



**The European Neighbourhood Partnership Instrument  
for the Republic of Armenia**

# **European Union Advisory Group to the Republic of Armenia**

## **AN ASSESSMENT OF ASYLUM RECEPTION CAPACITY IN ARMENIA**

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The EU Advisory Group is funded  
by the European Union.



The United Nations Development  
Programme is the implementing partner.

*This paper has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of the EU Advisory Group and can in no way be taken to reflect the views of the European Union or the Government of the Republic of Armenia.*

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# 1. Introduction

The aim of this paper is to assess the current reception system and capacity in Armenia; and based on good practices identified in the European Member States and non-EU Member States participating in the Common European Asylum System, to propose a list of detailed recommendations and steps for the future.

The Armenian reception system is still developing. In the past decade a lot has been done to align domestic refugee law with international and European standards. However, the reception system for asylum-seekers - being interrelated with status determination procedure - has to be improved to guarantee applicants' dignity and all his/her rights. This is yet to be achieved in Armenia.

It has to be underlined that the reception system should be seen as a holistic and integrated structure, and take into account various elements such as access to housing, education, health care and the labour market. It has to provide asylum-seekers with a certain level of stability as determination procedures unfold, and therefore material assistance is also crucial. Taking care of one element of this system is not enough as all of them are mutually related and cannot be separated one from another.

Desk research and interviews with stakeholders in Armenia were the main tools used to draft this paper; a monitoring mission to the reception centre in Yerevan was also scheduled. Based on these activities, the assessment of the reception capacity in Armenia was prepared with a special focus on the reception centre, access to basic rights and training provided to staff working with asylum-seekers. The assessment of the situation assisted in drafting a list of detailed recommendations and steps forward to improve the system in Armenia. These recommendations are divided into three categories: general recommendations, which, in my opinion, are essential for implementing the recommendations on reception capacity and staff approach, skills and training. Furthermore, the second chapter presents good practices identified in the European Union Member States and other countries relevant to the Armenian situation.

I would like to pass on my gratitude and thanks to those from the State Migration Service, the United Nations High Commissioner for Refugees (UNHCR) Representation in Armenia, the International Organisation for Migration (IOM), the Organisation for Security and Co-operation in Europe (OSCE) Office in Yerevan, the Human Rights Defender Office, the

Armenian Red Cross Society, Mission Armenia, People in Need, the Armenian Young Lawyers Association, the Targeted Initiative for Armenia and the twinning project, Support the State Migration Service for Strengthening of Migration Management in Armenia, with whom I had an opportunity to meet during my short mission to Armenia. Special thanks to the team of the EU Advisory Group in Armenia for their support in arranging the mission and assistance in drafting this paper.

## 2. Assessment of the Current Situation in Armenia

### 2.1 Introduction

During the first half of 2014, in total 63 people applied for international protection in Armenia. The majority were from Syria and Iran, but also from Azerbaijan, Benin, Cote d'Ivoire, Iraq, Mali, Ukraine and the USA.<sup>1</sup> Comparing to previous years, the number of applicants has decreased significantly from 579 and 320 persons seeking protection in 2012 and 2013 respectively.<sup>2</sup> The current number of asylum-seekers is similar to that observed back in 2011 and 2010, before the Syrian crisis emerged.

The majority of asylum-seekers, particularly from Syria, have ethnic Armenian backgrounds. This creates specific needs for reception and the further integration of this category of applicants: in particular taking into account the 87% recognition rate of this group (out of 709 applicants in 2012 and 2013, 620 were granted refugee status). The projects implemented by UNHCR and Non-governmental Organisations (NGOs) aim at assisting Syrian Armenians to access housing and employment to ease the burden on asylum and reception in the host country.

There are several stakeholders involved and active in the field of asylum in Armenia. These are: the State Migration Service (SMS), which is mainly responsible for refugee status determination procedure (RSDP) and the reception of asylum-seekers; as well as international organisations led by UNHCR, IOM, and NGOs, in particular Mission Armenia (MA), the Armenian Red Cross Society (ARCS) and the Swiss Humanitarian Foundation (KASA).

### 2.2 Legal and Institutional Framework

The Law on refugees and asylum does not appoint a coordinating governmental institution directly responsible for the reception of asylum seekers in Armenia. The SMS, being a designated body on migration issues responsible *inter alia* for refugee status determination procedure and reporting activities, does not have in its portfolio clearly defined obligations related to the reception of asylum-seekers and integration of refugees.<sup>3</sup> It is foremost the government which establishes temporary accommodation for asylum-seekers and the

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<sup>1</sup> Statistics for the first half of 2014 are available at State Migration Service web-page at: [http://www.smsmta.am/?menu\\_id=144](http://www.smsmta.am/?menu_id=144) [accessed 16.10.2014].

<sup>2</sup> Statistic available at State Migration Service web-page at: [http://www.smsmta.am/?menu\\_id=145](http://www.smsmta.am/?menu_id=145) [accessed 16.10.2014].

<sup>3</sup> Article 34 of the Law on refugees and asylum, No. HO-211-N of 2008, English translation available at Refworld: <http://www.refworld.org/docid/4f1986412.html> [accessed 16.10.2014].

procedures for the functioning and maintenance of that facility.<sup>4</sup> Meanwhile, several ministries ensure and take relevant measures to guarantee asylum-seekers' rights to education, social protection and health care.<sup>5</sup> The government sets up and provides for the 'Reception Centre' state non-trade organisation of the State Migration Service of the Ministry of Territorial Administration of the Republic of Armenia (hereinafter the reception centre), and decides on the procedures and categories of foreigners who could be accommodated there.

### **Institutions Responsible for the Reception of Asylum-Seekers**

In majority of Member States, a state level authority carries financially and managerial responsibility over reception facilities, material assistance and reception conditions.<sup>6</sup> The authority leads in the field of asylum and coordinates activities implemented by other state institutions. The budget for the reception of asylum-seekers is often within the responsible authority's general budget.

In Belgium the Federal Agency for the Reception of Asylum Seekers (Fedasil) is a special agency designated to carry financial and partly managerial responsibility over the reception system in the country. Reception and determination of asylum claims is separated between two institutions and the Office of the Commissioner General for Refugees and Stateless Persons, which is the first body for asylum applications. The state reception network (which consists of a collective of reception centres, reception places in private houses or flats and transit and emergency reception) is managed, coordinated and financed by Fedasil.<sup>7</sup>

In Romania the National Refugee Office (NRO) is the main authority responsible for RSDP and the reception of asylum-seekers. According to law it has legal personality and its own budget allotment within the budget of the Ministry of Interior and Administration. NRO is also responsible for managing and financing reception centres in Romania.<sup>8</sup>

In Norway, the Norwegian Directorate of Immigration is responsible for the implementation and coordination of asylum and migration policies. Several departments within the institution carry out different tasks, two of them the Asylum Department and Department for Regions, Reception and Returns are responsible for RSDP and reception of asylum-seekers respectively.<sup>9</sup>

<sup>4</sup> Article 33(1)(3) of the Law on refugees and asylum.

<sup>5</sup> Articles 38, 39 and 40 of the Law on refugees and asylum.

<sup>6</sup> European Migration Network (EMN), *The organisation of Reception Facilities for Asylum Seekers in different Member states*, 2014, p. 15.

<sup>7</sup> EMN Belgium, *The organisation of reception facilities in Belgium*, August 2013, pp. 8-9.

<sup>8</sup> Article 3 of the Law No 122/2006 on asylum in Romania.

<sup>9</sup> EMN Norway, *The Organisation of Asylum and Migration Policies in Norway*, 2012.

