



Order on Paper, Harm in Practise

A Field Report on

The Implementation of the EU

Migration and Asylum Pact in Ter Apel



[MiGreat](#) is a Dutch grassroots movement advocating for freedom of movement and equal rights for all people, regardless of nationality or migration status. It campaigns against restrictive border regimes, detention, deportation, and exclusionary migration policies, while supporting refugees and migrants on their journeys to and within Europe. Guided by the belief that migration should be a right rather than a privilege, MiGreat works towards a world without borders in which everyone enjoys equal access to rights, including housing, healthcare, education, and political participation. MiGreat has been present in Ter Apel since May 21st, 2026.

This report would not have been possible without the people seeking safety who shared their experiences with us. We are deeply grateful for their trust, openness, and willingness to speak about events that are often painful and deeply personal. Their testimonies are at the heart of this report.

We also thank everyone who contributed to this publication, including volunteers, researchers, legal experts, interpreters, and all those who documented observations, conducted interviews, reviewed findings, and supported this work behind the scenes. This report reflects a collective effort grounded in solidarity with people on the move.

Rather than recognising individual contributors, we acknowledge that this report is the result of many people working together. It belongs to everyone who helped make it possible.



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Disclaimers: The views expressed in this report reflect those of the authors and editors, of whom many are part of MiGreat. To protect the privacy and safety of those involved, some identifying details have been omitted or anonymised. This report may contain descriptions of experiences that some readers may find distressing.

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"They are killing us slowly."

Executive Summary

On 12 June 2026, the [EU Pact on Migration and Asylum](#) entered into force. Throughout the negotiations leading up to its adoption, MiGreat, alongside many scholars, civil society organisations and people on the move, warned that the Pact would not create a more humane asylum system. Instead, we argued that it would deepen existing forms of border violence by prioritising deterrence, accelerated procedures and deportation over protection and dignity.

This report documents what the first week of implementation looked like in practice in Ter Apel. The observations presented in this report shows that the Pact is not being implemented within a well-functioning asylum system. Instead, it is entering a reception system already characterised by overcrowding, prolonged waiting, insufficient reception capacity and inadequate access to information.

The introduction of the new digital screening procedure fundamentally changes the significance of the first contact with the asylum system. People are now expected to answer highly consequential questions immediately after arrival, sometimes without adequate translation and legal assistance. At the same time, the implementation of the Pact appears to be redistributing rather than reducing waiting. The reallocation of IND capacity towards the new system leaves tens of thousands of people already in the Dutch asylum procedure [facing even longer uncertainty](#). One respondent described this institutional neglect as a feeling of being "killed slowly" by the asylum system.

The report also raises concerns about whether vulnerabilities are being identified early enough: political persecution, psychological distress, domestic violence and other protection needs are not immediately recognised or accommodated. Finally, the first week demonstrates that the Pact has not addressed the structural reception crisis in Ter Apel. Throughout the observation period, people continued to sleep outside while others described unsafe accommodation, inadequate hygiene, limited access to healthcare and persistent uncertainty about the procedures they were expected to follow. A recurring finding throughout this report is that harm rarely results from a single dramatic event. Rather, it emerges through the cumulative effects of measures that the EU Pact is failing to address.

For MiGreat, these observations reinforce a longstanding concern: border violence is not produced only through detention or deportation, but also through the ordinary administration of asylum. This report should therefore be understood as an early warning. Its purpose is not to deliver a final judgement on the Pact after one week, but to identify where implementation already risks causing harm, where safeguards are failing to materialise in practice, and where sustained independent monitoring will be essential to protect the rights and dignity of people on the move.

Introduction

On 12 June 2026, the EU Pact on Migration and Asylum entered into force. Presented as a new era of a faster and more efficient European asylum system, the Pact was introduced into an asylum system that was [already failing](#) the people it was meant to protect.

In the Netherlands, that failure was [already visible](#) in Ter Apel. Since May 20th, newly arrived people seeking asylum had been refused entry to the registration centre and forced to wait for days on an uncovered field outside. Every night, people were transported to overcrowded emergency shelters or slept outside, while many [described themselves](#) as exhausted after days without adequate rest, privacy or certainty. These conditions were not the result of an "asylum crisis", but of years of political choices: chronic underinvestment in reception, failures to create sufficient accommodation, and a migration policy that has consistently prioritised deterrence over dignity.

Before the Pact entered into force, MiGreat warned that it would not resolve these structural failures and violence but risk deepening them on a European level through accelerated procedures, increased detention, and further restrictions on the rights of people seeking asylum. Yet, this report offers a snapshot of implementation at a critical moment, based on collected testimonies and observations from researchers on the ground.

This report documents what happened during the first week of Pact implementation in Ter Apel. Between the 12th and 20th of June 2026, MiGreat researchers observed reception conditions, spoke with people on the move, attempted to monitor changes in procedures and documented how the first days of the Pact unfolded in practice. While many provisions of the new legislation will only become visible over the upcoming months, the first week already revealed important patterns. New procedures were introduced into an already non-functioning system, and resources were redirected towards implementing the Pact, while thousands of people who had applied before June 12th were pushed further into uncertainty. Information about the new procedures remained limited, both for people directly affected and for organisations working alongside them. At the same time, the everyday reality of overcrowding, inadequate reception and institutional neglect persisted.

The chapters that follow first outline the relevant provisions of the EU Pact and the Dutch implementation context, following with MiGreat's observations from the first week in Ter Apel. These are assessed against the legal safeguards introduced by the Pact. The report concludes with recommendations for Dutch authorities, European institutions, municipalities and civil society.

The first week alone cannot determine the full impact of the Pact or how its implementation will evolve over time. It can, however, identify where the first safeguards fail to materialise in practice, where implementation already risks causing harm, and where sustained independent monitoring is urgently needed to protect people on the move.

Methodology

This report is based on field documentation conducted by MiGreat during the first week of implementation of the Pact in Ter Apel, between the 11th and 20th of June 2026. The research is grounded in continuous on-site presence by MiGreat volunteers and researchers throughout this period, including daytime and evening observations on the field in front of the registration centre. This sustained presence allowed for real-time observation of rapidly changing reception conditions during the initial phase of the new EU Pact implementation.

Testimonies were collected through informal, semi-structured conversations with people on the move. Rather than relying on fixed questionnaires, this approach allowed individuals to speak freely and prioritise the issues most relevant to their immediate circumstances. As a result, testimonies cover a broad range of themes, including reception and shelter conditions upon arrival, access to registration and screening procedures, interactions with institutional actors, access to information and legal assistance, and the psychological impact of prolonged uncertainty and waiting.

Given the sensitivity of the context and the vulnerability of respondents, full testimonies are not published in this report. All direct quotes have been carefully selected and anonymised to prevent identification, or excluded entirely where necessary. When your testimony can influence your safety, asylum decision and freedom of movement, the decision to share it is a deliberate one. Informed consent encompasses more than permission, it means that the protection of these respondents, including their safety, trust, dignity, and legal positions, has been prioritised throughout the documentation process.

MiGreat engaged with and collected testimonies from an estimated **55 individuals** in and around Ter Apel during the research period, as well as countless more throughout MiGreat's longer presence in Ter Apel. The sample reflects opportunistic engagement with people present in reception and waiting areas during the observation period, rather than a structured sampling frame. It includes individuals of varying nationalities, ages, and procedural statuses, including both new arrivals under the post-Pact framework and individuals still navigating procedures initiated prior to the 12th of June 2026.

The analysis of the collected material followed an inductive thematic approach, in which recurring patterns were identified across testimonies and field observations rather than pre-defined categories. Key themes emerged around reception capacity and overcrowding, access to shelter, the practical implementation of screening and registration procedures under the EU Pact, the availability and quality of information provided to applicants, treatment by institutional actors, and the broader psychological effects of uncertainty and procedural delay.

