center near Swedish border (Tornio) 22.SEP 2015 - 1.MAR 2016. One of the reasons for establishing the hotspot, was that authorities could decide how much asylum seekers were accommodated in different provinces/regions.

**2.** RCs are only for asylum applicants. Quota refugees are appointed directly to municipalities.

**3.** Finnish authorities appoint to the asylum applicant a RC where he/she can have the reception services. Applicant cannot choose the RC or the region. There are no sanctions, if applicant do not use the services provided. Asylum applicant can also manage his own private accommodation (he/she pays the rent him/herself). This can be anywhere in Finland. Then the services (not accommodation) are usually provided from nearest RC. RC personnel must inspect and accept the accommodation (to see it is a proper place to live). If the RC personnel or the authorities cannot have a contact to an applicant in two months, the applicant is marked missing.

**4.** There are about 40 different criteria, when FIS in planning the reception system (where, how many, what size and what kind of RC:s are needed). One of the criteria is that accommodation volume of RC:s in different provinces should meet about the percentage of the population in provinces. (Reality doesn't meet this criterion in rapidly changing situations). The share (%) is smaller in Helsinki, Turku and Tampere areas, because most of the asylum seekers that live in private accommodation are in these areas. In the capital area and in the biggest towns the real estate expenses are also higher. On the other hand, in very remote areas it could be hard to find professional personnel to the RCs and police could find it hard to provide security soon enough. The "first" RCs are located so, that the investigation should be swift (Q1). There should be RCs in areas where asylum seekers most probably come, because one or more of them could be changed to a Registration Center role. You should also take in consideration medical services needed and so on.

**5.** Yes and no. With spreading the RCs around Finland, we have shared the burden / possibilities. At first many areas (municipalities) didn't want a RC to be established there. After a year most of them are "fighting" to keep them going on, in a situation where more than half on RCs are disbanded. In most of

			<p>the municipalities the experience has been very positive (Activities, money to the area, employment, new cultures...) In JAN 2016 Finland had about 33 000 accommodation places in about 247 RCs (most of them units for unaccompanied children). Some of the former asylum seekers (people who have the permit to stay in Finland) stay in the remote areas, but most want to move in towns where they think they can find jobs and education. That is so, even it is hard to find sheep accommodation. It has been estimated that after three years (from getting the permit) about 60 % are living in the capital area.</p>
	France	Yes	<p><b>1.</b> The asylum law provides a national scheme for the distribution of reception center places across the territory. This national distribution scheme is then declined by Regions which must distribute the number of reception places allocated between the different departments. The first scheme was launched in 2015 and, as foreseen by the law, lasts 3 years. This makes it necessary to draft a new scheme for the period 2018-2020.</p> <p><b>2.</b> It concerns asylum seekers</p> <p><b>3.</b> Asylum seekers who refuse the orientation to the center assigned during their asylum application at the French Office for the Protection of Refugees and Stateless Persons (OFPRA) immediately lose the benefit of the receptions conditions which are automatically offered regarding their asylum seekers' status.</p> <p><b>4.</b> Accommodation capacities for asylum seekers are established by decree in accordance with the law on asylum of 2015.</p> <p><b>5.</b> The areas most impacted by the influx of migrants and asylum seekers remain largely overloaded despite the distribution effort started in 2015. However, the objective of the next national distribution plan of reception capacities for asylum seekers will aim at introducing more equity in the efforts required for the year 2020.</p>
	Germany	Yes	<p><b>1.</b> Yes. The distribution is based on several criteria and is established with the help of the EASY system. Distribution means that, on the basis of certain criteria, asylum-seekers are allocated to an initial reception facility, which is then responsible for them. Before the distribution can begin, the foreign</p>