The government is also responsible for accepting and guaranteeing financial resources to run the reception centre, maintaining a separate budget for that purpose. On the other hand, the SMS takes an active role when it comes to deciding who should be accommodated in the reception centre<sup>10</sup> and in practice administrates and manages the facility.<sup>11</sup> The SMS is also providing food and a certain type of material assistance to residents living there.<sup>12</sup> Consequently, the budget designated to run the reception centre is created and maintained by the government, but implemented by the administration of the centre directly managed by the SMS.

Finally, within the SMS there is no department responsible exclusively for reception related matters and those issues are under the management of the Asylum Issues Division, which is mainly responsible for RSDP. There is, however, a newly created department dedicated to the integration of refugees.

## 2.3 The Provision of Reception and the Reception Centre

The facility where asylum seekers are accommodated is located in Yerevan on the first and second floor of the former eight-floor student dormitory owned by the Ministry of Territorial Administration. The total holding capacity of the centre is 45 and that number cannot be increased in case of emergency or mass influx.

### **Good Practice: Emergency Plans in case of a Sudden Increase in the Number of Asylum-Seekers**

Member States developed emergency plans to accommodate and guarantee reception provisions in case of a sudden increase in the number of asylum-seekers.

In Ireland, weekly statistics on occupancy versus capacity are prepared by reception centres in the country. This serves as an early warning mechanism, which assists in responding to a sudden increase in the number of asylum-seekers. Furthermore, under the contract signed with private entities running reception centres, the facilities have to have a 'holding' rate, which enables the accommodation of additional applicants if necessary. As a rule, the occupancy rate in reception facilities is 90%.<sup>13</sup>

<sup>10</sup> Point 3 of the Procedure on confirming the order on accommodating asylum seekers in the Temporary Reception Centre and providing conditions favourable to livelihood adopted by the Decision of the Government of the Republic of Armenia No. 1440-N (19 November 2009).

<sup>11</sup> SMS, *Information brochure for asylum -seekers in the Republic of Armenia*, Yerevan 2011, p. 21.

<sup>12</sup> Point 19 of the Procedure on confirming the order on accommodating asylum seekers in the Temporary Reception Centre and providing conditions favourable to livelihood.

<sup>13</sup> EMN Ireland, *The organisation of reception facilities for asylum seekers in Ireland*, February 2014, pp. 31-32.



The Belgian authorities follow a chain management approach. They consider reception as a process that starts by inflow, lasts during asylum procedure and reception and if necessary ends with a return.<sup>14</sup>

In Finland occupancy rate in reception centres is kept as high as 90%, there is an emergency plan developed in cooperation with Finish Red Cross and: "the Finnish Immigration Service publishes a release on its website to chart out suitable rental facilities for accommodating asylum seekers. By using an electronic form lessors can indicate their interest in renting out vacant spaces."<sup>15</sup>

After being registered with the SMS, asylum-seekers are issued a certificate for placement in the reception centre and referred to the facility.<sup>16</sup> Upon arrival, they are provided with information about asylum proceedings, legal and medical assistance, public transport and house rules. Up to four days after arrival, an identity document is issued.<sup>17</sup>

The director of the reception centre informs new asylum-seekers to undertake basic medical tests. However, they are optional and a resident has to present a formal written request to the director to be provided with a medical examination.<sup>18</sup> According to the procedure on accommodating asylum-seekers, medical information is "attached to the personal file of asylum seeker",<sup>19</sup> which means that personnel working in the reception centre has full access to it. Additionally all originals of issued documents, including the medical examination, are kept in this file. Asylum-seekers are only provided with the copies.<sup>20</sup> Finally, according to the procedure on accommodating asylum-seekers, access to the reception centre may be restricted for a person who has "a virus". The word itself, however, is not defined and it is unclear if this concerns persons with HIV/AIDS, those having infectious diseases or any type of disease. In practice asylum-seekers are not provided with medical examinations and they are rarely referred to a doctor or specialist.<sup>21</sup>

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<sup>14</sup> EMN Belgium (2013), p. 32.

<sup>15</sup> EMN Finland, *EMN Focussed Study 2/2013. Organisation of Reception Facilities for Asylum Seekers in different Member State*, 2013, p. 26.

<sup>16</sup> Point 6 of the Procedure on confirming the order on accommodating asylum seekers in the Temporary Reception Centre and providing conditions favourable to livelihood.

<sup>17</sup> Meeting with the Director of the reception facility, October 2014.

<sup>18</sup> Point 6.1 of the Procedure on accommodating asylum seekers in the Republic of Armenia at the Temporary Reception Centre and livelihood support, confirmed by the Decree of the Head of State Migration Service of RA Ministry of Territorial Administration, December 2013.

<sup>19</sup> *Ibid.*, point 6.3.

<sup>20</sup> *Ibid.*, point 8.3.

<sup>21</sup> Meeting with Mission Armenia, October 2014.

Upon arrival, new residents are also provided with cutlery and hygiene items.<sup>22</sup> Any other material and financial assistance is covered exclusively by non-governmental and international organisations.<sup>23</sup> This also includes financial assistance to rent a flat or room for those asylum-seekers who cannot be accommodated in the reception centre.

#### **Good Practice: Rental Subsidies for Asylum-Seekers**

Member States of the EU use different types of facilities for asylum-seekers. It could be a collective or private facility. The latter could be a private house or apartment. Many states, including the Czech Republic, France, Italy, and Sweden, provide financial allowances and rental subsidies to asylum-seekers so they may stay in private accommodation.

In Sweden, the Migration Board, until recently, has accommodated asylum-seekers exclusively in apartments. These were adjusted to the needs of different categories of applicants, including disabled, elderly or single persons.<sup>24</sup>

According to law, food and limited material assistance offered by the state is exclusively provided to those accommodated in the reception centre, this excludes who stay outside the centre, either voluntarily or involuntarily.<sup>25</sup> Taking into account the limited capacity of the current reception centre there are asylum-seekers who cannot be accommodated there, and thus are outside the reception system without access to any benefits offered by the state. Law does not guarantee alternative system of support for that group of applicants and puts them in a difficult position. Many of them are homeless. It has been recently reported that a man died,<sup>26</sup> due to the unforeseen consequences of a lack of proper housing and shelter offered to him. Non-governmental organisations and UNHCR try to fill the gap and provide financial subsidies and material assistance to those outside the reception centre. However, distinction of asylum-seekers in access to the reception provisions based on their place of residence (i.e. assistance is provided to asylum-seekers based solely on the availability of places in the reception centre) may violate article 14 of the European Convention on Human Rights and Fundamental Freedoms.

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<sup>22</sup> Points 19 and 23 of the Procedure on confirming the order on accommodating asylum seekers in the Temporary Reception Centre and providing conditions favourable to livelihood.

<sup>23</sup> Ibid., point 24.

<sup>24</sup> EMN (2014), p. 13.

<sup>25</sup> According to article 24(1) of the Law on refugees and asylum "[f]ollowing the registration of the asylum application pursuant to Article 48 of this Law, asylum seekers may either remain in the Temporary Reception Centre or reside at another place on their own means" however only those residing there should be provided "with food (three times per day), linen, personal hygiene accessories, as well as clothes and shoes where necessary".

<sup>26</sup> Meeting with Mission Armenia, October 2014.