To complement field observations, MiGreat also sought clarification from the IND telephone helpline regarding the practical operation of the new OVA procedure. These conversations were not treated as

independent verification of implementation, but as evidence of how the procedure is intended to function according to the institution responsible for administering it. Where relevant, these explanations are contrasted with observations collected in Ter Apel during the same period. The consistency of the collected accounts across multiple days and settings indicates the emergence of recognisable patterns in the early implementation of the EU Pact in practice.

3

EU Pact and the Dutch Implementation Context

3.1 What changed on June 12th 2026

On June 12th the new [EU Migration and Asylum Pact](#), consisting of one Directive and nine Regulations, went into effect in Ter Apel. The Pact introduces an expanded legal framework governing reception, registration, asylum and border procedures, screening, returns, responsibility allocation, and more. Many of its longer-term consequences will only become visible over the upcoming months and perhaps years, but several of the provisions became immediately relevant to people on the move in reception and registration centres such as Ter Apel. Ter Apel, as the Netherlands' only registration centre for people seeking asylum after entering by land, is where the first practical effects of the Pact are expected to become visible. Therefore, the first days of implementation provide an opportunity to examine whether the procedural safeguards introduced by the Pact are accessible in practice and whether the promised improvements are reflected in the lived experiences of people on the move.

3.1.1 [Directive 2024/1346](#): Reception Standards for Applicants for International Protection

The 2024/1346 Directive officially aims at harmonising reception conditions for asylum applicants in all Member States as they are currently seen as a cause for secondary movements (Directive 1346, Recital 11). The Directive is applicable "during all stages and types of procedures for international protection, in all locations and facilities housing applicants and for as long as they are allowed to remain on the territory of the Member States as applicants", which therefore includes Ter Apel (Directive 1346, Recital 7). While the Directive includes some clearer rights and minimum standards, it also limits freedom of movement and makes reception conditions conditional. For instance, free legal aid is explicitly stated to be provided "as necessary to ensure effective access to justice" for judicial reviews and appeals; however, this provision expires when an applicant has "sufficient resources", or the appeal has "no

tangible prospect of success" (Article 29(2-3)). Notably, while an applicant has the possibility to contest a rejection of free legal aid in court (Article 29(3)), the way a 'tangible prospect of success' is determined is not outlined in the Directive.

At the same time, the Directive [provides more opportunities to exclude](#) applicants from complete reception benefits, like adequate living conditions, access to healthcare, financial aid, and support services for asylum applicants, by making them (partially) conditional on rule adherence, and to limit freedom of movement. The conditionality is based on whether an applicant "absconds" or has "absconded", whether by moving from one EU Member State to another or by leaving their designated accommodation or assigned geographical area during the asylum procedure without authorisation . Additional grounds are when they "do not cooperate with the competent authorities," have "concealed financial resources," "seriously or repeatedly breached the rules of the accommodation centre," or "fail to participate in compulsory integration measures" (Article 23(1-2)). Under this framework, leaving an assigned place of residence can itself be treated as non-compliance and may be used as evidence of a risk of absconding, triggering further restrictions on freedom of movement or reception conditions. The definition of "absconding" or how a "risk of absconding" can be determined is left broad and interpretable. Although the Directive states that detention should be a last resort (Recital 33), the included grounds for detention include identity verification and a very broadly defined "risk of absconding", [expanding the conditions](#) under which detention or de facto detention may occur.

These measures are particularly relevant to Ter Apel, where applicants are assigned an accommodation, undergo registration, and attend the first stages of the asylum procedure. Under the new framework, leaving an assigned reception location or geographical area without permission can be interpreted as non-compliance or evidence of a risk of absconding, with consequences for reception conditions and freedom of movement. Likewise, non-cooperation with the authorities may already be established if an applicant fails to attend a scheduled registration, interview, or other mandatory appointment, regardless of the reasons for their absence. This is especially significant in Ter Apel, where people are frequently transferred between emergency shelters and reception locations, receive information under stressful circumstances, and often arrive exhausted after long journeys. In such conditions, misunderstandings, missed appointments, or unauthorised absences may not reflect an intention to abscond, yet they can still trigger restrictive consequences under the new Pact.

The Reception Conditions Directive establishes both the minimum standards that applicants should enjoy during the asylum procedure and the circumstances under which those standards may be restricted. Its implementation should therefore be assessed not only by examining whether reception conditions are adequate, but also by observing how and when they become conditional in practice. During fieldwork, particular attention was paid to whether newly arrived applicants have access to dignified accommodation, healthcare, material support and information from the moment they enter the system; whether vulnerable individuals receive appropriate assistance; whether applicants understand the rules governing their reception; and whether missed appointments, unauthorised absences, or other forms of perceived non-cooperation result in restrictions on reception conditions or freedom of movement. As the Directive leaves key concepts such as "risk of absconding" and "tangible

prospect of success" largely undefined, organisations should also monitor how these concepts are interpreted in practice and whether they affect access to legal aid, reception, or detention.

3.1.2. [Regulation 2024/1348](#): Asylum Procedure Regulation (APR) and [Regulation 2024/1349](#): The Return Border Procedure

Regulation 2024/1348 (the Asylum Procedure Regulation, APR) and Regulation (EU) 2024/1349 (the Return Border Procedure Regulation) introduce significant changes to the organisation of asylum and return procedures at the European Union's external borders. Although Ter Apel is not an external EU border crossing, these Regulations are highly relevant to the Dutch asylum system. Under the Pact, border procedures are intended for individuals apprehended at external Schengen borders, immediately following an irregular border crossing, or after disembarkation following search-and-rescue operations. In practice, however, Ter Apel is likely to start functioning as a key procedural gateway, where initial registration and screening decisions could increasingly determine whether applicants are channelled into accelerated procedures, border procedures elsewhere in the system, or the regular asylum procedure.

A central development introduced by the APR is the strengthening of early-stage categorisation mechanisms that rely on information collected at the initial registration and screening phase. This makes the first interaction with authorities increasingly decisive for the subsequent procedural trajectory of applicants in the Dutch system.

A clear example is the inclusion of applicants from countries with low recognition rates – defined as below 20% – within the scope of mandatory border procedures (Article 41 of Regulation 1348). The recognition rate refers to the proportion of positive asylum decisions relative to total decisions for applicants from a given country of origin. In 2023, the recognition rates for applicants from countries including Bangladesh, Colombia, Egypt, India, Kosovo, Morocco and Tunisia were below this threshold, meaning applicants from these countries would automatically fall under mandatory accelerated and border procedures immediately after the earliest registration stage, increasing the likelihood of a lacking thorough individual assessment of applicant's situations. These procedures have been widely criticised for reduced procedural safeguards and an increased risk of detention (MIGREUROP, 2025). In the Dutch context, this means that screening decisions at Ter Apel are likely to play a decisive role in determining whether applicants are routed into accelerated processing or transferred to a border procedure elsewhere in the system.

The APR further expands the use of "safe third country" concepts, allowing applications to be declared inadmissible where applicants can be returned to a "safe third country", which are believed to be offering effective protection, regardless of whether it ratified the Refugee Convention, and as long as its standards are met (Article 59 of Regulation 2024/1348). The Regulation also adopts a broad interpretation of "connection" to such countries, including transit or prior residence (Recital (48)), thereby further extending asylum admissibility restrictions. In addition, the EU has adopted a list of "safe countries," including Bangladesh, Colombia, Egypt, India, Kosovo, Morocco, and Tunisia.

Applicants arriving in Ter Apel from these countries may therefore face inadmissibility decisions at an early stage, increasing the likelihood that their claims are not subject to a full substantive assessment.

Regulation 2024/1348 also introduces stricter procedural timelines that significantly affect the early stages of asylum processing. Applications must now be registered within five days after expressing the intention to seek international protection, and formally lodged within a further 21 days (Articles 27(1) and 28(1)). While these deadlines are intended to improve efficiency in the initial processing phase at facilities such as Ter Apel, they may have significant consequences for individuals who applied for asylum before 12 June, as will be further discussed in Chapter 4.4.