		<p>national must register as an asylum-seeker. There are two ways to do this: - This first possibility is that a foreign national registers as an asylum-seeker on entry into the country. To do this, he or she contacts the border authorities who will then direct him/her to the nearest initial reception facility. - The second option for a foreign national is to go to the police or the alien authority and declare himself/herself as an asylum-seeker, once he/she has entered the country. In this case, he/she will be directed to the nearest initial reception facility as well. Subsequently, i.e. the applicants are allocated to the initial reception facility that is responsible for them. This process is facilitated by the electronic EASY system, which manages distribution throughout the country. The EASY system is located at the Federal Office for Migration and Refugees and used by competent authorities of the Federal Länder. Every reception facility has access to the system. In the EASY system, the asylum-seeker is not registered with his/her name and individual data, but only counted by number or group, for an example a family (which would be distributed together). The system always directs the person to the nearest facility fulfilling all the distribution criteria. If the asylum-seeker is not yet registered with the respective facility, he/she must then transfer to the allocated facility. He/she then submits his/her asylum application at the branch office of the Federal Office for Migration and Refugees, that is allocated to this initial reception facility. Allocation to initial reception facilities depends on the capacity levels at the particular time. If the quota of the Federal Land is open and the first reception facility has capacity, the asylum-seeker can be accommodated there in case the respective branch office of the Federal Office for Migration and Refugees processes the asylum-seeker's home country. Usually, the branch offices process between 2 and 50 countries of origin, depending on the size of the office. The EASY quota system (Initial Distribution of Asylum-Seekers) is based on the "Königsteiner Schlüssel". The distribution quota is calculated on an annual basis by the Federation-Länder Commission and determines what share of asylum-seekers is assigned to each Federal Land. This ensures suitable, fair distribution among the 16 Federal Länder. The distribution quotas for 2017 are as follows: Baden-Wuerttemberg 12.96662% Bavaria 15.53327% Berlin 5.08324% Brandenburg 3.03655% Bremen 0.95331% Hamburg 2.55752% Hesse 7.39885% Mecklenburg-West Pomerania 2.01240% Lower Saxony 9.33138% North Rhine-Westphalia 21.14424% Rhineland-Palatinate 4.83089% Saarland 1.21111% Saxony 5.05577% Saxony-Anhalt 2.79941% Schleswig-Holstein 3.39074% Thuringia 2.69470% The distribution of asylum-seekers is calculated each year by means of the tax receipts and population of the Federal Länder. The population counts for one third, the Gross Domestic Product, GDP, for two thirds. There are no other factors as this key was created for the financing of scientific projects. The calculation is carried out by the Joint Science Conference in</p>
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			<p>Bonn every year and is published officially. This key has now been used for 30 years in different joint projects among the Federal Länder and is considered an accepted instrument.</p> <p><b>2.</b> Migrants that entered illegally are allocated with the ViLA system. The system records persons staying illegally who contact the authorities without applying for asylum, and who, upon their illegal entry being established, were not placed in custody pending removal, deported or expelled. Since 2005, these persons have been allocated to the Federal Länder by means of the EASY System in the same way as asylum-seekers</p> <p><b>3.</b> See 1</p> <p><b>4.</b> See 1</p> <p><b>5.</b> The EASY system is in place since April 1993 and is considered a fair distribution-system among the 16 Federal Länder, which want to achieve: - short routings - minor travel expenses - constant operation grade</p>
	Hungary	Yes	<p><b>1.</b> No</p> <p><b>2.</b> N/A</p> <p><b>3.</b> N/A</p> <p><b>4.</b> N/A</p> <p><b>5.</b> N/A</p>
	Ireland	Yes	<p><b>1.</b> Asylum Seekers Applicants for international protection are offered accommodation in state-provided accommodation centres situated across the country. There is no legal obligation to accept the offer of state-provided accommodation. Applicants do not have the right to choose a preferred accommodation centre and transfers may be facilitated in only limited circumstances. Some international protection applicants are subject to report and reside requirements under section 16 (3)(d)(i) of the International</p>