Additional problem concern the generous policy towards refugees who stay and in practice are forced to stay in the reception centre due to the lack of integration programmes and difficult access to affordable housing. In practice those persons occupy places for asylum-seekers. UNHCR tries to solve this problem by financing the creation of an integration house for refugees with 11 rooms, where they will be able to stay for six months after international protection is granted.<sup>27</sup>

Asylum-seekers are accommodated on the second floor of the building in double rooms, which are around 18 square metres. Persons with disabilities may stay on the first floor in one of three disabled friendly rooms located there (however up until now a disabled person has not been accommodated in the centre). Family unity is generally maintained and members of the same family are accommodated together (according to the procedure on accommodating asylum-seekers, the director of the centre gets information about family members accompanying applicant).<sup>28</sup> Persons of the opposite sex are placed in separate rooms.<sup>29</sup> Other factors such as age, religion and country of origin are taken into account as well.<sup>30</sup> Persons accommodated in the reception centre may leave it freely, however they have to report to the director if they plan to stay outside for longer than seven days. If they do not do that, the room has to be vacated.<sup>31</sup>

Residents may use a kitchenette where there are two fridges and a stove. They are provided with food portions on each 3<sup>rd</sup>, 13<sup>th</sup> and 23<sup>rd</sup> day of the month to prepare their own meals based on the given products.<sup>32</sup> The food items are delivered by different companies, which are selected on the basis of call for tender. The director of the reception centre is responsible for the selection procedure and any related issues. Taking into account a very limited financial allocation for food provisions in the budget, the quality is low and the delivered products often have to be returned to the suppliers.<sup>33</sup> Additionally, each person, despite his/her dietary needs, is provided with the same food items. This also concerns newborn children and toddlers.

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<sup>27</sup> Meeting with UNHCR Representation in Armenia, October 2014.

<sup>28</sup> Point 4.7 of the Procedure on accommodating asylum-seekers in the Republic of Armenia at the Temporary Reception Centre and livelihood support.

<sup>29</sup> Point 11 of the Procedure on confirming the order on accommodating asylum-seekers in the Temporary Reception Centre and providing conditions favourable to livelihood.

<sup>30</sup> Point 4.12 of the Procedure on accommodating asylum-seekers in the Republic of Armenia at the Temporary Reception Centre and livelihood support.

<sup>31</sup> Point 12 of the Procedure on confirming the order on accommodating asylum-seekers in the Temporary Reception Centre and providing conditions favourable to livelihood.

<sup>32</sup> Point 5.4 of the Procedure on accommodating asylum-seekers in the Republic of Armenia at the Temporary Reception Centre and livelihood support.

<sup>33</sup> Meeting with the director of the reception centre, October 2014.

### **Good Practice: Food Allowance**

Member States of the EU have mixed systems for the provision of food. It is either in-kind, already prepared meals served at a canteen in a reception centre, or financial allowances for asylum-seekers. It is the same with clothing, which can be provided in-kind or financial assistance is paid to asylum-seekers.<sup>34</sup>

In Portugal, for example, a financial allowance is paid to residents to buy food and prepare meals. It was reported that residents tended to do their shopping together. They also cooked for each other, creating a friendly atmosphere in the centre.<sup>35</sup>

There is a mixed system in Poland and the availability of a food allowance depends on the accommodation centre. In some accommodation centres residents are provided with food allowances and may cook and prepare their own meals. According to law, a food allowance is granted for a child under six years and a child who attends school. Moreover it may be provided due to organisational related needs and issues.<sup>36</sup>

In practice, living conditions in the reception centre are below moderate and require improvement. There are only four bathrooms (two for men and two for women) available for residents with only one toilet in each bathroom (in practice, there is one toilet for ten people). Moreover, due to budgetary restrictions, residents may take a bath only on Wednesdays, Saturdays and Sundays from 7 a.m. until 10 p.m.<sup>37</sup> Residents also have access to a laundry room with a washing machine. Moreover, besides one common room with a TV set and places to sit there is no indoor recreational area for adults. Children may use only a nearby playground. A computer room, gym, medical room, day room for children and separated recreational rooms for women and men are not available. Finally, there are damp and high levels of humidity due to construction defects of the whole building that are beyond repair. Refurbishment has showed no effect and has not improved the situation.<sup>38</sup> It has to be noted that there is a 24/7 surveillance system installed in the centre and most of the common areas are monitored by a video camera. The reception centre watch guards are present around the clock. Moreover, there is a special room where a resident may talk in private with her/his lawyer, psychologist or any other person. The director keeps a list of residents and reports,

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<sup>34</sup> EMN (2014), p. 17.

<sup>35</sup> The Irish Refugee Council, *Direct Provision: Framing an alternative reception system for people seeking international protection*, 2013, p. 34.

<sup>36</sup> Article 71(3) of the Act on granting protection to foreigners on the territory of the Republic of Poland, Journal of Laws 2003, No 128, item 1176 with later amendments.

<sup>37</sup> Point 17 of the House rules of "Reception Centre" state non-trade organization of the RA Ministry of Territorial Administration and meeting with the director of the reception centre, October 2014.

<sup>38</sup> Meeting with UNHCR Representation in Armenia, October 2014.

once-a-month, to the SMS on residents accommodated in the reception centre,<sup>39</sup> however, they were not available upon request.

Except food provisions and accommodation, the state may provide financial assistance up to 25,000 AMD (circa 48 EUR) for buying clothes and shoes. To get this assistance an asylum-seeker has to apply to the SMS and also presents a letter of recommendation issued by the reception centre.<sup>40</sup> Any other type of financial or material assistance is not stipulated by the Law on refugees and asylum.

#### **Good Practice: Pocket Money**

Almost all Member States of the EU provide asylum-seekers with pocket money. In Belgium, the Czech Republic, Poland or Portugal, residents may get additional money if they work in a reception centre. They may provide cleaning services, lessons to children or any other service beneficial to others.<sup>41</sup>

## **2.4 Staff Dealing with Reception Related Issues**

The director, administrative assistant, accountant, guards and cleaners are the only people employed to run and maintain the reception centre in Yerevan. In practice, the director covers a range of administrative, managerial and social work tasks and is the main person dealing directly with residents staying in the reception centre. It is the director who welcomes newly arrived asylum-seekers, informs them about their rights and obligations in the reception centre and allocates the rooms.<sup>42</sup> Other people working in the reception centre do not necessarily interact with asylum-seekers. Moreover, those working in the centre are the only ones within the structure of the SMS who directly tackle the reception provisions issues.

The SMS is also responsible for hiring staff who work in the reception centre. However, there is no formally developed recruitment policy in place concerning potential personnel working directly with asylum-seekers, and due to budget shortcomings, new employees have recently

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<sup>39</sup> Point 8.5 of the Procedure on accommodating asylum seekers in the Republic of Armenia at the Temporary Reception Centre and livelihood support.

<sup>40</sup> *Report on analysis and identification of gaps in the activities of the Reception Center SNCO. Research paper*, Yerevan 2012, p. 13 (draft).

<sup>41</sup> Academic Network for Legal Studies on Immigration and Asylum in Europe, *Comparative overview on the implementation of the directive 2003/9 of 27 January 2003 laying down minimum standards for the reception of asylum seekers in the EU member states*, October 2006, p. 27.

<sup>42</sup> Points 4.7, 4.8 and 4.11 of the Procedure on accommodating asylum seekers in the Republic of Armenia at the Temporary Reception Centre and livelihood support.

not been recruited. This policy has resulted in a shortage of staff working in the reception centre, which has a negative impact on the quality of the reception system in Armenia.

There is no particular training curriculum developed and adopted to improve staff skills and knowledge on different aspects related to the reception of asylum-seekers. Personnel working at the reception centre are not provided with information on asylum-seekers' rights and obligation under RSDP (this includes detailed knowledge about the proceedings). Besides, there are no trainings on ways of approaching asylum-seeking clients, neither soft skills training, such as communication with foreigners nor managing and solving difficult situations in asylum context. Finally, the SMS does not assess, on a periodic basis, the training needs of those involved in reception matters.