Furthermore, the Regulation strengthens the requirements for early procedural information, obliging authorities to inform applicants at an early stage about the procedure, their rights, and their obligations (Preamble (16)). This reinforces the role of the reception and registration stage as a substantive procedural entry point rather than a purely administrative step. In practice, the extent to which this requirement is met will be an important point of observation in Ter Apel.

The APR further expands the circumstances under which accelerated asylum procedures may be applied. In addition to applicants originating from ‘safe countries of origin’, accelerated procedures may also be applied where applicants provide misleading or inconsistent information during the asylum process, including at the screening stage (Article 42(1)). Given that Ter Apel is the first point of contact within the Dutch asylum system, information collected during registration and screening may therefore directly influence whether an applicant is placed into an accelerated procedure. This increases the procedural significance of early interactions and raises questions regarding the consequences of information provision at this stage, which will be further explored in Chapter 4.3.

The Regulations also introduce stricter consequences for secondary movements. Individuals who leave the Member State responsible for examining their claim, and subsequently reappear elsewhere may forfeit their right to have their asylum application considered (Article 41a APR). This can be seen as a possible limitation to Article 18 of the Charter of Fundamental Rights.

Taken together, the APR and the Return Border Procedure Regulation establish a procedural architecture in which early categorisation, nationality-based distinctions, and initial registration data play an increasingly decisive role in shaping asylum outcomes. The combined effect of these measures is to shift substantive procedural decision-making earlier in the process, particularly at reception and screening stages such as those at Ter Apel.

In light of these developments, field observation will focus on whether applicants are informed in a timely and understandable manner about the procedures they are entering, and whether initial registration data is recorded accurately and used transparently in subsequent decision-making. Particular attention will be paid to whether nationality and/or recognition rate categorisations influence access to standard or accelerated procedures in a lawful way, and whether applicants are aware that information provided at registration or screening may affect credibility assessments later in the process. In addition, where possible, the operationalisation of “safe country” and “safe third country” concepts will be monitored, including whether they result in limited or reduced substantive

examination of claims and how broadly the notion of “connection” is interpreted in practice. Finally, given the introduction of stricter procedural timelines and sanctions linked to secondary movement, attention will be given to whether applicants understand the consequences of procedural deadlines and movement restrictions, and whether these reforms contribute to procedural acceleration without sufficient safeguards in practice.

3.1.3. [Regulation 2024/1352](#): Amendments to Allow Screening; [Regulation 2024/1356](#): Screening of Third Country Nationals, and [Regulation 2024/1358](#): Eurodac & Biometrics

Regulation 2024/1356 on screening, Regulation 2024/1358 on Eurodac, and Regulation 2024/1352 on the wider border management framework, are three closely linked instruments that together establish a new system for the early identification, registration, and categorisation of people on the move arriving at the EU’s external borders. Although these measures are formally designed for external border contexts, their implementation has implications for the earlier stages of the asylum chain, including reception and registration centres such as Ter Apel.

A central change is the introduction of mandatory pre-entry screening prior to access to the asylum procedure. Individuals arriving ‘irregularly’, including those apprehended within the national territory of any Member State or those disembarking following search-and-rescue operations, are first channelled through this screening phase. This stage can involve temporary de facto detention for the purpose of completing identity and status checks, meaning that movement may already be restricted before formal access to asylum procedures is granted. During the screening phase in Ter Apel, the legal fiction of “non-entry” could also apply. This ‘fiction’ means that when individuals are physically present within the territory, they are considered not yet formally admitted to the state for legal exclusion purposes. This mechanism legitimises short-term detention during the screening period where necessary for identity verification and procedural processing (Regulation 2024/1356).

The screening procedure is strictly time-limited: up to seven days at the border, or three days when carried out within the territory, such as in Ter Apel (Article 8(3–4)). During this period, authorities carry out identity verification through multiple EU databases (including SIS, EES, VIS, and CIR), conduct non-systematic health and vulnerability checks, and collect biometric data. In addition, individuals are required to complete a screening form on a tablet. This form records personal details, travel route information, and initial categorisation data. It comes in the 11 most commonly spoken languages¹ and functions as a key administrative tool through which authorities determine the individual’s onward procedural pathway. Should the applicant not speak one of the 11 languages, a translator should be contacted and depending on their availability a call or appointment should be scheduled as soon as possible. Access to these services, and the quality of these services, are vital. The information provided feeds directly into the decision on whether a person is referred to the asylum procedure, relocation mechanisms, or return procedures (Article 8(5)).

¹ Russian, Turkish, Spanish, Farsi, English, French, German, Dutch, Standard Arabic, Kurdish, Somali, Tigrinya

In practice, implementation of this framework implies that the earliest categorisation of individuals takes place before the asylum procedure formally begins. In reception contexts such as Ter Apel, this may translate into an increased role for initial registration and screening documentation in shaping people's asylum applications.

Data collected during the screening is immediately entered into the revised Eurodac system under Regulation 2024/1358. The reform significantly expands the scope of Eurodac beyond asylum applicants to include irregular border crossers and persons disembarked following rescue operations, as well as any children over the age of six (Articles 15, 18, 22–24).

A key change concerns the obligation to provide biometric data. Under the new framework, refusal to provide fingerprints or facial images may be treated as non-compliance with procedural obligations and a breach of their obligation to cooperate, possibly being interpreted as an implicit withdrawal of an asylum claim, which could lead to automatic rejection (Article 28). Member States are required to inform individuals of these obligations and consequences, although the practical ways this information is communicated may vary at reception level. Refusal may also trigger additional consequences under related provisions governing non-compliance, including potential restrictions on material reception conditions.

Taken together, these instruments establish an integrated pre-entry system in which screening, biometric registration, and the completion of the screening form establish the first step in determining procedural pathways. In operational terms, this places increased emphasis on early-stage registration, structured information gathering, and data collection processes as decisive moments in the organisation of access to the asylum system, including in reception and registration centres such as Ter Apel.

The Screening Regulation establishes the earliest formal stage of categorisation within the asylum system, during which identity verification, biometric data collection, and initial vulnerability and health assessments are carried out. Although presented as an administrative step preceding the asylum procedure, screening effectively determines the procedural pathway an individual will enter. For field monitoring, this makes the screening phase a key site for assessing whether procedural safeguards are meaningful in practice or primarily serve an administrative filtering function. During implementation, particular attention should be paid to whether individuals understand the purpose and consequences of screening and biometric registration, including how their data is stored and used; whether interpretation and translation are available in a form that allows informed participation; whether applicants are allowed access to their phones when filling out the screening form on the tablet; and whether applicants are able to accurately complete required forms without errors that may later affect their case. Organisations should also observe whether vulnerability and health checks are carried out in a substantive manner or reduced to formalities, and whether individuals in visibly vulnerable conditions are identified and supported in practice. Given the strict time limits attached to screening procedures and the possibility of short-term detention during this phase, it is also important to monitor whether procedural speed affects the quality of registration and whether restrictions on

movement or access to reception conditions arise before applicants have had meaningful access to information or assistance.

3.2 Ter Apel as a Monitoring Site

Ter Apel occupies a unique position within the Dutch asylum system. As the sole registration centre for people seeking asylum arriving by land, it is where many of the Pact's new procedural requirements first become operational. Registration, screening, vulnerability assessments, biometric collection, information provision, and the allocation of applicants to different procedural pathways all begin here. Although not all elements of the Pact are immediately visible during the first week of implementation, the reception and registration phase provides an important opportunity to assess whether the safeguards introduced by the new legal framework are accessible in practice.