		<p>Protection Act 2015, which provides that an applicant may be required to reside in a particular place or district in the State. In such cases, the applicant will be required to live in a particular accommodation centre. The Reception and Integration Agency (RIA) of the Department of Justice and Equality arranges accommodation for asylum seekers and works with statutory and non-statutory agencies to co-ordinate the delivery of other services (including health, social services, welfare and education) for asylum seekers. The RIA disperses asylum seekers from reception centres in Dublin (after an initial 14 day orientation period) to accommodation centres around the country. At the end of December 2016, the RIA accommodation portfolio was comprised of a total of 33 centres throughout 16 counties, with a contracted capacity of 5,230. These centres were:</p> <ul style="list-style-type: none"><li>• 1 Reception Centre, located in Dublin.</li><li>• 30 Accommodation Centres.</li><li>• 2 Self Catering Centres, located in Dublin and Co. Louth.</li></ul> <p>Of those centres in the RIA portfolio, only three were built (“system built”) for the express purpose of accommodating protection applicants. The majority of the portfolio comprises buildings which had a different initial purpose, i.e. former hotels, guesthouses (B&amp;B), hostels, former convents, nursing homes, a holiday camp and a mobile home site. The mobile home site is located in Athlone and the “system built” centres are:</p> <ul style="list-style-type: none"><li>• Knockalisheen, Co. Clare (State-owned)</li><li>• Kinsale Road, Cork City (State-owned)</li><li>• Baleskin, Co Dublin.</li></ul> <p>The seven state-owned centres are: Knockalisheen, Co. Clare • Kinsale Road, Cork City • Atlas House, Killarney • Atlas House, Tralee • Johnston Marina, Tralee • Park Lodge, Killarney • Athlone.</p> <p>Irish Refugee Protection Programme The Irish Refugee Protection Programme (IRPP) was approved by Government Decision on 10 September 2015 in response to the migration crisis. The Government confirmed that Ireland will take in a total of 4,000 persons by the end of 2017 through a combination of relocation under the EU relocation mechanism and the UNHCR – led programme currently focussed on resettling refugees from Lebanon. Emergency Reception and Orientation Centres (EROCs) were established as part of the IRPP and are used to provide initial accommodation in order to meet the basic needs of asylum seekers relocated from the hotspots, while their applications for refugee status are processed. EROCs are also used to provide temporary initial housing for refugees arriving under the resettlement element of the Irish Refugee Protection Programme. The two streams are accommodated separately. EROCs are situated across the country. Two EROCs became operational in 2016 – in Counties Kildare (Monasterevin) and Waterford (Clonea Strand, Dungarvan).. In addition, accommodation for approximately 230 people was temporarily set aside as an EROC in the asylum seeker accommodation centre in Mosney, Co. Louth pending the opening of future EROCs. A further EROC opened in Ballaghaderreen, Co. Roscommon in 2017. These EROCs are geographically dispersed</p>
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across the country. The facilities and services provided include onsite education, health and social protection services, orientation classes and weekly IRPP clinics. The location of EROCs is largely determined by the availability of suitable properties and attendant mainstream services. Those arriving under the IRPP generally spend up to 6 months in EROCs before they are moved to permanent homes in the community. Resettlement in the Community - Distribution People who arrived in the State under the IRPP, and who have refugee status or another form of international protection, are moved into the community in accordance with a national refugee resettlement distribution plan. Under this plan the majority of the 31 local authorities in the State are allocated a set number of refugees to house from the overall total of 4,000. The distribution plan is based primarily on a distribution key devised by the City and County Management Association or CCMA. The CMMA also works closely with the housing ministry – The Department of Housing, Planning and Local Government – who look at social housing from a national perspective. The distribution key is based primarily on county populations, their waiting lists for social housing lists as a ration to population and - where available - the availability of housing stock in the area. Major urban centres where homelessness is an ongoing issue, such as the cities of Dublin, Cork and Galway, are currently excluded from the distribution plan. An informal schedule has been developed which governs the order in which resettlements are carried out in each county. This schedule takes account of a variety of factors including local demographics, geography and recent internal migrant movements.

**2.** The distribution key mentioned at 1 above applies only to persons arriving under the Irish Refugee Protection Programme.

**3.** There is in general no legal obligation on a foreign national to remain in a particular place. However, under section 16(3)(d)(i) of the International Protection Act 2015, applicants for international protection may be required to reside or remain in a specified district or place in the State. It is an offence to contravene section 16(3).