The personnel working in the reception centre are not trained on matters related to asylum-seekers with special needs or who are victims of sexual and other forms of gender-based violence (SGBV). Finally, personnel having direct contact with asylum-seekers, either in the reception centre or during interviews, are not provided with psychological counselling and other assistance necessary to cope with a stressful and difficult working environment.

## **2.5 Access to Education, Health Care and the Labour Market for Asylum-Seekers**

At first glance, the Armenian law could be considered generous, however, it imposes several restrictions and is often unclear and vague when it comes to detailed provisions. Moreover, one of the biggest problems highlighted by different stakeholders is the implementation of the law.

On the one hand, asylum-seekers have the right to receive free medical care and services guaranteed to citizens, but at the same time, the Law on refugees and asylum requires them to meet a set of criteria laid down in other legal acts. IOM highlights that the health system in Armenia is underfinanced, there are serious managerial, structural and organisational challenges faced, and health facilities lack modern equipment.<sup>43</sup> Asylum-seekers in Armenia are only provided with very basic health care and cannot access special treatment if necessary.<sup>44</sup> Even though an identity document is issued,<sup>45</sup> which in practice should guarantee access to health care, often it is not accepted by hospitals or medical facilities due

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<sup>43</sup> IOM, *Assessment of health related factors affecting reintegration of migrants in Armenia*, Yerevan 2014, p. 5.

<sup>44</sup> *Report on analysis...*, p. 13.

<sup>45</sup> Article 29 of the Law on refugees and asylum.

to a lack of knowledge and awareness on asylum-seekers' right to free health care.<sup>46</sup> IOM notices that medical personnel have limited knowledge on the obligation to provide assistance to asylum-seekers and often it is only provided if the SMS or other organisations intervene directly in a hospital or medical facility.<sup>47</sup> The SMS has not signed any agreements with hospitals, doctors or nurses to secure access to medical treatment for asylum-seekers;<sup>48</sup> neither has it taken any other steps to guarantee the right to basic medical treatment laid down in article 23 of the Law on refugees and asylum. In practice, this task lies with NGOs funded by UNHCR. Finally, IOM is concerned that the health system is unable to provide treatment to asylum-seekers with special needs, including victims of torture and trauma.<sup>49</sup> Moreover, a lack of education opportunities for psychologists and psychiatrists, underrepresentation in mental health facilities, and limited international exchange all impact on the mental health services provided to citizens.<sup>50</sup>

#### **Good Practice: Access to Health Care for Asylum-Seekers**

In Poland, all asylum-seekers have access to free medical care, including mental care and rehabilitation (if required). In practice asylum-seekers have the same rights as citizens. Health care is organised through a network of medical rooms in each accommodation centre in Poland. Special medical treatment is provided in the hospitals that have signed special agreements with the Central Clinical Hospital of the Ministry of Interior. The latter is contracted by the Office for Foreigners being responsible for coordinating medical assistance to asylum-seekers.<sup>51</sup>

In Germany, law guarantees special pre and postnatal assistance. Women have access to nursing and support help. Moreover, asylum-seekers are provided with necessary and preventive vaccinations.<sup>52</sup>

If an asylum-seeker residing in Sweden pays more than 6 EUR (50 SEK) for medication or a doctor's appointment in any given six-month period, s/he may apply for a special allowance to cover additional costs borne.<sup>53</sup>

<sup>46</sup> Meeting with Mission Armenia, October 2014.

<sup>47</sup> IOM, *Analysis of Armenian migration legislation and practice as compared to EU standards*, 2013, p. 144.

<sup>48</sup> UNHCR, *Asylum systems quality initiative in Eastern Europe and South Caucasus.DCI-MIGR/2012/282-477. Gaps and analysis report. Armenia*, December 2013, p. 15.

<sup>49</sup> IOM (2013), p. 144.

<sup>50</sup> IOM (2014), p. 7.

<sup>51</sup> AIDA, *National Country Report. Poland*, June 2014, p. 49.

<sup>52</sup> AIDA, *National Country Report. Germany*, May 2014, p. 66.

<sup>53</sup> AIDA, *National Country Report. Sweden*, December 2013, p. 41.

Persons seeking asylum in Armenia in general have the same rights as citizens in terms of access to the labour market,<sup>54</sup> but they cannot start their own business.<sup>55</sup> In practice, due to the high level of unemployment and a lack of knowledge on asylum-seekers' rights in this regard, employers are wary of hiring asylum-seekers.<sup>56</sup> Figures for Syrian Armenians show that the situation on the labour market is difficult and even worse than before displacement. Currently, 81.1% of Syrian women and 41.7% of men are unemployed.<sup>57</sup> NGOs reported that asylum-seekers were paid less compared to Armenian employees; sometimes they were not paid at all, or they had to work without a contract.<sup>58</sup>

According to article 25(1) of the Law on refugee and asylum, access to "basic general education equal to that of nationals" should be provided to asylum-seekers. Surveys conducted by Save the Children shows that 91% of Syrian children residing in Armenia attend schools and 51% of them went to kindergartens. Some of them reported difficulties in following textbooks, verbal communication with teachers and problems with catching up with the curriculum.<sup>59</sup> The Armenian education system is still not prepared to respond to the needs of foreign pupils. According to Migrant Integration Policy Index (MIPEX) assessment "[b]eyond legal access, Armenia offers hardly any support for immigrant pupils, besides a few programmes for foreigners of Armenian descent, [and] national minorities".<sup>60</sup> Teachers are not provided with knowledge and training opportunities on teaching a class with foreign pupils.

## 2.6 Asylum-Seekers with Special Needs

Except unaccompanied asylum-seeking children (UAC), the Armenian law does not mention any other category of asylum-seekers who may require special treatment and there is no identification mechanism in place or standard operating procedures covering applicants with special needs.<sup>61</sup> However, it is mentioned that a female asylum-seeker may request for a female case worker and interpreter during the interview<sup>62</sup> and special measures have to be taken before, during and after an interview with asylum-seekers with special needs.<sup>63</sup>

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<sup>54</sup> Article 21 of the Law on refugees and asylum.

<sup>55</sup> Article 22 of the Law on refugees and asylum.

<sup>56</sup> Meeting with Mission Armenia, October 2014.

<sup>57</sup> Save the Children, *Integration challenges of displaced Syrian Armenians Needs Assessment Report*, April-June 2014, p.19.

<sup>58</sup> Meeting with Mission Armenia and Armenian Young Lawyers Association, October 2014.

<sup>59</sup> Save the Children (2014), p. 17.

<sup>60</sup> OSCE and MPG, *Armenia. A Migrant Integration Policy Index Assessment*, October 2013.

<sup>61</sup> UNHCR (2013), p. 39.

<sup>62</sup> SMS (2011), p. 13.

<sup>63</sup> See point 5.13 of the standard operating procedure on adjudicating in relation to standard operating procedure on Receiving and Registering Asylum Claims.