The execution of these procedures rely on several state stakeholders as well as non-governmental actors. The Immigration and naturalisation Service (IND) bears primary responsibility for processing asylum claims, conducting interviews and determining the correct procedure for applicants. Security, initial identification, and the collection of biometric data are managed by the Royal Netherlands Marechaussee (KMar). Once registered, the Central Agency for the Reception of Asylum Seekers (COA) is mandated to provide material reception, housing and medical access. Operating alongside these authorities is VluchtelingenWerk Nederland (VWN), an independent organization tasked with providing legal information, advice, and monitoring the safeguard of applicants' rights throughout the process.

At the same time, Ter Apel already faced significant structural challenges before the Pact entered in force, including overcrowding, limited reception capacity, prolonged waiting times, and administrative backlogs. For this reason, the observations presented in Chapter 4 should be understood both as a documentation of the first week of implementation in Ter Apel and as an illustration of what complications and problems can already be observed at an early stage of implementation of the Pact. Thus, it shall also be a way to observe the kinds of implementation gaps that civil society organisations may wish to monitor as the Pact becomes operational across the European Union. While local contexts will differ, the safeguards discussed above provide a common framework against which implementation can be assessed.

Week 1 in Ter Apel: MiGreat's Observations

4.1 Reception Conditions on Arrival

A young man from Uganda arrived in Ter Apel after the last bus to the emergency night shelter had already left. Having travelled for weeks, he expected to get shelter for the evening and start his asylum procedure the following day. Instead, he spent the night in a tent outside the registration centre. The following morning, authorities only took his fingerprints, and he was told to wait outside and return the next day for the rest of the screening. He slept in the emergency shelter that night. His experience was not exceptional. Throughout the first week of the Pact, MiGreat repeatedly observed both people arriving after the last emergency shelter bus had left, as well as people who had already initiated contact with the authorities but remained caught between procedural steps and system malfunctions, spending days in temporary shelters or on the field while waiting for registration to resume. While the Central Agency of the Reception of Asylum Seekers (COA) offers reception facilities including housing, they have been structurally over capacity since the end of May, an issue that [has been observed for years now](#). This means that emergency shelters must be organised virtually every day, and while this is often successful, transportation to these locations routinely departs before the arrival of the last bus from the nearest train station carrying newly arriving people. Consequently, several people each night go without a place to sleep and have no other choice than to sleep in the open field directly in front of the COA building, relying entirely on MiGreat volunteers for tents and sleeping bags.

Following the entry into force of the Pact, a sharp increase in the number of people staying on the field outside the COA facility was observed, reaching an estimated 110 to 120 individuals during the day and, at times, more than 10 people overnight. Both MiGreat volunteers and people who applied for asylum under the old system and who had been staying in Ter Apel for several weeks described this as a significant and visible change. Volunteers and respondents report that it regularly takes two to three days for people to be assigned a bed inside.

Facilitation of information about the situation has been structurally lacking. Throughout the observation week several newly arrived people told MiGreat volunteers that they feared the buses to emergency shelters would take them to detention facilities, and reported inconsistent information about when they would get assigned a bed inside, which further increased their confusion. In this context, decisions to sleep outdoors should not be interpreted as just a matter of personal preference, but as a consequence of inadequate communication and a lack of clear information about the reception process.

Volunteers also consistently observed that the process of admission to the housing facilities often lacked transparency. On multiple occasions, when COA staff would come to the field with a stack of

papers to call the names of the people who would be let in and given a room that day, people waiting outside were unaware this was happening. No announcement would be made, meaning that people needed to inform each other rapidly as soon as COA personnel would come out. As a result, people crowded around staff members in fear of missing their opportunity to enter, which was also a daily occurrence. Researchers observed that on two separate occasions, once the list of names was called out and not everyone called upon was present, those closest to staff were admitted first, creating an atmosphere of confusion and frustration.

According to the Screening Regulation 2024/1356, when people arrive sick or in harsh physical conditions, necessary medical care must be provided immediately. Observations show this is not always the case. One respondent approached MiGreat volunteers asking for band aids when one of them noticed that the wounds he had were infected. The respondent said that he had already gone up to the entrance and asked to see a doctor but personnel there refused. It was only after a MiGreat volunteer accompanied the respondent that he was let in and brought to receive medical care. In addition to that, the Regulation fails to attach any parallel obligation to medical care for adequate housing. Under the new procedures, the state is still under no obligation to allocate a regular room to an applicant before their screening is completed.

One respondent arrived in Ter Apel visibly unwell. He had a severely swollen eye, persistent chest pain, and an intense toothache that made sleeping impossible. Upon arrival, he underwent the mandatory medical assessment required under the new Screening Regulation and was seen by healthcare staff. However, after the examination, he was informed that no bed was available inside the reception centre. Because his physical condition made travelling to an emergency shelter impossible, he remained outside on the field, where MiGreat volunteers provided him with a tent. Over the following days, his condition did not improve. He described spending several nights unable to sleep because of the pain, while waiting for his registration procedure to continue. Although the authorities had fulfilled their procedural obligation to assess his health, they failed to provide the conditions necessary for recovery. A medical examination without access to safe and dignified shelter offered little practical protection to someone in acute physical distress.

His experience illustrates a broader contradiction observed during the first week of implementation. While the Pact requires Member States to identify immediate medical needs during screening, it does not guarantee that applicants whose health problems are identified will immediately receive accommodation suitable to those needs. In practice, procedural compliance existed alongside conditions that prolonged suffering. The system recognised his vulnerability, yet left four observed cases to recover in a tent on an exposed field.

Additionally, during the observation period, incomplete registration repeatedly resulted in people remaining stuck out on the field without access to reception conditions despite having already initiated contact with the authorities. Several newly arrived individuals described being photographed, assigned registration documents or wristbands indicating the step in the registration process applicants are at, and then instructed to return the following day without receiving clear information about the next procedural steps or on where they would be sleeping that night. Others were unable to

complete registration because biometric systems malfunctioned or because the digital screening form was unavailable in a language they could understand. The practical consequence was that people spent additional nights in emergency shelters or on the field while waiting for procedures that had already begun but could not be completed.

Perhaps the most concerning observation is the apparent indifference displayed by certain COA and security personnel towards the conditions and vulnerabilities of people arriving at Ter Apel. Multiple volunteers documented confrontational interactions between security personnel and newly arrived people on the move seeking asylum. Rather than de-escalating moments of frustration, staff frequently responded with shouting or dismissive

remarks. Individuals instructed to spend the night outside in rainy conditions were reportedly told they should "be grateful" for receiving a disposable blanket. Another particularly striking example occurred on the evening of June 19th, when a nationwide Code Red storm severely damaged tents and created hazardous conditions for those sleeping outside. At the time, at least five people, including two minors, remained on the field in front of the reception centre. Initially, COA staff declined to intervene, citing internal protocols that prevented them from admitting these individuals indoors despite the immediate safety risks. Only after persistent intervention by MiGreat volunteers, people were allowed to enter the indoor waiting hall. This incident raises serious concerns about the extent to which procedural rules are allowed to override the obligation to prevent foreseeable harm and ensure the safety of people seeking protection. More broadly, it illustrates that emergency assistance is frequently provided by civil society volunteers rather than by the authorities responsible for guaranteeing safe and dignified reception conditions. This is particularly concerning in light of the obligations reaffirmed under the Reception Conditions Directive (EU) 2024/1346, which requires Member States to ensure adequate reception conditions for applicants for international protection.

Individuals instructed to spend the night outside in rainy conditions were reportedly told they should "be grateful" for receiving a disposable blanket.

4.2 Reception Conditions After Admission

For those assigned a bed inside the COA facility, reception conditions remained problematic in several aspects. Respondents consistently described both the section designated for applicants under the new Pact and the section for those under the previous procedure as overcrowded, tense, and psychologically exhausting. Various respondents described an environment in which prolonged uncertainty, overcrowding, and a lack of privacy intensified existing trauma and emotional distress. One respondent stated that the atmosphere was "not very different from a prison". Many residents therefore chose to spend most of the day outside the facility, and a few even preferred sleeping in the field despite having been assigned a bed because they experience the

One respondent stated that the atmosphere was "not very different from a prison".

conditions inside as unsafe or unbearable. At the same time, others who arrive after the last bus to the emergency shelter and thus have no access to accommodation are left without any alternative but to sleep outside. This creates a deeply unfair situation in which people are either denied a place to sleep or voluntarily give up their assigned space because the reception environment has become too distressing.