**4.** See answer to 1 above.

**5.** The community resettlement programme is approximately only 20% complete at this juncture so it's a little premature to comment on the programme as a whole, but the distribution key thus far has

			successfully avoided concentrations of migrants in locations to the point of overwhelming local services.
	Italy	Yes	<p><b>1.</b> Yes. Given the extraordinary number of arrivals, in order to lighten the pressure on the Regions where the landings take place, Italy has planned regional distribution of migrants according to some agreed specific criteria, in order to ensure good integration and social cohesion too.</p> <p><b>2.</b> No, since, due to the type and size of migratory flows, it is not possible to gather all asylum application in hotspots. Therefore, migrants are deployed on Italian territory without having applied for asylum, being allowed to do so at the police offices in the area of destination.</p> <p><b>3.</b> Foreign nationals must accept the intended destination provided according to geographical distribution and undertake all the formalities required for identification measures and record of asylum application at the local level. The time involved can of course vary. During the assessment period migrants' legal position is defined, checks about health conditions are conducted in order to ascertain eventual vulnerability requiring special reception services. In case of non-compliance, migrants may lose entitlement to reception facilities.</p> <p><b>4.</b> Distribution is made by incremental contingents that take into account the percentage of the access quota to the National Fund for Social Policies, excluding the municipalities that have incurred earthquake damage, assessed in relation to the actual number of persons hosted in the reception centres.</p> <p><b>5.</b> Yes, such a distribution has been satisfactory, avoiding concentration of migrants in areas already overwhelmed. Furthermore, in 2016, Italian Ministry of the Interior and National Association of Italian Municipalities (ANCI) agreed the National Sharing Plan was agreed, allowing a more balanced and sustainable distribution of migrants even within the individual regions, foreseeing the proportionality between migrants in receipt and population.</p>
	Latvia	Yes	<p><b>1.</b> No</p> <p><b>2.</b> N/A</p>

			<p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p>
	Lithuania	Yes	<p>1. No, Lithuania does not have a system of regional distribution of refugees.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p>
	Luxembourg	Yes	<p>1. No. The Law of 18 December 2015 on the reception of applicants for international protection and temporary protection does not foresee a national system of distribution of AIPs. In accordance with article 4 of the amended law of 16 December 2008 the responsibility of housing foreigners (especially AIPs) laid with the Luxembourg Reception and Integration Agency (OLAI). In 2016, the accommodation system of Applicants for International Protection s depended on different phases (phase 1, 2 and 3). The total hosting capacity was spread over 93 different sites.[i] Phase I: At the end of 2016, there were 360 beds in the phase 1 reception facility (Luxexpo site) where applicants for international protection were accommodated before having presented their application, ideally for no more than 72 hours. Phase II: There were 308 beds in phase 2 facilities at the end of 2016. Once applicants have presented their application, they are moved to these facilities where their specific medical, psychological, educational (amongst others) are assessed before being oriented towards a phase 3 facility. Phase III: At the end of 2016, there were 3.640 beds available in these phase 3, or permanent facilities, where the applicants will stay while their application is being treated. The continued inflow registered in 2016 led to a growing concern regarding the number of beds available for AIPs in Luxembourg. In fact, at the end of 2016, the OLAI, in phase 3, housed 3.095 individuals. The average occupation rate of beds in its permanent (phase 3) reception facilities was 76%.[ii] In a number of interviews over the course of the year, the director of</p>

			<p>the OLAI noted that, in order to be able to provide housing for continued arrivals, new beds would urgently have to be made available.[iii] However, while the construction of four temporary reception facilities (also known in national public-and media debate as ‘container villages’) aimed at accommodating AIPs was announced at the end of 2015, only one such facility came to fruition in 2016.</p> <p><b>2.</b> N/A. The system described above applies only for AIPs according the phase of their application. Seen the housing crisis in Luxembourg due to the scarcity and high prices, certain beneficiaries of international protection remain in these housing facilities, but the system was not though for those cases.</p> <p><b>3.</b> N/A.</p> <p><b>4.</b> N/A.</p> <p><b>5.</b> N/A.</p>
	Malta	Yes	<p><b>1.</b> No.</p> <p><b>2.</b> N/A</p> <p><b>3.</b> N/A</p> <p><b>4.</b> N/A</p> <p><b>5.</b> N/A</p>
	Netherlands	Yes	<p><b>1.</b> Asylumseekers will be received and accomodated at one of the two COA central reception centres. COA is the central agency for the reception of asylumseekers. One of the central reception centres is located in the northern part of the Netherlands, the other in the southern part. Asylumseekers will stay there for a couple of days. During their stay at the central reception centre, the identification, registration, intake interview and TBC check will take place. Subsequently, asylumseekers will move to a COA process reception centre of which there are three in the country. Here the formal interviews, or hearings by the Immigration and Naturalisation Service will take place. These will be followed by either a positive</p>

