



AD HOC QUERY ON 2021.8 Visitors in detention centers

Requested by EMN NCP Lithuania on 10 February 2021

Compilation produced on 9 April 2021

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden (22 in Total)

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1. Background information

In Lithuania, the Foreigners' Registration Center under the State Border Guard Service is the only institution responsible for the detention of foreigners in breach of provisions of the Law. The Foreigners' Registration Center currently is considering to review their internal rules for visitors, therefore, the Foreigners' Registration Center would like to ask (Member) States the following questions.

NB! Please provide your answers based on the usual practice (not only the current practice caused by the COVID-19 pandemic).

2. Questions

1. What is the regular procedure for visitors visiting a foreigner in a detention center?

For example, who is allowed to visit and what is the procedure for such meetings to take place.

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2. Are the meeting premises under video surveillance?

Available choices: Yes, No

3. How are the meeting premises equipped?

E.g., furniture, household appliances, etc.

4. Is there a duration and frequency of such meetings determined?


5. Please explain if there are any differences in the organisation of meetings with family members, e.g. a spouse, in comparison to other visitors?

6. Please explain if different rules are applied to detained asylum seekers and irregular migrants in terms of meeting visitors?

We would very much appreciate your responses by **12 March 2021**.

3. Responses

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		Wider Dissemination ²	
	EMN NCP Austria	Yes	1. In Austria, visitors of detainees have to identify themselves with an official ID. Only two adult visitors may be present at the same time. Visits by relatives under the age of 14 are only allowed if

¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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			<p>accompanied by an adult. If possible, the visit should be undertaken outside the cells in suitable rooms (Art. 21 para 1 and 2 Detention Regulation).</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>2.</p> <p>Visits by private persons, but not by legal representatives, may also be monitored in terms of content; conversations and actions that run counter to the purpose of the detention or disturb the order in the house are to be prevented. If the visitor repeats such an act despite a warning, the visit shall be terminated (Art. 21 para 4 Detention Regulation).---Source: Ministry of the Interior</p> <p>3. In larger detention centers visit areas are designed as a hub, with a visitor reception (lockers to allow the storage of personal items, etc.), observation points, separate search spaces, a waiting room and adjoining toilets. The configuration depends on relevant security requirements. Closed / non-contact visits are standard. They are provided in small booths that physically separate the visitors and detainees with toughened glass. A double plate of fine-mesh grill enables communication but prevents contraband goods from being smuggled. Sufficient space and shielding are provided to ensure a certain level of privacy. In justified individual cases, open / contact visits can be carried out in around half of all institutions: Detainees sit on one side of a table with their visitors on the other side and physical contact is permitted across the table. Staff must ensure that contraband is not released to detainees and that improper physical contact does not occur. For these purposes, video surveillance may be provided to enable tables to be monitored. Official visits by legal representatives, consular officers, members of organizations that monitor detention conditions and the welfare of detainees, psychiatrists, psychologists, social workers, etc. will also take the form of open / contact visits.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>4.</p>
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			<p>In general, every detainee may receive a visit, once a week for a period of a half an hour during visitor hours specified by the authority (Art. 21 para 2 Detention Regulation).</p> <p>During detention pending removal it is, in principle, sought to increase the frequency and duration of visiting opportunities in the interest of maintaining family and other personal ties, as far as it is organizationally possible, and to arrange the frame of the visitor room and the handling of the visits accordingly. In the relevant orders the probable duration of detention pending removal should also be taken into account (Art. 21 para 2a Detention Regulation).</p> <p>Visits</p> <ul style="list-style-type: none">- by legal representatives, representatives of domestic authorities, diplomatic or consular representations of the country of origin and by institutions established by international conventions binding on Austria for the protection of human rights, or- that have plausible significance for regulating important personal matters <p>may be received at any time to the extent necessary; if possible, those visits should be undertaken during office hours. Visits by representatives of care services to detainees during detention pending removal are to be carried out during the office hours, in addition in consultation with the office in charge of the detention facility (Art. 21 para 3 Detention Regulation).</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>5. The law does not provide for different treatment of family members in comparison to other visitors.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>6. No, the rules and regulations of the Detention Regulation apply to asylum seekers as well as irregular migrants.</p> <p>---</p> <p>Source: Ministry of the Interior</p>
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	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. Rules for individual visits are stipulated in the Royal decree of 2 August 2002, articles 26-37:</p> <ul style="list-style-type: none"> - family members have a right to visit during daily visiting hours; - other persons are allowed to visit a resident with prior permission of the Centre Director or his substitute; - there is the possibility for intimate visits for partners, however this is limited and only in case of a relationship lasting over 6 months; - lawyers and consular authorities have the possibility to enter the centre daily from 8 AM until 10 PM to visit their client or citizen. <p>In addition can be mentioned that visits of the centre are allowed for following persons and institutions:</p> <ul style="list-style-type: none"> - Members of Parliament and the local mayor and the Provincial Governor have the right to enter the centre; - the following persons or institutions and their staff members have access to the Centre within the framework of their mission: <ul style="list-style-type: none"> o the Office of the United Nations High Commissioner for Refugees; o the European Commission for Human Rights; o the European Committee for the Prevention of Torture and Inhuman or Degrading - Treatment or Punishment; <ul style="list-style-type: none"> o the Centre for Equal Opportunities and Opposition to Racism; o the Office of the Commissioner General for Refugees and Stateless Persons; o the Children's Rights Commissioner and the General Representative for Children's - Rights; <ul style="list-style-type: none"> o the United Nations Committee against Torture. - Institutions, organizations or persons other than those referred to above can be granted the right to visit one or more Centres for the duration and under the conditions the Director-General of the Immigration Office specifies. Some non-governmental organisations visit the centres on a regular basis to provide support to the residents.

