

DIRECTIVE EU 2024/1346 - RECEPTION DIRECTIVE

**“NOTHING JUSTIFIES THE FACT THAT PEOPLE SEEKING SAFETY IN EUROPE MUST
LIVE IN CONDITIONS OF MISERY WHILE REMAINING STUCK IN LEGAL LIMBO”,
STÉPHANIE POPE, EU policy migration adviser OXFAM EU**



Directive 2024/1346 establishing common standards for the reception of applicants for international protection in the EU, ensuring fair conditions, access to basic services, and safeguards for vulnerable individuals while promoting procedural efficiency and security.

PUBLIC CONCERNED:

- Member States
- Beneficiaries of international protection
- Asylum seekers
- Asylum authorities

MAIN ISSUE

It increases state control over asylum seekers by making access to full reception benefits conditional on compliance with specific residence, reporting, or behavioral requirements. Critics argue that these conditions could restrict asylum seekers' freedom of movement and make them more vulnerable to deprivation if they fail to meet the imposed rules. While the directive aims to standardize reception conditions across EU member states, opponents fear it may lead to greater surveillance, stricter enforcement, and potential marginalization rather than improving protection and integration.

Entry into force:
June 11th 2024

Full effect: June
12th 2026

LEGAL ENVIRONMENT

PRIMARY LAW:

Treaty on the Functioning of the European Union (TFEU – articles 78 and 80)
Charter of Fundamental Rights of the European Union (1, 4, 6, 7, 18, 21, 24 and 47)
European Convention on Human Rights (ECHR)

OTHER LEGAL INSTRUMENTS :

Complete with :

- Regulation 2024/1347 of the European Parliament and of the Council
- Regulation 2024/1348 of the European Parliament and of the Council
- Regulation 2024/1351 of the European Parliament and of the Council
- Regulation 2021/2303 of the European Parliament and of the Council



TERMINOLOGICAL APPROACH

Material reception conditions

Ensure that applicants have access to housing, food, clothing, health care, education for minors and access to employment (within a maximum period of 9 months) ; provides particular attention to vulnerable persons, especially unaccompanied minors and victims of torture (European Commission – migration and home affairs)

Risk of absconding

Existence of reasons in an individual case which are based on objective criteria defined by law to believe that a [third-country national](#) who is subject to return procedures may abscond (European Commission – migration and home affairs)

Detention

Confinement (i.e. deprivation of liberty) of an [applicant for international protection](#) by an EU Member State within a particular place, where the applicant is deprived of their personal liberty (European Commission – migration and home affairs).

Asylum shopping

In the context of the Dublin Regulation, the phenomenon where a [third-country national](#) applies for [international protection](#) in more than one EU Member State with or without having already received international protection in one of those EU Member States (European Commission – migration and home affairs)

Secondary movements

The movement of [migrants](#), including [refugees](#) and [asylum seekers](#), who for different reasons move from the country in which they first arrived to seek [protection](#) or permanent [resettlement](#) elsewhere.
(European Commission – migration and home affairs)



The utopian nature of genuine harmonization in European asylum reception

Directive 2024/1346 replaces Directive 2013/33 aiming for more uniform reception standards and stronger safeguards.

Article 4
Allows more favorable provisions, leading to discrepancies and “asylum shopping.”

Despite reform efforts, responsibility remains tied to the country of first entry, similar to 'Dublin III.'



The utopian nature of genuine harmonization in European asylum reception

Article 31

The EU Agency for Asylum aims to enhance consistency but depends on effective implementation.

Article 32

Member States must develop contingency plans, but success depends on resources and commitment.

ARTICLE 7

Tensions remain between national sovereignty and a cohesive EU asylum system.





Optimizing the Organization and Management of Reception Under the directive

Article 5

Standardized information and documentation on reception conditions in 3 days.
(Access to Healthcare, Education, Employment Opportunities, and the Consequences of Non-Compliance)

Articles 10, 11, 12, 13 and 26

Protection from harm for minors.