			<p>or negative decision. People who have received a negative decision will be prepared to return within a month. With the people who have received a positive decision, COA will conduct an interview about their educational and professional background (a so called “screening and matching interview”). The outcomes of this interview are used to match them with a suitable municipality and COA location. These COA locations are called AZC’s of which there are currently approximately 80 AZC’s. All municipalities have been allocated a certain number of permit holders (or quota) which it needs to receive and accommodate. These numbers are based on the population numbers of each municipality. This system ensures an equal distribution and placement of permit holders across the Netherlands.</p> <p><b>2.</b> The allocated number of permit holders (or quota) is not related to the number of non-Dutch who live in the municipalities.</p> <p><b>3.</b> x</p> <p><b>4.</b> Population per municipality.</p> <p><b>5.</b> The way the permit holders are distributed and accommodated over the The Netherlands has worked well. It requires every municipality to contribute. However there have been discussions about the availability of suitable housing. Once permit holders have been housed in a certain municipality, they are, of course, free to move to another if they would be able to organise and finance this. This has resulted in the situation where certain municipalities relatively have more permit holders and migrants.</p>
	Slovak Republic	Yes	<p><b>1.</b> No. As Slovak Republic has not recorded an increased number of asylum seekers and other migrants, no such measures were required.</p> <p><b>2.</b> N/A</p> <p><b>3.</b> Slovak legislation does not regulate the distribution of foreigners within its territory and has not implemented any sanction mechanism. The only measure has been carried out by an NGO implementing the integration project for the beneficiaries of international protection. Based on the assessment of education and job opportunities and presence of a community, this NGO ensures accommodation for the person in question in a certain city. If the person rejects the accommodation in this city, he/she will not be</p>

			<p>entitled to integration services including the financial benefit to cover basic needs and accommodation. It is at the discretion of the given person, whether he/she decides to participate in the integration project or to cover the living costs on his/her own.</p> <p><b>4.</b> As for the beneficiaries of international protection, education (schools, kindergartens, language courses) and job opportunities, presence of social workers as well as the presence of a community similar to the country of origin etc.</p> <p><b>5.</b> The Slovak Republic has not recorded an increased concentration of migrants in the cities.</p>
	Slovenia	Yes	<p><b>1.</b> Slovenia adopted national plan on distribution which primary based on available capacities. Location of those capacities (reception centres, asylum home, private accommodations, etc.) are in a different parts of Slovenia.</p> <p><b>2.</b> For asylum seekers and refugees.</p> <p><b>3.</b> No.</p> <p><b>4.</b> Key of distribution is availability of the capacities and group to which asylum seeker belongs such as UAMs, families, single men, vulnerable groups, etc.</p> <p><b>5.</b> Yes.</p>
	Sweden	Yes	<p><b>1.</b> For asylum seekers: The Swedish reception system for asylum seekers is managed by the Migration Agency. While an asylum application is under consideration, the applicant is enrolled at a reception unit, which will help him/her with accommodation and expenses during the waiting period. There are two different standard types of accommodation: - In many cases, accommodation is provided by the Migration Agency in an apartment in a normal housing area, rented by the Migration Agency anywhere in the country, or at a reception centre. The asylum applicants may apply for daily allowances if they cannot support themselves. Urgent medical care is provided to all applicants. Families stay together and usually do not share a flat with other asylum applicants. Reception centers are often located in smaller, more rural cities or areas and more often in the northern part of the country where housing is easier to</p>