Conditions in closed sections of the COA accommodation facility also raised concerns about basic hygiene. One respondent described how, after an altercation in the reception centre, he received a temporary disciplinary measure and was excluded from the regular accommodation. According to his account, the incident began after he was threatened by a large group of residents. When he repeatedly called for security staff to intervene, no one responded. Fearing he would be attacked, he took out a multitool to protect himself. Although no one was injured, he was subsequently sanctioned and assigned to a separate room.

When he entered the room, he found human faeces on the beds, urine on the walls and piles of rubbish throughout the space. The smell was overwhelming. He immediately asked to be moved, explaining that he was worried about becoming ill if he remained there. According to his testimony, staff refused his request and instructed him to stay in the room.

"I don't fight," he repeatedly told researchers. *"I am just trying to protect myself."*

Unable to remain in the room, he eventually chose to sleep outside instead. As he explained: *"If I stay in that place, I am worried I will not wake up tomorrow."*

Rather than providing safety following a conflict, the disciplinary response placed him in accommodation that fell far below basic standards of hygiene and dignity. His testimony raises broader questions about the conditions in which disciplinary measures are implemented and whether they remain compatible with the minimum reception standards guaranteed under EU law.

An additional challenge is the reported gap in access to financial support, which is only provided after completion of the screening procedure. While EU law guarantees access to support from the moment an application for international protection is registered, it does not require that this support is provided immediately when a person starts the registration process. In practice, this delay leaves newly arrived people waiting days for the completion of their registration without the means to meet basic needs during the initial stages of the procedure, for example when they have only filled out the new screening form tablet, but not had their fingerprints taken.

From June 17th onwards, the field appeared to contain significantly fewer people than in the preceding days. However, this did not represent a resolution of the situation, but rather a shift in where the pressure was concentrated. Concerned about missing interview appointments or losing potential accommodation allocations under the new procedures, many people reported waiting in the indoor areas of the facility instead. The visible reduction of people outside therefore reflected not an improvement in reception conditions, but a relocation of the same underlying pressures within an already overstretched system.

4.3 The New Pact in Practice

The first week of implementation of the new EU Pact on Asylum and Migration was in several respects opaque both to the people it affects and to organisations working alongside them. On the field, there was a general sense of doubt and confusion about the new legal systems, particularly during the first few days when fingerprint machines repeatedly malfunctioned, and numerous Vluchtelingenwerk (Dutch Council for Refugees) members warned of impending chaos.

Multiple questions regarding procedures have been asked to MiGreat volunteers, including an applicant under the old procedure wondering whether the change in legislation meant that Europe was no longer accepting any people applying for asylum. He had heard about the change, but clearly neither did he receive any explanation thereof, nor what the consequences for him would have been. Under the Screening Regulation (EU) 2024/1356, Member States shall provide individuals under the new procedure with information regarding the process, its consequences and their rights. However, multiple testimonies reveal how unclarity among those falling under the old procedure is widely spread. Multiple times a day, every day of the observation week, people approached MiGreat volunteers with questions that should have been made clear by the relevant authorities. Such as, the meaning of a person's wristband colour, what step would be next in the application process, the timing of the next bus to the night shelter, and crucially, whether they would have had to sleep outside that night. This reinforces the idea that the accessibility and clarity of information provided by the authorities, when it is provided, is severely lacking and volunteers are filling the gap.

This also creates another severe gap: while the Pact heavily impacts the situation of individuals who have already been waiting for a long time, no one is obliged to explain to them what is happening with their applications. On the contrary, as administrative frustration builds up, the environment has grown increasingly hostile. One respondent reported that when he went to get clarity on why he was still in Ter Apel without any communication or update regarding a transfer, he was met with aggression from an Immigration and Naturalisation Service (IND) employee who ended the interaction by throwing the man's papers back at him.

The on-site VluchtelingenWerk staff is also unsure of how procedures will unravel after the Pact. Since the people we interviewed, individually, do not work inside the registration facility, they could not provide direct observation of how the screening was being conducted. Their assessment was that longer-term effects would only become visible after six months to a year of operation, especially because "it is still unsure whether the process works for the government and the IND in the first place". Volunteers similarly reported uncertainty regarding several practical aspects of the new system, including the operation of the digital screening procedure, the availability of interpreters, and the purpose of the wristband system.

The Pact's emphasis on procedural speed has also altered the first stage of the asylum application. Previous face-to-face interviews have largely been replaced by a digital form that applicants complete independently on tablets. During a telephone conversation with the IND Helpdesk, MiGreat asked how the new OVA screening procedure is intended to operate in practice. Staff explained that

the tablet is considered the primary method of registration rather than a condition for accessing the asylum procedure, and that applicants who require additional support should receive tailored assistance from IND staff. They further indicated that legal counsellors are present to explain the procedure, although they do not provide legal advice on the substance of asylum claims. According to a staff member of the IND telephone helpline, the new procedure is based on the expectation that "the majority of applicants are able to use a tablet." While VWN indicated that assistance "should be sufficient", particularly for vulnerable applicants and those requiring interpretation, MiGreat's observations suggest that significant practical barriers remain. While these safeguards exist on paper, the observations collected during the first week raise questions about how consistently they are experienced in practice. MiGreat repeatedly encountered applicants who remained uncertain about the purpose of the procedure, identified mistakes in their screening forms without knowing how these could be corrected, or were unaware of when legal assistance became available.

Concerns over language accessibility was not a one-off event during the period of observation, but a recurring issue. An Ethiopian applicant was not able to complete the screening form because it was not available in Amharic, there was no interpreter available so he was told to come back another day when they could try contacting an interpreter again. He completed every step except the one the system could not accommodate. A group of Pakistani applicants similarly reported receiving the questionnaire in Arabic, despite having told staff they spoke Urdu. The experience of one Algerian applicant illustrates how multiple procedural safeguards, including access to language services, introduced under the Pact can fail simultaneously during a single screening procedure.

A group of Pakistani applicants similarly reported receiving the questionnaire in Arabic, despite having told staff they spoke Urdu.

Upon arrival, he was handed the mandatory digital screening questionnaire on a tablet. The questionnaire initially appeared in Urdu, a language he could not read. After informing staff, it was replaced with Standard Arabic. However, as a native speaker of Algerian Arabic, he explained that several questions remained difficult to understand because of the linguistic differences and the intricacies of the phrasing. No interpreter for his dialect was available, so he decided to fill out the form anyway in order to not encounter further delays.

At the same time, all applicants MiGreat spoke to were instructed to complete the questionnaire without access to their mobile phones. For the Algerian man, having travelled through more than fourteen countries over several years, he was expected to reconstruct his routes and any previous asylum procedures entirely from memory. After completing the form and receiving the transcript, he discovered that his surname had been entered incorrectly, Slovenia had been recorded as a country where he had already received protection when he had not, and most countries through which he had travelled were missing from the record or appeared in the wrong chronological order.

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He immediately informed staff that the information was inaccurate and even indicated on the form itself that the recorded information was incorrect. According to his testimony, he was told that the errors were "not a problem" and could be corrected later through a lawyer. Although he was informed that he had the right to legal assistance, he was not told how to obtain that assistance or that it would be provided free of charge. A staff member of the IND telephone helpline affirmed that inaccuracies recorded during screening can be corrected later in the procedure. However, staff also indicated that when applicants are informed of this possibility, and how corrections

are made, depends on the individual person the applicant is in contact with and the circumstances of the individual case. During the observation period, MiGreat repeatedly encountered applicants who were unaware that corrections could be requested.