### **Good practice: Identification of Vulnerable Asylum Seekers**

Under Belgian law on reception, asylum-seekers' personal situation has to be examined. This concerns social, medical and psychological elements. During the examination special attention is paid to the signs of vulnerability (for example torture or ill-treatment). It has to take place within 30 days after arrival. It is carried out by a social worker who drafts a report and consults relevant institutions.<sup>64</sup>

"Guidelines for the assessment of applications for the recognition of the refugee status" were accepted by the National Commission for the Rights of Asylum in 2005 in Italy. Special attention is paid to communication with a victim of torture or trauma and the role of an interviewer to get relevant information and understand difficulties that an asylum-seeker faces. An applicant who is a potential victim of trauma should be referred to a special institution which provides relevant counselling. Finally, the guidelines provide information about the role of medical reports in the refugee status determination procedure.<sup>65</sup>

According to NGOs working in the field of asylum, the current asylum system is not prepared to deal with asylum-seekers with special needs (i.e. victims of torture and trauma, people with disabilities, unaccompanied children, people with chronic or mental illness, victims of trafficking in human beings, single parents, pregnant women or elderly applicants). Moreover, IOM questions the ability of the child-care system to absorb and respond to the needs of an unaccompanied asylum-seeking child. Until now, according to IOM, there has not been a single case concerning UAC, thus the law and accepted procedures have not been in force. However, it is questionable that they can work in practice.<sup>66</sup> On the other hand, UNHCR provides different data and refers to a case concerning UAC and adds that "the procedure was conducted without a representative being appointed for him".<sup>67</sup> Consequently, the procedure set up by law has never been invoked in practice and there is no practice related to the reception of UACs. IOM has identified potential institutions prepared to provide accommodation and care for children and cooperated with them when it comes to unaccompanied migrant children.<sup>68</sup>

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<sup>64</sup> EMN Belgium (2013), p. 13.

<sup>65</sup> AIDA, *National Country Report. Italy*, April 2014, pp. 34-36.

<sup>66</sup> IOM (2013), p. 144. For more information see IOM pp. 151-156.

<sup>67</sup> UNHCR (2013), p. 39.

<sup>68</sup> Meeting with IOM in Armenia, October 2014.

### **Good Practice: Assistance and Accommodation Provided to UACs**

In the Netherlands, the Nidos Foundation is responsible for providing care and guardianship to UACs. The organisation provides guardians who are trained by the organisation and prepared to work with asylum-seeking children. The guardian acts like a parent and may take all important decisions for the child in terms of health care, education or housing. The organisation also provides housing. Children between 15 and 18 years are accommodated in special houses, together with other children.<sup>69</sup>

Until recently, in Poland, UACs were placed in a designated orphanage in Warsaw, which was prepared to provide care to foreign children. Staff working there was trained in asylum procedures and law, spoke several languages and had built a network with schools and hospitals to provide children with the best possible care.<sup>70</sup>

In Hungary, UACs are accommodated in a children's home in Fót. There is a separate building designated for unaccompanied children under the age of 18 and is not part of a reception centre. The Ministry of Human Resources provide funds to a charity, which maintains another small house for children in Hódmezővásárhely.<sup>71</sup>

## **2.7 Cooperation with International and Non-governmental Organisations**

The current reception system is built on mutual cooperation between the SMS, non-governmental and international organisations. The SMS provides premises, staff working in the facility, food, hygiene items and one-time financial assistance. All other components of the reception system are the responsibility of non-governmental organisation, which implement various projects funded by international organisations operating in Armenia, mainly UNHCR. The Armenian Red Cross Society, the Swiss Humanitarian Foundation (KASA) and Mission Armenia are UNHCR's implementing partners. They have divided their work and each organisation leads in providing various types of social and legal assistance to asylum-seekers. Mission Armenia is responsible for health care services, rental subsidies, legal assistance and social services. The assistance is provided at the organisation's premises in Yerevan or the reception centre. The Armenian Red Cross Society covers the

<sup>69</sup> AIDA, *National Country Report. The Netherlands*, 28 March 2014, p. 32.

<sup>70</sup> EMN Poland, *National Report for Poland - Policies on reception, return and integration arrangements for, and numbers of, unaccompanied minors in Poland*, May 2009, pp. 18-19, available at: <https://emn.gov.pl/ese/publications/emn-poland-publication/thematic-studies/8775.Policies-on-reception-return-and-integration-arrangements-for-and-numbers-of-una.html> [accessed 16.10.2014].

<sup>71</sup> AIDA, *National Country Report. Hungary*, 30 April 2014, p. 40.

food and financial assistance, language courses, legal, integration and psychological assistance, and employment counselling. The ARCS employs a social worker who visits the reception centre once-a-week. According to the rules for the functioning of the reception centre, ARCS has "unlimited" access to asylum seekers accommodated there.<sup>72</sup> Finally, KASA is involved in the field of education and vocational trainings.

Both ARCS and Mission Armenia play important roles in providing various types of assistance within the current reception system in Armenia and managed to institutionalise cooperation in the field. For example, Mission Armenia signed agreements with hospitals in Yerevan on health assistance to asylum-seekers and with pharmacies to provide medications. The organisation is also responsible for rental subsidies for those asylum-seekers who stay outside the reception centre. ARCS is active in the field of psychological and social support and more general information on the asylum system in Armenia. Employment counselling is also covered by the organisation. Finally, KASA complements those activities with vocational and educational projects mainly directed to youth. The weakest component of the current system is legal advice. There is a lack of well-trained and active legal practitioners who could advise asylum-seekers on RSDP and foremost explain and protect their rights.<sup>73</sup> IOM also highlights that lawyers tend to abuse the taxation system and getting free-of-charge legal advice remains difficult.<sup>74</sup>

UNHCR and non-governmental organisations, namely ARCS, have full access to the reception centre and may freely contact asylum-seekers. This is also reflected in law.<sup>75</sup> Asylum-seekers residing in the reception centre also have access to information brochures and leaflets explaining the asylum proceedings in Armenia, asylum-seekers and refugees' rights and obligations as well as other relevant issues. This information is available in different languages, including English, Russian, Arabic, Western Armenian, French and Farsi.<sup>76</sup>

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<sup>72</sup> Point 5 of the House rules of "Reception Centre"...

<sup>73</sup> IOM (2013), p. 144 and meeting with UNHCR Representation in Armenia, October 2014.

<sup>74</sup> IOM (2013), p. 144.

<sup>75</sup> Article 49(4) of the Law on refugees and asylum.

<sup>76</sup> The leaflet is published by UNHCR and contains information and contact details on assistance provided to asylum-seekers by UNHCR's implementing partners in Armenia.

## 3. Recommendations and Steps Forward

### 3.1 General Recommendations

#### Creating a Holistic and Integrated Reception System

- The reception system in Armenia should fully respect fundamental human rights, and human dignity. It should not discriminate on grounds of sex, religion, ethnic background, race, colour, nationality, political or other opinion, social origin, property, birth, residence or any other status.
- The reception system should respond to the needs of asylum-seekers and provide them with the best possible quality of services respecting and protecting human rights.
- A human rights-based approach should be used to develop and implement a holistic and integrated reception system for asylum-seekers. This also includes proper training on human rights-based approaches offered to staff working with asylum-seekers.
- The reception system should consist of the following elements: full access to information for asylum-seekers, material assistance, accommodation, access to health care, work and education, pre-integration activities, as well as trained and professional staff dealing with asylum-seekers at any place, time or stage of RSDP. The holistic and integrated reception system consists of all of those elements, as they are interrelated and complement one another.
- Providing access to proper shelter and accommodation is one of the interrelated components of the holistic and integrated reception system. It plays a crucial role in the system, however, should not be considered as a separate element and should always be implemented and developed in relation to other components of the reception system.
- The reception system should be prepared to respond to emergency situations, for example an increased in the number of asylum-seekers applying for international protection. Hence it is crucial to develop relevant procedures and capacity to absorb an increased number of applicants into the reception system. This concerns in particular accommodation, access to health care, education and material assistance.
- Developing a holistic and integrated system requires transparent institutional and legal frameworks. There should be one central institution responsible for the reception of asylum-seekers in Armenia, which initiates cooperation and collaborate with other state institutions and non-governmental organisations.
- Ministries and other state institutions involved, or potentially involved, in the reception system should appoint focal points on asylum related issues. This will guarantee effective

cooperation and exchange of information between different entities engaged in this system. The coordinating role should lie with the SMS.