find. - As an alternative to stay in accommodation provided by the Migration Agency, an asylum seeker also has the possibility to arrange his/her own accommodation. Since applicants usually do not have the financial means to pay the rent for a flat, they often stay with friends or relatives in such cases. Asylum seekers that choose to reside with friends or family members receive a financial allowance similar to the financial allowance of those staying in accommodation provided by the Migration Agency. An asylum seeker who chooses to stay with friends and relatives can at any time ask to be accommodated by the Swedish Migration Agency instead. By the end of 2016, a total of 122 708 people were enrolled in the Swedish reception system for asylum seekers. In 2016, 35 449 (29%) of the asylum seekers enrolled in the system had arranged their own accommodation, and 63 063 (51%) relied on accommodation provided by the Migration Agency. The remaining 20 % were accommodated in other, specialised facilities. For persons granted residence permit based on international protection: On 1 March 2016, a new act for an effective and solidarity-based refugee reception system entered into force in Sweden, which also brought some alterations to the migration- and integration-related tasks of several public bodies. The law foresees that all municipalities within Sweden can be required to receive newly arrived refugees and other beneficiaries of protection, as well as their family members, for settlement. According to the law, the assignment of such persons to municipalities shall be based on each municipality's local labour market, its population size and the overall number of newly arrived immigrants, unaccompanied minors and asylum seekers already living in the municipality. Previously, the settlement of beneficiaries of protection was optional for municipalities, but this had created an unequal distribution of new arrivals across Sweden. The new law represents a challenge for many municipalities, especially those that suffer from housing shortages. The new law also transferred the task of allocating recognized beneficiaries of protection to municipalities from the Swedish Employment Service to the Migration Agency as of 1 January 2017. The Swedish Government will decide how many beneficiaries of protection each Swedish county will have to accept. The 21 County Administrative Boards then decide how to distribute the beneficiaries of protection among the municipalities within their respective jurisdiction. In accordance with the new law, the County Administrative Boards shall also be responsible for providing sufficient capacities for the settlement of beneficiaries of protection. They shall also facilitate cooperation among municipalities within each region and follow-up on integration measures at regional and local level. Even under the new law, however, beneficiaries of protection may choose to arrange their own housing and decide by themselves where within Sweden to settle.

2. Please see question 1. The Migration Agency has many of its reception centers and other types of

			<p>housing for asylum applicants in smaller cities or rural areas often in the northern part of the country. For persons with residence permit they are distributed according to the new law (see question 1) but can choose to move whenever they like.</p> <p><b>3.</b> See question 1. There are no obligations for the foreign national - beneficiaries of protection may choose to arrange their own housing and decide by themselves where within Sweden to settle and asylum seekers can live with friends or relatives where ever they like in the country.</p> <p><b>4.</b> See answer to question 1. The assignment of beneficiaries of protection to municipalities shall be based on each municipality's local labour market, its population size and the overall number of newly arrived immigrants, unaccompanied minors and asylum seekers already living in the municipality.</p> <p><b>5.</b> Since the distribution entered into force in March 2016 it is too early to tell the long term effects and no evaluation has yet been made.</p>
	<p>United Kingdom</p>	<p>Yes</p>	<p><b>1.</b> Yes. If an asylum seekers requires accommodation because they would otherwise be destitute it is provided for them on a “no choice” basis. Most asylum seekers present in South East of England or London and if they require accommodation they are usually dispersed to other regions.</p> <p><b>2.</b> This policy of dispersal applies only to asylums seekers who require accommodation. Asylum seekers who can obtain their own accommodation, for example from friends or relatives, can live where they wish. A similar but separate scheme exists for the dispersal of refugees brought to the UK under the resettlement programmes. Other foreign nationals without valid immigration status are not usually entitled to accommodation paid for from public funds.</p> <p><b>3.</b> The provision of accommodation to destitute asylum seekers is tied to them meeting certain conditions, for example that they co-operate with immigration reporting requirements and attend interviews necessary to resolve their asylum claim. Additionally, if they leave the accommodation without permission they can lose access to all forms of support (for example the weekly cash allowance that is provided to meet their essential living needs).</p> <p><b>4.</b> A number of factors must be considered by the contractors who are responsible for providing</p>