The experience of the Algerian respondent, as well as the observed unawareness of other respondents, demonstrates how seemingly administrative errors at the earliest stage of the asylum procedure may become embedded in the official record before applicants fully understand the legal significance of the information they are providing. At the very moment where the Pact gives greater procedural weight to screening, meaningful participation depends on language support, accurate interpretation and accessible legal information. In this specific case, each of those safeguards appeared incomplete.

Confusion surrounding the new biometric procedures further illustrates the lack of accessible information accompanying implementation. Researchers documented several applicants whose fingerprint registration could not be completed because of technical failures, requiring them to return on another day. One man saw the scanner flash red. Believing his asylum application had already been rejected, he immediately panicked and walked away from the procedure until MiGreat volunteers explained that the colour referred only to a technical issue.

Rather than reflecting individual misunderstanding alone, such incidents point to the absence of clear explanations regarding the purpose and functioning of newly introduced procedures. Leaving people to complete legally significant screening documents largely independently as the legal counsel staff in the room is not allowed to comment on the content only on the procedure, creates substantial procedural risks. Applicants are often unfamiliar with the legal relevance of seemingly administrative questions and may therefore provide incomplete or insufficiently precise information. Small inconsistencies concerning names, travel routes, previous asylum applications, or self-reported vulnerabilities can later affect credibility assessments or procedural decisions. By transforming an important legal screening stage into what increasingly resembles an administrative self-service

procedure, the implementation observed during the first week risks producing avoidable inaccuracies that applicants themselves may struggle to correct once they become part of the official record.

4.4 Capacity, Waiting and Transfers: The Structural Limbo

With the implementation of the Pact, waiting has become redistributed. To ensure that applications submitted after June 12th are processed within the strict deadlines introduced by the Pact, the Immigration and Naturalisation Service (IND) has reallocated approximately 70% of its processing capacity to applicants the new procedure, leaving only the remaining capacity available for the roughly 50,000 people who had already been waiting under the previous system. Instead of reducing the structural backlog, the first week of implementation revealed that it is being reorganised: the new fast screenings and the accelerated procedures and all the concerns they raise for newly arrived applicants, are made possible by prolonging uncertainty for those already in the system. Some of whom have already been waiting for years. This demonstrates that the consequences of the new system extend beyond the people arriving now and beyond administrative priorities; they reshape how people experience time itself. Waiting is not just a consequence of institutional backlog, but the predictable outcome of a political decision to prioritise one group over another.

Additionally, approximately 140,000 Ukrainians in the Netherlands face uncertainty: the Dutch government is trying to create a special three-year permit so these individuals do not have to apply for regular asylum. However, if administrative or legal issues arise during such transition, an unexpected backlog would hit the IND even further.

The logic is institutional: the European Commission is monitoring implementation, and the Netherlands must demonstrate that the six-month transition is working. As a consequence, people who arrived before the 12th June are being systematically deprioritised. Some VWN staff speculated that processing their cases could take even up to ten years. This is clearly a violation of the principle of good administration of art 41 of the Charter of Fundamental Rights of the European Union (CFR). The waiting times are a form of slow and invisible violence; it is an agony to stay in such an oblivion where no one can tell you with certainty how much longer you will have to live in such conditions. As shown by [research from VWN](#), pausing life for such long periods also causes higher chances of developing mental health issues.

“They are killing us slowly”.

Several respondents articulated this experience in remarkably similar terms. They did not primarily speak about legal procedures or processing capacity, but about the feeling that their lives had been suspended indefinitely. One Palestinian man, after years of moving between different European countries, reflected that his life had become nothing more than “*patience, patience, patience.*” Another respondent summarised the experience more bluntly: “*They are killing us slowly.*”

This drives certain people to consider “voluntary” return. Two respondents who had spent several years across multiple European countries described their decision to return not as a genuine expression of

choice and preference but as a response to their exhaustion. One of the two arrived in Europe by risking his life crossing the Mediterranean Sea by boat, but regardless of this, he now affirms with deep resentment that after 10 years spent in several Member States, "Europe is finished": neither is there further hope, nor does he have the energy to keep living in these deeply disturbing conditions waiting for undetermined time; it is emotionally too hard to keep going through such instability.

"Europe is finished."

For many respondents, uncertainty itself had become a form of psychological harm. The prolonged waiting, repeated postponements and absence of clear information created a pervasive sense of hopelessness. Two Palestinian men who had spent several years moving between different European countries similarly reflected that they had never experienced genuine stability:

"We cannot say that anyone here in Europe treated us humanely, because every three years they transfer us to a different country and no one is willing to welcome us as asylum seekers. Thus, the truth is that we are not in a stable situation, and no one offers us a shared place where to live."

Another Palestinian man from Rafah, who had lived in Europe for several years, described the cumulative burden of prolonged insecurity:

"Here we cannot say people treat us humanly; we are still in a precarious situation and we suffer the same difficulties. It means we have no documents, no one guaranteeing a future to us, no one allowing us to live. It is always the same life we are doing. The only difference between here and our country is that here there are no wars, but we are still unstable. All our life is patience, patience, patience. We are only waiting, waiting for the documents. We wasted years of our lives."

Taken together, these testimonies portray a reception system in which uncertainty, institutional indifference and prolonged waiting become sources of harm in themselves. This harm, produced by prolonged waiting, is not merely administrative. It is psychological, social and deeply existential, leaving people unable to plan for the future, reunite with family, work, study or rebuild their lives while no authority can tell them when the waiting will end.

The structural consequence of this redistribution of capacity is likely to extend far beyond the first weeks of implementation. As attention and resources are concentrated on meeting the Pact's procedural deadlines for new arrivals, the existing backlog risks becoming increasingly entrenched. The acceleration promised by the Pact is therefore not experienced universally. Rather, it is achieved through the deliberate slowing down of another group of applicants whose waiting time, already measured in years, may now become significantly longer.

4.5. Human Impact: Exhaustion, Uncertainty and Fear

The psychological weight of the current reception system was evident throughout the observation period. Across interviews, people repeatedly described not only physical exhaustion after prolonged journeys and days of waiting, but also the cumulative emotional effects of uncertainty, institutional indifference and the absence of trauma-informed support. While the Pact introduces obligations to identify vulnerabilities at an early stage, MiGreat's observations raise questions about whether these vulnerabilities are being recognised or responded to in practice.

One incident illustrated the absence of trauma-informed responses among frontline staff like no other did. A man lost his phone on the night bus transporting people applying for asylum to the emergency night shelter. The phone was his only means of contact with his son, which meant that losing it caused very acute emotional distress. When he sought help from COA staff, the staff member responded by shouting back at him, seeking validation from the MiGreat researcher present rather than attempting to recognise his vulnerability. Even after the person concerned repeatedly stated in desperation that he would resort to self-harm if the phone was not found, staff failed to de-escalate the situation or offer meaningful support, they waved it off.

This episode particularly highlights the risk posed by the absence of adequate responses from frontline staff: awareness of sensitive situations, knowledge and competence of the correct manner to handle such situations, and how to handle crises should actively be part of the every-day interactions occurring on the field.

Encounters with institutional hostility and degradation further shaped people's experiences of the asylum procedure. Many respondents interpreted dismissive or aggressive interactions with authorities as manifestations of racism and disrespect. A respondent observed that "there are also good people, but the majority treats you as if you are nothing." Another respondent described being addressed in a threatening tone when asking about opting out of biometric data collection rather than simply being informed about his obligation to cooperate with the procedure. This left him fearful that any misunderstanding could immediately result in the rejection of his application. Others reported experiencing verbal abuse beyond the reception centre itself. One young man who had spent several

**"There are also good people,
but the majority treats you as
if you are nothing."**

days waiting for accommodation described repeatedly witnessing bus drivers transporting people between Ter Apel and Emmen shouting racist insults and profanities at passengers. Such experiences illustrate how the atmosphere of uncertainty and exclusion extends beyond formal asylum procedures into everyday interactions.