Article 19

Sufficient reception capacity and adequate standard of living (Food, Housing, Basic Needs)

Optimizing the Organization and Management of Reception Under the directive

Article 17

Removing barriers for self sufficiency. (Access to the labor Market within 6 months of the application)

Articles 23 to 27

Emphasis on vulnerable groups. (Minors, People with disabilities, Women)

Integration and social inclusion measures.

- **Article 30:** Employment
- **Article 31:** Vocational Training
- **Article 32:** Education for Minors.

HUMAN RIGHTS ISSUES LINKED TO THE INSTRUMENT

Article 8

The first country of entry rule limits asylum seekers' ability to choose their destination, neglecting family ties and language skills.



Article 9

Focus on preventing absconding leads to excessive monitoring and movement restrictions.

Articles 10 & 11

Systematic border detention prioritizes control over the protection of individual freedoms.

HUMAN RIGHTS ISSUES LINKED TO THE INSTRUMENT

Articles 24 & 25

Insufficient attention to the needs of vulnerable applicants risks further marginalizing those most in need of protection.

Article 23

Sanctions for non-compliance reduce material support and restrict mobility, emphasizing control over care.

Considering 4

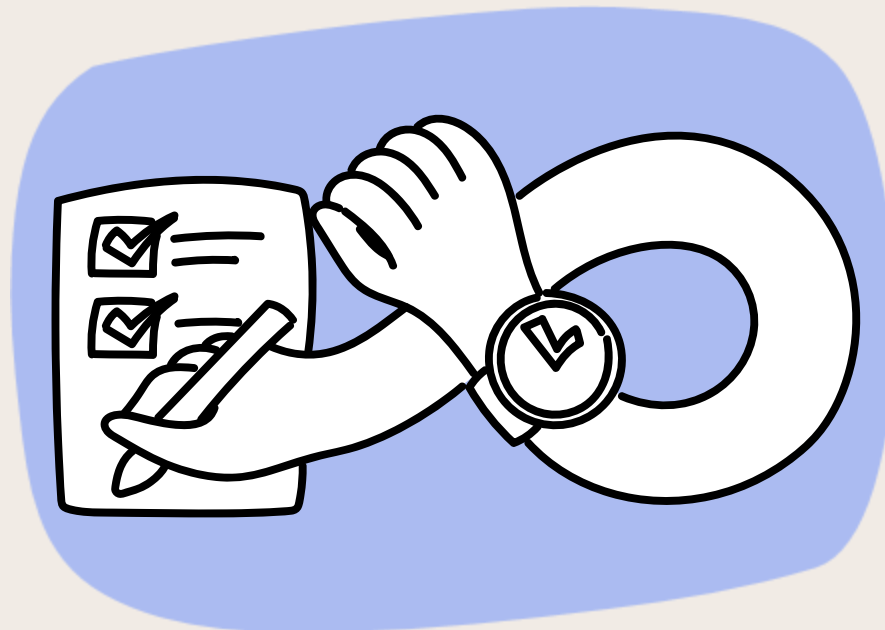
Shifting migration responsibilities outside the EU limits access to asylum and weakens humanitarian obligations.



NEXT STEPS



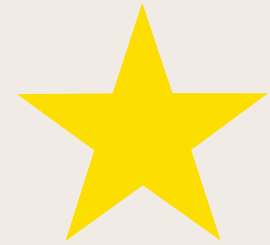
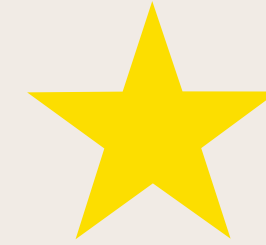
At the national level, EU Member States **must adapt their legislation with the provisions of Directive 2024/1346** to ensure its **coherent and effective implementation**.



The directive **entered into force on June 11th, 2024**, marking its official adoption, though its provisions are not yet applicable.

It will take **full effect on June 12th, 2026**, when all its requirements become legally binding

TO GO FURTHER



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TO GO FURTHER

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