- The institution responsible for the reception of asylum-seekers should manage and be responsible for the budget designated for those activities. The budget for the reception of asylum-seekers should be flexible enough to reallocate funds in case of an emergency, and to guarantee that appropriate actions are undertaken without any delay. The budget should also consider the possibility for extra budgetary reallocations.

### **Catering for a Sustainable Reception System**

- The government of Armenia should, in the coming years, progressively increase the budget for the reception of asylum-seekers and should allocate more funds for material assistance offered to this group. A step-by-step approach should be followed.
- The state has to guarantee that over the long run the reception system is sustainable. This will be achieved through a progressive increase in the allocation of funding within the state budget. Only by doing so will the state be able to guarantee that there is a sustainable, holistic and integrated reception system in place.
- The Ministry of Territorial Administration should set up, in the near future, a programme of small grants to NGOs and other institutions active in the field of reception. The fund could operate in a similar way to the one currently covering the issue of trafficking in human beings. This will be a starting point for building a sustainable, holistic and integrated reception system.
- A joint fund between the Ministry of Territorial Administration and an external donor for NGOs and institutions active in the field of reception in Armenia could also be set up. This fund could serve as a subsidy for those actors during a transition period leading to a sustainable reception system.
- The government and the Ministry of Territorial Administration may outsource certain activities within the reception system to external partners such as NGOs and other institutions.

### **Raising Awareness on Asylum Related Issues**

- There is a need to raise awareness about asylum-seekers' rights among *inter alia* medical personnel, law enforcement officers, teachers, journalists, academics and students. This should be done by providing constant training and adding components to education and training curricula.
- Providing information and implementing information campaigns for trade unions, employers, jobs centres and the State Employment Agency related to asylum-seekers'

right to legally work in Armenia is necessary to guarantee proper access to the labour market for this group.

- Further research on the reception system in Armenia, access to housing, health care, the labour market and education for asylum-seekers in particular those from non-Armenian backgrounds should be carried out. Homelessness among asylum-seekers and refugees and discrimination against foreigners in Armenia are other important research areas.
- There is a need for a public awareness-raising campaign on asylum-seekers and refugees' rights, reasons for forced migration and challenges faced by this group.
- The universities in Armenia should further develop curricula and introduce refugee law programmes for students and provide them with practical knowledge related to the field by organising student law clinics or traineeship opportunities in NGOs or other organisations providing legal advice to asylum-seekers and refugees. There should also be academic multidisciplinary opportunities for non-lawyers to study the forced migration phenomenon.
- Persons involved in asylum issues in Armenia should be provided with trainings on advocacy and campaigning related to asylum-seekers' rights (this includes practical tools and methods to create and implement successful advocacy and campaign strategy and activities). Lawyers, in particular, should be provided with knowledge on strategic litigation and how to bring a case before the European Court of Human Rights (this includes information on practice and procedure of the European Court of Human Rights and recent cases and jurisprudence related to asylum and migration).

### **Providing Assistance to Asylum-Seekers Staying Outside the Reception Centre**

- All asylum-seekers, despite their place of residence, should have full access to the reception system.
- Law has to be amended to reflect on asylum-seekers who cannot stay in the reception facility due to objective reasons and it has to guarantee that they are provided with assistance within the reception system. Law should also list criteria for providing the financial equivalent to those asylum-seekers who, due to various health and personal reasons, cannot stay in the reception centre.

### **Responding to the Needs of Vulnerable Asylum-Seekers**

- A definition of an applicant with special needs should be introduced to law and it should include the following groups: single women, pregnant women, single parents, victims of trafficking in human beings, victims of torture, victims of trauma, people with disabilities,

including mental disability, people with serious health problems, unaccompanied and separated children or people with serious learning problems.

- An identification system of asylum-seekers with special needs for the purpose of RSDP and reception should be developed.
- The reception system should reflect on asylum-seekers with special needs by guaranteeing proper accommodation, access to medical treatment, food and material assistance.
- Staff working with asylum-seekers, teachers, medical personnel, social workers, psychologists and NGOs representatives should be trained in the identification of asylum-seekers with special needs, including interviewing techniques, communication management and practical skills in dealing with vulnerable applicants and residents.
- Unaccompanied and separated children should have special reception and procedural guarantees during RSDP and the best interest of the child should always be the priority for state authorities and NGOs.

### **Cooperation with International and Non-governmental Organisations**

- There is a need to build constant cooperation between state institutions involved in the reception of asylum seekers. This could be achieved by appointing focal points in those institutions, creating working committees and implementing joint projects and activities.
- The state institutions should continue their cooperation with international organisations in Armenia throughout joint projects and activities.
- The State Migration Service should further strengthen cooperation with stakeholders involved in the reception of asylum-seekers in Armenia.

## **3.2 Services and Facilities Provided within the Reception System**

### **Providing Well-shaped and Proper Information and Welcome Package upon Arrival in the Reception Centre**

- Asylum-seekers have to be provided with a set of information upon their arrival in the reception centre. This information has to be available in a language understandable to him/her and provided in writing. Initial information provided to new residents should consist of house rules (translated into language understandable to the asylum-seeker concerned), orientation package (*inter alia* a map of the city, a list of contact details to the main institutions and organisations dealing with asylum-seekers in Armenia, practical

information about nearby shops, churches, public transport in the city, mobile phone companies operating, classes, trainings and activities offered in the centre).

- After arrival, a meeting with new residents should be organised. Basic information should be explained during a question and answer session.
- Residents should also be provided with information on reproductive health and SGBV.

### **Providing Health Screenings and Tests for New Residents**

- As soon as possible after arrival in the reception centre, new residents should be provided with a medical screening and test.
- Medical personnel working in the reception centre should conduct a medical interview asking about *inter alia* chronic diseases, allergies, mental problems, and medications taken. A doctor should assess the physical and mental state of the patient concerned, and then, based on that, provide recommendations, prescribe receipts or refer to a specialist and additional medical tests.
- Each resident has to have his/her own medical file where his/her medical history and medical tests should be kept. Access to this file should be restricted only to medical personnel and the patient. Staff working in the reception centre or any other person should not have access to the file at any time.

### **Guaranteeing Access to Legal and Social Advice**

- Asylum-seekers should have access to legal and social advice provided by non-governmental organisations or other institutions in the reception centre or at their premises. Legal assistance should also be available prior to the asylum interview.
- Contact with a lawyer or legal representative should not be restricted by any means.
- The state, in the long-term perspective, should develop a system of free legal assistance to asylum-seekers, and, in particular, to provide legal representation in front of the courts. The system of free legal advice could be financed from the state budget and outsourced to attorneys and legal practitioners working for law firms and non-governmental organisations. These persons should have extensive knowledge of the Armenian and international asylum law and practice.
- Asylum-seekers should have access to a social worker who has proper education and background, knowledge on the asylum system and law in Armenia, social, health and education systems as well as the job market.
- A social worker should be present in the reception centre every day so asylum-seekers may address her/him with their immediate questions and problems. In general, a social



worker should be employed by the reception centre, but outsourcing this task to non-governmental organisations or other institutions is also possible.

- Creating the post of a social worker in the reception centre should not have an influence on projects and activities carried out by non-governmental organisations or other institutions. These projects should complement the activities implemented by social workers.

