

Reception Crises: Dutch State Sued Over Inhumane Conditions and Criticised over Proposed Crisis Measure to Limit Family Reunification, Fedasil staff Protests as Reception Crisis in Belgium Reaches Boiling Point

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Amid the ongoing reception crisis in the Netherlands, ECRE member Dutch Council for Refugees (DCR) has filed a case against the state at the District Court of The Hague demanding that minimum legal requirements are met by 1 October. Further, the government's proposed emergency measure to limit the right to family reunification is met with critique. Staff from the Federal agency for the reception of asylum seekers (Fedasil) organise protests in solidarity with colleagues and asylum seekers as Belgian reception crisis reaches "a boiling point".

With 3-4000 asylum applications a month the Dutch reception system is in a persistent crisis with the Central Agency for the Reception of Asylum Seekers (COA) unable to find capacity across its 109 facilities counting 60 permanent ones already housing 28,000 people, and 49 temporary ones with 10,000 beds. According to DCR, as a result of an administrative impasse between the central government and municipalities the reception has been below minimum humanitarian standards for almost a year. On 17



August the organisation filed a case against the government and the COA demanding that reception meets the minimum legal requirements again as of 1 October. The hearing is on 15 September at the District Court of The Hague. "At a refugee camp in a conflict zone there is no other choice," DCR spokesperson Martijn Van der Linden stated, adding. "In the Netherlands we don't have a refugee crisis. There is a political crisis that has resulted in people in Ter Apel sleeping outside". In a [letter addressed](#) to the Dutch Minister for Migration, Council of Europe Human Rights Commissioner, Dunja Mijatović has demanded urgent measures to improve reception conditions for asylum seekers and emphasizes: "the current situation appears to be less related to a sudden and unforeseen increase in arrivals, but rather exposes some more structural shortcomings. For example, many national and international actors, including myself, have highlighted the need for reception systems to be responsive to the inevitable fluctuations in asylum applications".

Close to [700 asylum seekers](#) have been forced to [sleep rough](#) in unsanitary conditions outside the main reception centre in Ter Apel for weeks. Médecins Sans Frontières (MSF), that for the first time ever offered its services in the Netherlands, compared the situation at the reception centre located in the rural north of the country to the conditions in the notorious Moria camp in Lesvos. Karel Hendriks, Operations Advisor for the organisation stated: "Clearly, we are embarrassed that we have to do this, and this is not how donor money should be spent. It should not be spent in a country like the Netherlands," adding: "At the same time, we go places based on needs". The circumstances of the death of a three-months old baby in a [sports facility](#) used as makeshift shelter for new arrivals with nowhere to sleep in the overcrowded Ter Apel centre that [has a capacity](#) of 2000 are currently [under investigation](#) by the Health and Youth Care Inspectorate (IGJ) working with the Justice and Security Inspectorate. IGJ stated: "the inspectorates will look at the medical cause, whether care was previously provided, the available care and the living conditions around the application center and in the sports hall". Following a visit to the squalid makeshift camp outside Ter Apel IGJ [found](#) "a serious risk of outbreaks of infectious diseases as a result of the total lack of hygiene".

Dutch Prime Minister Mark Rutte has acknowledged the situation [stating](#) he is "ashamed" of the problems at Ter Apel and authorities [have announced](#) that the country's police, the Immigration and Naturalisation Service (IND), and the COA are working to process the backlog of identification and registration of asylum seekers. Hundreds of asylum seekers [have been](#) transferred out of Ter Apel and according to [local media](#) a church organisation and the IND found alternative accommodation hundreds of people. The city of Amsterdam announced in a [press release](#) that it is providing emergency accommodation for at least 1,000 asylum seekers for six months on an Estonian [cruise ship](#) commissioned by the government and to be managed by asylum authorities. Deputy mayor Rutger Groot Wassink, stated: 'The situation in Ter Apel is heartbreaking. Together, we need to solve the lack of asylum locations so that refugees can find a place... 'The shelter on the cruise ship is only a short term solution.



It is important that the national government and municipalities reform the broken asylum chain so that these kinds of emergency situations are not needed in the future". **Reportedly**, the government will commit 12 million Euro to establish 2,500 to 3,000 prefabricated homes to help relieve housing shortages in the Dutch capital in exchange for the acceptance of hosting the cruise ship.

On 26 August the government **revealed a plan** in response to the reception crisis including beyond providing housing for refugees with residency rights and temporary shelter for asylum seekers includes a suspension of acceptance of asylum seekers under the EU-Turkey agreement and limitations of the access to family reunification. While, DCR **welcomes** plans to establish emergency shelters and ensure a more fair distribution of reception responsibilities across municipalities the organisation underlines that emergency capacity does not equal quality and warns municipalities not to wait for changes of the legislation in January to ensure suitable reception as winter is approaching. DCR further denounces the deliberate delay of family reunification for refugees. On 31 August the organisation **confirmed** that its case against the COA and the government will continue as it focuses on the quality and sustainability of the reception system. **According** to Children's Ombudsman (Kinderombudsman) Margrite Kalverboer the proposed limitations of family reunification violates the Convention on the Rights of the Child under which states are obliged to deal with cases of refugee in a "positive, humane and expeditious manner".

In neighboring Belgium the **ongoing reception** crisis with people sleeping rough continue due to a **saturation** of the reception system. Local media **reported** of the crisis reaching "a boiling point" on 18 August with around 150 asylum seekers camped outside the closed gates of the reception centre, Petit Chateau, in Brussels where asylum seekers first register to enter the system. The police had moved the entrance of the centre to the front of the building following complaints from local residents leaving staff from Fedasil without a separate way in and unable to enter. "The main reason we could not open yesterday was because it just was not safe for the staff to carry out the intakes at the entrance, it was pure chaos here. Organisationally, this was just not possible," a Fedasil employee told media on 19 August. On 23 August police **violently dispersed** a crowd in front of Petit Chateau where more than 180 men were lining up in queues for registration and chaos erupted when some were left out and others allowed in. **On the same day** Fedasil employees across 36 reception centres stopped working to protest against the ongoing reception crisis. In **a statement** the protestors expressed that they had had enough of the situation and wanted to show solidarity with their colleagues at Petit Chateau as well as the asylum seekers left on the streets.

State Secretary for Asylum and Migration, Nicole de Moor **stated** in the context of the chaos on 18 August that the closure of Petit Chateau cannot be repeated and is **reportedly** negotiating with the Public Buildings Administration to find an alternative permanent location for the reception centre. Meanwhile, Fedasil has **announced** that the registration of applications for international protection is temporarily moved a buildings of the Immigration Office on Boulevard Pacheco in Brussels. However,



according to Thomas Willekens, policy officer for ECRE member Vluchtelingenwerk Vlaanderen moving the registration does little to solve the ongoing reception crisis. Willekens notes that this can only be done by providing sufficient capacity and points to the need for creative emergency solutions such as hotels and federal contingency plan and authority to request needed staff and buildings.

For further information:

- ECRE, Reception Crises: Dutch Authorities Acknowledge Crisis Seeking Solutions, Belgian Court Raises Question of Systematic Violations but Public Prosecutors Find No Criminal Offence, June 2022
- ECRE: Belgium: Authorities Convicted Over Asylum and Reception Mismanagement – Smuggler Sentenced for 39 Deaths in 2019 Tragedy | European Council on Refugees and Exiles, January 2022

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Designed By **Azzam Daaboul**