In an environment characterised by bureaucratic uncertainty and limited communication, the simple act of listening had itself become a form of support. Numerous individuals approached MiGreat volunteers not only for practical assistance but also because they wanted someone to hear their story. One respondent who had fled severe religious persecution expressed deep gratitude simply for having

the opportunity to explain what had happened to him. His experience illustrates how, within a system primarily focused on administrative processing, opportunities for empathy and human connection were frequently found through independent volunteers rather than institutional actors.

5

Official Promises vs Observed Reality: The Pact's Implementation

The observations and testimonies presented in the previous chapter show that the Pact cannot be understood through its legal texts alone, and then raise a broader question: what does the first week of implementation reveal about the relationship between the Pact's promises and people's lived experiences?

As already established, the findings documented in Ter Apel cannot provide a definitive assessment of the Pact, and many of the shortcomings documented throughout this report are not new. Overcrowding, prolonged waiting, inadequate information provision and insufficient reception capacity [have characterised Ter Apel for years](#) . The significance of the first week therefore lies not in demonstrating that these problems exist, but in showing how the Pact is being implemented, not despite, but through them. Rather than entering a well-functioning reception system, the new procedures are becoming embedded within institutional conditions already marked by uncertainty and neglect.

Throughout the observations, one finding emerged repeatedly: harm rarely resulted from a single dramatic decision. Instead, it accumulated through repeated administrative encounters; a registration postponed until tomorrow, a screening procedure completed without adequate interpretation, a vulnerability left unrecognised, another person spending the night in a tent. This chapter identifies five emerging patterns that deserve close monitoring during the coming months. Together they demonstrate how the Pact's promises encounter the realities of implementation, and what this is likely to mean for people on the move.

5.1 Reception

The Reception Conditions Directive establishes minimum standards intended to guarantee applicants a dignified standard of living from the moment they seek protection. MiGreat's observations during the first week indicate that access to these standards remained conditional upon available capacity, rather than on individual need, at almost every stage of a person's arrival. Additionally, the Pact places increasing emphasis on the earliest stages of the asylum procedure. This means reception is no longer simply the context in which people wait for their asylum claim to begin. It becomes the environment in which legally significant procedures, the screening form, are already taking place. People's ability to understand information, participate in screening and communicate their protection needs is inevitably shaped by the conditions in which they spend their first days after arrival.

People who had already initiated contact with the authorities—having been photographed, fingerprinted or issued a wristband—were repeatedly asked to return the following day because a machine had malfunctioned, a procedure could not be completed, or the necessary forms were unavailable in a language they understood and no adequate assistance was available. Others who completed registration found that no accommodation was available.

Among them was a man with a serious physical injury who, despite visible pain and having undergone a medical assessment, spent the night sleeping in a tent outside the reception centre. While his immediate medical needs were acknowledged, the observations raise broader questions about what meaningful care looks like when people are expected to recover without access to safe and appropriate shelter. The first week suggests that reception cannot be understood simply as the provision of emergency assistance, but also as the conditions in which people are expected to recover, participate in procedures and begin rebuilding a sense of safety after seeking protection.

Among them was a man with a serious physical injury who, despite visible pain and having undergone a medical assessment, spent the night sleeping in a tent outside the reception centre.

The observations further suggest that obtaining a place indoors did not necessarily guarantee dignified reception. MiGreat documented accommodation containing human faeces on beds and urine on walls. After reporting these conditions to staff, the resident remained assigned to the same room. Such observations raise serious questions about whether the objective of ensuring a dignified standard of living can be realised under the reception conditions documented during the first week of implementation.

The limits of the reception system became particularly visible during the nationwide red-code storm on June 19th. Throughout the day, three adults and two minors remained outside in a tent despite severe weather warnings. Only after repeated interventions by MiGreat volunteers, and following several initial refusals, were they eventually permitted to shelter inside a COA facility. The incident

illustrates how institutional procedures and capacity constraints continued to shape decisions even during circumstances presenting obvious risks to people's safety. It also highlights the extent to which access to protection could depend on persistence and external advocacy rather than consistent institutional practice.

Many of these observations are not necessarily unique to the implementation of the Pact. People have been left without adequate reception in Ter Apel for years. The significance of the first week therefore lies not in demonstrating that these shortcomings exist, but in showing that the Pact is being implemented within precisely these conditions.

As the earliest stages of the asylum procedure become increasingly consequential, reception should not be understood merely as a humanitarian concern, but as part of the procedural environment in which people are expected to understand information, communicate their protection needs and participate in decisions that may shape the course of their asylum claim. The observations collected during the first week suggest that where access to reception remains dependent on available capacity, the Pact's safeguards risk becoming uneven in practice.

The observations collected during the first week also suggest that reception should not be understood as separate from the asylum procedure itself. None of the observations described above would necessarily determine the outcome of an asylum application in isolation. However, they shape the conditions under which people begin the asylum procedure. When nights without shelter, inadequate hygiene, exhaustion and uncertainty coincide with increasingly consequential procedural steps, their cumulative impact deserves careful attention.

5.2 Access to Information and meaningful participation

The Pact places significant procedural weight on the earliest stages of registration and screening. The earlier a stage carries legal weight, the more essential it becomes that the person going through it understands what they are providing and why. During the week in Ter Apel, this understanding was frequently absent both for people under the old and new procedure. People going through the procedures did not know what their wristbands meant; they were frequently confused over the meaning of papers they were carrying around, preferring to ask MiGreat volunteers for clarification rather than trying to communicate with COA staff; they did not know whether the bus taking them to a night shelter was transport or, as several genuinely believed, a form of detention.

During a telephone conversation with the regular helpline of the IND, staff similarly described the first weeks of the OVA procedure as a period of ongoing implementation in which practical experiences are still being gathered. Questions concerning how the digital screening functions in practice, whether applicants are sufficiently able to complete the procedure independently, and how support should be organised were described as matters that still require evaluation. This reinforces the importance of continued independent monitoring during the first months of implementation.

Information was limited during the filling of the tablets as well, where accurate translation assistance was not always provided, and several mistakes could already be witnessed. During this procedure, the

state denies the applicant access to his phone, the one tool that might have helped them to accurately reconstruct dates, routes including even more than 10 countries, and prior procedures that most likely lasted years.

The right to information is included in the Pact, and since the information gathered during the registration does not remain contained to this stage but rather can influence the final asylum decision as well, it carries an important weight. Small inconsistencies, an incorrect date, a missing country, or a chronology out of order, are precisely the kind of detail later used in credibility assessments, admissibility decisions, and determinations of whether a person is routed into an accelerated or border procedure. These mistakes require legal assistance, which however for many is often unclear how to reach and many wonder what its cost would be.

A system that sets an obligation to cooperation, foreseeing punishment in the instance of its breach, cannot be accompanied and exchanged by such a lack of care in the quality of means provided for the achievement of the essential rights needed for the obligation to be fulfilled in the first place.

The significance of these observations lies not in the digitalisation of registration itself, but in the legal weight attached to this first interaction. Under the Pact, information gathered during the earliest stages of the asylum procedure can shape subsequent decisions about credibility, admissibility and the route an application follows. The first week therefore raises questions not simply about the efficiency of the new screening procedure, but about whether people are being given a meaningful opportunity to participate in decisions that may have lasting consequences for their claim.

5.3 Vulnerability identification

The Pact requires that people with specific reception needs are identified early and supported accordingly. What the first week suggests is that this identification mechanism functions almost exclusively for immediately visible vulnerabilities. Other vulnerabilities that cannot be seen at first glance, encompassing complex realities including severe psychological distress, targeted sexual orientation or religious beliefs, are unaddressed if not self-reported on the screening form, which people are made to fill out in a room full of other applicants, despite being as threatening for the individual's safety.