### **Creating Pre-integration Assistance**

- Asylum-seekers should have access to pre-integration assistance. Pre-integration should consist of various elements such as: language courses, vocational trainings and cultural orientation trainings. The aim for pre-integration is to provide asylum-seekers with the knowledge and tools needed to function independently within the host society during RSDP and potentially assist in their future integration process.

### **Guaranteeing Access to the Labour Market**

- Access to the labour market should be maintained as it is at the moment. Asylum-seekers may look for a legal job and be employed on the same basis as Armenian citizens. Any restrictions to the labour market for asylum-seekers should not be introduced in the future.
- There is a need for an awareness-raising campaign to inform potential employers about asylum-seekers' right to work. The State Employment Agency, trade unions and job centres should be involved in this information campaign.

### **Providing Access to Health Care Services and Facilities**

- All asylum-seekers should have access to health care services and facilities. There should be a designated authority (preferably the SMS) responsible for arranging access to medical treatment (for example by outsourcing it to special institutions such as hospitals).
- The reception centre should employ at least one nurse. There should also be a medical room available with medical instruments to diagnose, prevent or treat diseases or other medical conditions. Health care assistance should be free-of-charge.
- The medical care related services may be outsourced to one or more specialised organisations or institutions, however, medical personnel (at least one nurse) has to work in the reception centre on a daily basis.

- Nurses (and doctors) employed in the reception centre should be able to communicate with their patients in foreign languages. They should also be trained in various aspects related to work in an asylum context.
- Asylum-seekers should have access to basic and special treatment. In general this assistance should be free-of-charge and asylum-seekers have to have the right to be treated by a doctor of their own choice. However, due to the limited capacity and medical personnel trained and prepared to work with this group, the reception centre may employ a family doctor to provide asylum-seekers with basic health assistance. The doctor working in the reception centre (or in a hospital or health facility nearby) should be a referral point, i.e. assessing the physical state of his/her patients and referring them to specialists (if possible, also working in a hospital or health facility nearby). The body responsible for the reception system in Armenia could sign agreement(s) with designated hospital(s) to specify what kind of treatment will be provided to asylum-seekers and how much it would cost.
- Asylum-seekers should not be restricted in any way in consulting specialists. They should also be provided with physiotherapy and dental services if needed.
- Asylum-seekers staying outside the reception centre should have the same access to medical treatment as those accommodated there. However, if they are residing far from the reception centre (for example in another city or village) they should be provided with medical assistance at their place of residency.
- Access to psychological assistance should be provided to asylum-seekers residing in the reception centre and those staying outside. There should be a special room for a psychologist. Information gathered during therapeutic sessions should not be disclosed to third parties.
- A psychologist working in the reception centre should be in contact with medical personnel and, if necessary, in cooperation with a doctor, refer an asylum-seeker to a psychiatrist.
- A psychiatrist, according to international standards, should be the one identifying and certifying about trauma and ill-treatment suffered as well as mental condition of an asylum-seeker. This should be done in accordance with "The Istanbul Protocol. Manual of Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment". Doctors should also follow the manual when assessing and identifying physical torture or ill-treatment.
- Medical documentation should be given to patients and kept in the reception centre. Access to the medical documentation should be restricted only to doctors, nurses and psychologists working in the reception centre. Documents should be stored in a special,

closed cabinet. Any medical related information should not be disclosed to personnel working in the reception centre. The patient should be the only one to make a decision on passing his/her medical documents to third parties.

- Alternatively, the Armenian authorities may consider providing asylum-seekers with health insurance to guarantee access to basic medical care, and if necessary, to special treatment. Even so, at least one nurse should be available in the reception centre.

### **Providing Access to Education Services and Facilities**

- Children of any age should have full access to education. They should be enrolled in school and follow the formal education curriculum.
- Teachers should be trained to work with and teach foreign pupils. For example, IOM has experience in educating teachers and pupils on trafficking in human beings, thus the lessons learned from that project could assist in developing and implementing training activities related to asylum, multiculturalism and forced migration.
- A cultural assistant, who strengthens the learning process and if necessary interacts between foreign pupil(s) and teachers, could be employed in schools attended by asylum-seeking children.
- If necessary, intensive language classes should be provided to those children who do not speak Armenian well enough to follow the classes at school.
- There should be a children's room in the reception centre to assist children with their homework and to provide additional classes and out-of-school activities.

### **Providing Food**

- Asylum-seekers, despite their place of residence, should be provided with a financial allowance to buy food and products of their own choice. Financial allowances would guarantee that cultural or religious dietary requirements are not violated, and persons with special dietary needs may prepare suitable food.
- Asylum-seeking children, in particular infants, should be provided with proper food adjusted to their age and development. Parents should be provided with a financial allowance for food for their children.
- Asylum-seekers accommodated in the reception centre should have access to fully equipped kitchens with stoves and fridges. They should also be provided, upon arrival, with cutlery, dishes and pots.

### **Providing Various Types of Material Assistance**

- Upon arrival, every asylum-seeker should be provided with hygiene items, including children-friendly cosmetics and diapers.
- A financial allowance should be provided for clothing for each family member. Alternatively, in-kind assistance could be arranged.
- In cases of security and health, asylum-seekers should be allowed to reside outside the reception centre and to be provided with a financial allowance to maintain (these are rental subsidy, pocket money and a food allowance). Upon request, persons responsible for the reception of asylum-seekers in the SMS should issue a decision providing asylum-seekers concerned with financial assistance. Moreover, a financial allowance to stay outside the reception centre should always be provided to those asylum-seekers who cannot be accommodated in the reception centre because there are no free places.
- Following commonly accepted practice in the EU Member States as well as other countries, asylum-seekers residing in Armenia should be provided with pocket money for public transport or any other things they want to purchase.

### **Providing Proper Accommodation to Asylum-Seekers**

- There is a need to open a new reception centre. The capacity of the new centre should be at least 80 beds.
- The reception centre should have the capacity to increase the number of beds in case of an emergency. This could be done by purchasing bunk beds that will not be used on a daily basis, but allow to accommodate additional persons in case of an increased number of asylum-seekers. Moreover, in case of an emergency, extra places could also be arranged in the common rooms. However, this should be considered only as a temporary response in a very urgent situation. Consequently, if this approach is accepted, the centre could absorb more than 100 residents, and temporarily even more if common rooms are arranged as dormitories. Finally, by introducing the possibility of providing financial support to stay outside the reception centre, the whole system would be able to absorb a significant number of asylum-seekers.
- The current reception centre should be further maintained and serve as a backup facility.
- The reception facility should occupy a separate building. It could be a new building or building adopted for the purpose of the reception centre. It should be placed within a reasonable distance to schools and hospitals, and accessible by mass transport. Taking into account the special situation of asylum-seekers, the reception centre should be placed near to a city or in a city, preferably in Yerevan.