			<p>accommodation for asylum seekers before they place destitute asylum seekers in a particular area. These include: • the availability and concentration of accommodation; • the capacity of local health, education and other support services; and • the level of risk of increased social tension if the number of asylum seekers increases within a given area. The providers are required to consult local authorities about these matters. In addition the UK government has set a general limit of 1 asylum seeker per 200 population(based on figures from 2001 census)in any area, to ensure that the number of asylum seekers is not overly concentrated in some areas.</p> <p><b>5.</b> Home Office Immigration Statistics on Section 95 asylum support show that asylum seekers are dispersed across the different regions of the UK. For example in the first quarter of 2017 , when 39,365 people were in receipt of asylum support, the top 3 areas of asylum support were North West England(9,524), West Midlands(5,254) and Yorkshire and the Humber (4,881). Please see the table attached for statistics for 2012-2017.</p>
	Norway	Yes	<p><b>1.</b> All asylum seekers arriving in Norway have to present their application for international protection to the National Police Immigration Service (PU). They are then accommodated in reception centres, which are under the authority of the Norwegian Directorate of Immigration (UDI), the agency that considers the merits of the application. The reception centres are located in all parts of Norway. Following a positive decision the former asylum seekers are settled all parts of Norway, as are resettled refugees</p> <p><b>2.</b> For asylum seekers and refugees, see the previous answer. Other (third country) foreign nationals with a legal residence in Norway are free to settle wherever they find a job and accommodation.</p> <p><b>3.</b> In principle an asylum seeker is free to reside wherever s/he wants while the merits of the application is being considered, as well as following a positive decision. However, the allowance granted to the asylum seeker is dependent on living in a reception centre. The (re)settled refugee is also free to reside wherever s/he wants, but the support given to a (re)settled refugee is dependent on her/his residing in the assigned municipality during the first 2 years after having been given a residence permit.</p> <p><b>4.</b> The UDI's policy is that reception centres should be located in all parts of Norway, and this is reflected in the calls for tender for new (or renewal of) contracts for operating a reception centre. Municipalities, NGOs and commercial businesses operate centres. A municipalities are free to accept how many and</p>

which refugees to settle, given their capacity to provide public social, health and educational services with the financial support provided by the national Government.

**5.** There has been no serious suggestions to change the current system for the location of reception centres, except to ensure that those asylum seekers who are to be transferred to another Dublin country and those who are to be returned to their country of origin should be accommodated in a centre conveniently located for the transport. The current system for settling those who have been granted international protection was discussed during years when many municipalities were reluctant to receive a sufficient number, but this changed following the 2015 surge in the number of asylum seekers and a record number were settled during 2016 with fewer problems than in previous years. Many settled refugees tend eventually to move to central and urban parts of Norway, e.g. for better employment opportunities. During the period 2005-2017 Statistics Norway (SSB) has published 11 reports on the secondary movements of those who have been granted international protection in Norway. The latest (2017) report can be found on [https://www.ssb.no/befolkning/artikler-og-publikasjoner/\\_attachment/314462?\\_ts=15cef8e2810](https://www.ssb.no/befolkning/artikler-og-publikasjoner/_attachment/314462?_ts=15cef8e2810) . The text is in Norwegian, with an English summary which says: « For the 2009 and 2010 settlement cohorts one finds that five years after the initial settlement almost as many were living in their settlement municipality as did those in the previous two cohorts. The residential rate (stayer rate) has been relatively stable at around 80 per cent, which corresponds to a 20 per cent secondary migration rate during the first five years. The four cohorts were also very similar when we look at the proportion moving to another municipality in the same county, to Oslo, or to another county than Oslo.” Figure 3.1 in the report presents how the rate of moving away from the initial settlement municipality has developed for the 2005 -2013 cohorts. The rate has tended to peak in the 4th year after settlement. Different groups of immigrants congregate in different parts of the country and in different part of Oslo to different degrees, partly reflecting the costs of housing and employment opportunities. There has been voices of concern, especially in Oslo, but no areas are being described as 'overwhelmed'.