One respondent from Algeria repeatedly tried to explain to staff that he could not safely be accommodated with other Algerian nationals. He described fleeing political persecution and discrimination because he is not Muslim, explaining that these characteristics had already made him the target of violence elsewhere in Europe. While staying in a reception centre in Slovenia, he reported being assaulted with a chair by other Algerian residents after his political views and religious background became known. He explained that one of the reasons he travelled to the Netherlands was because people believed he had continued to Spain, allowing him to escape those who had previously threatened him. Yet, upon arrival in Ter Apel, he feared once again being placed alongside people from whom he believed he faced a genuine risk of violence.

According to his testimony, he repeatedly tried to communicate these concerns to staff but felt they were dismissed. As he explained, *"When I tell you I am not okay, I am really not okay."*

His experience demonstrates the limitations of vulnerability assessments that focus primarily on immediately visible indicators of need. The risks he described were highly individual and could only be identified through careful listening rather than administrative screening alone. Although the Pact requires Member States to identify applicants with specific reception needs at the earliest possible stage, this testimony suggests that complex vulnerabilities linked to political opinion, religion and previous experiences of violence may still remain invisible in practice.

This screening failure has left highly at-risk individuals entirely unprotected. Queer people were repeatedly kept in standard sections of the facility. Furthermore, it was common to hear from people who are part of religious minorities feeling deeply unsafe and being actively threatened due to their religious backgrounds. While these individuals faced a genuine risk of harm, inherently threatening their fundamental rights under Article 3 of the European Convention on Human Rights (ECHR) and the EU Charter of Fundamental Rights (CFR), the institution failed to treat their situations as emergencies requiring immediate intervention.

This blindness is acutely evident in the response the system reserves to psychological trauma and instability, even in front of explicit mentions of self-harm after the loss of the only phone through which a father could contact his family. Rather than informed care, COA reacted through more screaming, a flagrant failure of acknowledgement of psychological vulnerability.

If the new Pact aims to institutionalize care, staff must embody that approach. According to both volunteers and people on the move, psychological distress has intensified with the worsening overcrowding in Ter Apel since 12 June, yet staff continue to respond with hostility.

A vulnerability assessment that responds (not always) reliably only to what can be seen, and unreliably to what has to be listened to, is not functioning as the safeguard the Pact describes. Instead, it operates as a filter that weaponizes indifference and that selects vulnerabilities administratively convenient to notice.

5.4 Capacity Is Not an Excuse

It would be possible to read the findings of this report as evidence of a system that is failing due to lack of resources, however this reading is not representing reality. The first week suggests that the practical operation of the Pact's measures and safeguards depend on institutional capacity, information provision, staff conduct and reception conditions; all of these showed significant shortcomings during the observational period.

The Pact was written and entered into force precisely to be implemented under systems already under pressure, Ter Apel included. Its safeguards were therefore designed, or should have been designed, to operate under exactly the circumstances documented in this report: overcrowding, understaffing, hygiene issues, and pressure on every part of the process, from registration to accommodation.

A legal safeguard that only functions when reception conditions are already good is not a safeguard. The applicants in this report need protection precisely because conditions are bad, and it is in this instance that the guarantees meant to protect dignified reception, accessible information and recognised vulnerability did not hold. Lack of capacity explains how some of these failures happened, but they do not excuse that they were allowed to happen against people whose rights should have been protected regardless.

While the issues and violations observed so far may stem from lack of institutional training, funding, and administrative incompetence, the human outcome remains identical to direct legal breaches. When the practical execution of a law systemically denies people basic dignity, the defence of operational difficulties becomes a shield for institutional failure. Authorities cannot keep hiding behind the claim that standards are “adequate” while ignoring the reality they are manufacturing. When the implementation of a law systematically denies basic dignity, the defence of operational difficulty becomes a shield for institutional failure rather than an explanation of it. The Pact’s legal obligations are not conditional on capacity.

5.5 Emerging questions for continued monitoring

The observations presented in this report capture only the earliest stages of the Pact’s implementation. Many of its most far-reaching measures, including the expanded use of border procedures, increased possibilities for detention, the operation of the legal fiction of non-entry and new return procedures, could not yet be meaningfully assessed during the observation period. Their practical consequences will become visible only as people move further through the new procedures.

This should not be interpreted as reassurance. Rather, the first week identifies several areas that warrant particularly close scrutiny as implementation continues. The quality of initial screening, access to interpretation and legal assistance, the identification of vulnerabilities and the accuracy of information recorded during registration will shape how later decisions are made and experienced. If shortcomings at these earliest stages persist, they risk carrying consequences throughout the remainder of the asylum procedure.

The observations documented here should therefore be understood as an early warning rather than a final assessment. Continued independent monitoring will be essential to understand how the Pact’s expanded procedural powers operate in practice and whether its safeguards become meaningful protections for people on the move.

Conclusion

Throughout almost two months of presence in Ter Apel, MiGreat observed people sleeping outside after medical examinations, completing legally significant procedures without access to their phones in languages they did not fully understand, people not having their rights explained clearly, fearing rejection because a fingerprint scanner flashed red, explaining political persecution that nobody appeared to hear, and waiting, sometimes for days, for institutions that increasingly organised their lives through delay.

None of these experiences, taken in isolation, explain the impact of the Pact. Together, however, they reveal how implementation is likely to be experienced by the people who live through it: not as a coherent package of legal safeguards, but as a series of administrative encounters whose cumulative effect is rushed uncertainty and dependency. Even the institutions responsible for implementation described aspects of the new procedure as still being under evaluation. Crucially, for people entering the asylum procedure implementation is not a trial phase but the beginning of decisions that may shape the outcome of their claim. The first week therefore does not provide a final judgement on the Pact. It provides an early warning. If these patterns persist, the safeguards introduced by the Pact risk functioning primarily as procedural guarantees on paper, while the everyday reality of implementation continues to be shaped by overcrowding, insufficient information, institutional neglect and the unequal distribution of time itself.

For MiGreat, this reinforces what organisations led by and working alongside people on the move have argued throughout the Pact negotiations: border violence is not produced only through detention or deportation. It is also produced through the ordinary administration of asylum, through waiting, exclusion, procedural opacity and the normalisation of conditions that gradually erode people's dignity. The coming months will determine whether implementation disrupts these dynamics or entrenches them further. Based on the first week in Ter Apel, there is strong reason to fear the latter.

Recommendations

The observations documented in this report reinforce MiGreat's longstanding position that the EU Pact on Migration and Asylum cannot create a humane asylum system while remaining grounded in deterrence, exclusion and border control. Rather than addressing the structural violence of Europe's migration regime, the first week of implementation suggests that the Pact risks reorganising and deepening existing forms of institutional harm by embedding them within new administrative procedures.

The findings of this report reinforce the need for urgent, structural, change in order to move towards a fundamentally different asylum and migration system. Yet, in [our roadmap to change](#), we recognise that people are already living through the implementation of the Pact today. As long as these procedures remain in place, governments and European institutions have a responsibility to minimise the harms they produce and to ensure that the implementation of the Pact does not normalise conditions that undermine people's dignity and access to protection.

MiGreat's Vision: An End to the 'Endless' Crisis

1. **End the camp-based reception system.** Large-scale reception centres isolate people, reinforce dependency and prolong institutional control over everyday life. Reception should instead be organised within communities through housing support, accessible healthcare, legal assistance and income security. People seeking protection should be able to rebuild their lives from the moment they arrive, rather than waiting months or years in institutional reception.
2. **Stop using people on the move as scapegoats for the housing crisis.** The shortage of affordable housing is the result of political choices, not migration. Sustainable investment in public and social housing is necessary to ensure that everyone has access to a home while ending the false narrative that reception and housing justice are competing priorities.
3. **Enable people to participate in society from day one.** People seeking asylum should be able to work, study, learn the language and live independently wherever possible. The prolonged exclusion of people from everyday social life serves no protective purpose and instead creates unnecessary dependency, isolation and uncertainty.