- The reception centre should meet the following criteria listed in point 8 of the General Comment 4: the right to adequate housing of the Committee on Economic Social and Cultural Rights (sixth session, 1991, UN Doc. E/1992/23). These are:
  - availability of services, materials, facilities and infrastructure which requires "sustainable access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities (...)"
  - habitability meaning protection from weather conditions (heat, rain, wind etc.), threats to health and well-being;
  - accessibility, in particular, to persons with disabilities and chronic illness;
  - location, which allows to access employment, health assistance, schools (including kindergartens), and is not close to polluted or inhabitable areas.
- The one-stop-shop approach should serve as the main principle for constructing and running a reception centre. The reception centre should be the place where multiple services are offered.
- The reception centre should be disabled-friendly. A couple of rooms should be adjusted to the needs of disabled residents. This includes accessible bathrooms, common rooms and canteens for people in a wheelchair.
- Family unity should be maintained as far as possible, thus reception centres should have different types of rooms: double rooms and bigger rooms to accommodate all members of a family in one room.
- Rooms can be either grouped into units or arranged in a hotel-like style. In the first case, two or three rooms, usually together with a bathroom and kitchen, form a unit, which is similar to a flat. It has a separate entrance from a corridor. The unit-like style has certain advantages: relatives could be easily accommodated in the unit, it is better suited to respond to cultural and religious needs, and it includes a kitchen and bathroom. A hotel-like style arrangement usually allows for a separate bathroom, but there is no space for a kitchenette.
- In the case of building a new reception centre, each room or unit should have a bathroom and, if possible, a kitchen. This will limit the costs of cleaning, as residents will be taking care of their own bathroom and kitchen, but will also improve security and guarantee privacy. It could also limit tensions between residents when they use common kitchens or bathrooms.
- Rooms should be furnished with a bed(s), wardrobe, storage space, desk or table, proper lighting and heating.
- The reception centre should have certain outdoor and indoor facilities. These are: separated rooms for women and men, computer rooms, children rooms, a gym or fitness

room, playground for small children and a pitch. Residents should also have a chance to wash their clothes in a laundry room. There should also be a facility to practice religion.

- The reception centre should have 24/7 video surveillance. The entrance should be guarded and only authorised persons should be allowed to enter. The facility should also be surrounded by a hoarding/fence with a gate.
- The reception centre should follow requirements, only those applicable to asylum context, listed in the Standard Operating Procedures of the State Migration Service of the Ministry of Territorial Administration of the Republic of Armenia for special accommodation centres for foreigners.<sup>77</sup>
- Centres for asylum-seekers and undocumented migrants should be always separated.
- UACs, in any circumstances, should not be accommodated in the reception centre. Children should be referred to a designated institution specialising and prepared to assist and accommodate persons younger than 18 years of age.

### **3.3 Staff Approach, Skills and Training**

#### **Developing and Providing an Initial Training Package for Recruited Staff**

- Newly recruited employees should be provided with a welcome package containing printed legislation, standard operating procedures, guidelines, practical information and other relevant materials. Moreover, an oral introduction and briefing should also be provided.
- New staff should be provided with the Ethics Code of persons working with asylum-seekers. The Ethics code of persons working with asylum-seekers should be developed and adopted by the SMS.

#### **Identifying and Conducting Periodic Assessment of Training Needs**

- The SMS should constantly identify training needs of staff working with asylum-seekers. An anonymous questionnaire (either on paper or posted online) should be prepared and given to employees to complete.
- The SMS should conduct periodic assessments of the training provided to staff working with asylum-seekers to further develop and update existing training curricula.
- Training curriculum should be adjusted to meet employee needs and should contain various elements: practical knowledge and communication skills as well as knowledge on asylum law and policy.

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<sup>77</sup> For detailed requirements see: IOM, *A needs assessment of special accommodation centres for foreigners in the Republic of Armenia*, Yerevan 2013, annex D, pp. 85-136.

### **Developing a Training Curriculum on Human Rights**

- Trainings on human rights international law, standards and mechanisms should be provided to all staff working with asylum-seekers. These trainings could concern *inter alia* the development of the human rights concept, major human rights instruments and mechanisms, and their implementation, major regional human rights instruments, in particular the European Convention on Human Rights and Fundamental Freedoms, freedom of movement, thought, conscience, religion, opinion, expression, association and assembly.
- A curriculum on discrimination and counter-discrimination definition and mechanisms should be developed. It should cover foremost international standards and obligations related to counteracting racial and gender discrimination and regional standards of the Council of Europe and jurisprudence of the European Court of Human Rights. Mechanisms and standards for the protection of lesbian, gay, bisexual, transgender and intersex (LGBTI) people should also be included.
- Training materials and tools, handbooks and manuals on international human rights law and standards should be drafted. If required, relevant materials available only in English should be translated into Armenian.
- Train-the-trainer sessions on human rights law and standards should be organised.
- Developed and implemented curricula and trainings should follow the human rights-based approach.

### **Developing a Training Curriculum on Refugee Law and Reception Standards**

- All staff working in the SMS, despite their function, should be provided with basic knowledge on refugee law and reception standards.
- In addition to trainings on refugee law and procedures, staff working with asylum-seekers should be trained on specific aspects related to reception needs of *inter alia* vulnerable applicants and victims of sexual, gender based violence (SGBV).
- Staff working with asylum-seekers should be further trained in SGBV related issues, in particular the meaning of SGBV and knowledge on the identification of relevant cases, but also prevention and response to SGBV.
- Separate training curricula should tackle the issue of vulnerability and asylum-seekers with special needs. Staff working with asylum seekers should be provided with knowledge on vulnerable applicants, standards of treatment during an interview (including interviewing techniques) and RSDP, but foremost during day-to-day contact in the reception centre.

- "The Istanbul Protocol. Manual of Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" should be promoted as useful tools to increase knowledge on the concept of torture and ill-treatment and standards used by medical personnel in the identification and investigation of torture and ill-treatment. Staff working with asylum-seekers should be aware of the symptoms of torture and ill-treatment and be able to react and respond to the potential needs.
- All persons working in the reception centre, including cleaning personnel and guards, should be provided with training on the treatment of asylum-seekers residing there. Human dignity, respect and tolerance should be at the core of the training curriculum. This training should be complemented by soft skills knowledge on communication and conflict resolution.
- Train-the-trainer sessions on refugee law and related mechanisms and standards, and reception standards should be organised.
- Developed and implemented curricula and training should follow a human rights-based approach.

### **Developing a Training Curriculum on Soft Skills**

- Staff working with asylum-seekers should be trained on how to deal with, behave towards and react to so-called "difficult client"; also in how to respond to aggression and other unusual situations.
- Providing trainings on communication in a multicultural and asylum context are necessary to establish constructive relations with asylum-seekers and to understand their needs and the potential challenges they face. The training on communication skills should also include practical information on building relations with communities and groups.
- Staff working with asylum-seekers has to be aware of the impact of their attitudes and behaviours on other people. This is why they should be provided with information about stress, difficult and stressful situations, and burnout, and how to self-diagnose stress symptoms. Employees should also have practical knowledge on coping with stress, and improving communication with asylum-seekers and other people in a difficult and stressful environment.
- Practical knowledge on the identification and communication with asylum-seekers with special needs should be provided to staff dealing with reception and procedural aspects. A non-visible vulnerability may appear at any stage of RSDP and at any time and place, thus it is crucial to raise awareness and understanding of asylum-seekers with special needs. The training should also provide information about factors affecting the decision-makers and staff working with asylum-seekers in general. These factors are: thinking



process, individual and contextual circumstances and state-of-mind. Staff should also be aware about vicarious trauma, fatigue and emotional detachment.

### **Securing the Welfare of Staff Working with Asylum-Seekers**

- The SMS should provide staff working with asylum-seekers free-of-charge consultations with a psychologist.
- Staff working with asylum-seekers should be allowed to job shadow within the SMS. It could help to learn, gain a better understanding of the organisation and to increase practical knowledge among employees.

### **Developing and Providing Trainings to Medical Personnel and Psychologists**

- Medical personnel and psychologists should be trained on basic issues related to asylum law and practice, communication and soft skills.
- The Istanbul Protocol should be promoted as a tool for assisting medical personnel and psychologist in the identification and documentation of torture. Awareness of the symptoms of torture and ill-treatment is crucial to identify the victims. Identifying a victim of torture may have a significant impact on the outcome of RSDP.