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			<p>2.</p> <p>3. The visiting rooms are equipped with tables and chairs. Small visiting rooms are provided for visits by lawyers. Larger visitor's area's are provided for visits of family members and friends. Those are additionally equipped with a vending machine. In some centers also with a water fountain and a small play area for children. Rooms for intimate visits are equipped with a bed.</p> <p>During the corona pandemic health security measures are in place (plastic partition, disinfectant and cleaning paper, mouth masks, ventilation of the rooms). Security staff monitors the visit from a distance to ensure that the rules regarding distance and wearing of masks are not violated.</p> <p>4. See question 1. The duration of the visiting time of family and friends is 1 hour. Exceptions are possible: a two-hour visit is possible if the visitor comes from particularly far away and therefore cannot come regularly. Visits are possible between the visiting hours, but sometimes are also allowed outside of these hours (eg if the resident will leave soon or if the visitor has no other possibility). An intimate visit may last 2 hours. For other visits (lawyer, NGO) there are no time limits.</p> <p>5. See question 1.</p> <p>6. There is no difference between asylum seekers and irregular migrants in terms of meeting visitors.</p>
	<p>EMN NCP Bulgaria</p>	<p>Yes</p>	<p>1. Migration Directorate is a structure of the Ministry of Interior that manages the two special homes for temporary accommodation of foreigners (SHTAFs) of closed type (detention centers).</p>



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			<p>The Internal rules of the SHTAFs (approved by the Director of the Migration Directorate) regulate the procedure for visiting the foreigners from their relatives or friends.</p> <p>Visits with relatives and friends are held every Tuesday and Thursday from 2 pm to 4 pm and last up to 30 minutes.</p> <p>The meeting with relatives and friends is carried out after a preliminary request made by the accommodated foreigner or by his relatives through the Operational Duty Center / Operational Duty Part by phone. The officers of the Operational Duty Center / Operational Duty Part check in the information files of the Ministry of Interior the persons who want to visit an accommodated foreigner whether they are criminals and wanted. If there are such data, they are not allowed to visit the SHTAFs.</p> <p>Visits of accommodated foreigners are carried out in premises designed for this purpose and are provided by security police officers. There is a police officer in the meeting premises during the visit.</p> <p>2. Yes</p> <p>3. Meeting premises are equipped with tables and chairs for visitors.</p> <p>4. There are no restrictions on the frequency of such meetings. Only the duration is limited to up to 30 minutes, given the preparation of a preliminary schedule for using the meeting premises.</p> <p>5. There are no differences in the organization of meetings with family members and other visitors. The general rules are followed and the meetings are held in the same premises.</p> <p>6. Foreigners accommodated in the SHTAFs, who have applied for international protection during their stay, are subject to the same rules for holding meetings with their visitors until they are transferred to the reception centers of the State Agency for Refugees (SAR) where their internal rules for meetings are applied.</p>
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	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. When a visitor requests to visit a foreigner accommodated in the Centre he/she has to announce it at least two days earlier in written form (e-mail/fax) and state all necessary data (his/her identity, capacity in which he/she is coming and the date of arrival). Also a foreigner accommodated in the Center can requests a visit and he/she will provide the same information to the police officer in charge. Upon authorization, police officer in charge will submit announcement form to the security. A meeting takes place in a designated room.</p> <p>2. No</p> <p>3. The meeting premises are equipped with the necessary furniture (table and chairs). There are no household appliances. There is also a toilet and washbasin in the room. After each meeting, the room is cleaned and disinfected.</p> <p>4. Visits are usually organized between 8.00 and 16.00 on workdays and in exceptional cases also on weekends and public holidays. Additional requirements, restrictions and/or prohibitions may be imposed on visits during epidemic periods, emergency or other events endangering health and life of the staff and foreigners detained in the Centre. The duration of the visit is up to 1 hour but it can be prolonged if authorized by the police officer in charge.</p> <p>5. There are no differences in the organization of meetings with family members in comparison to other visitors.</p> <p>6. The same rules are applied.</p>
	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<p>1. The detainee informs in advance the center's authorities in writing that they would be receiving a visit from a family member or a friend and the purpose of the meeting. However, in case a member arrives without a prior notification, they are allowed to proceed with the visit.</p>


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			<p>2.</p> <p>3. The meeting premises are equipped with tables and chairs as well as vending machine with beverages.</p> <p>4. There is no duration and frequency of such meetings, as long as they do not interfere with the schedule of the detention center such as lunch and dinner time.</p> <p>5. There are no differences in the organization of meetings with family members and other visitors.</p> <p>6. There are no differences concerning terms of visit between asylum seekers and irregular migrants.</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. Actually, all visitors (a visitor could be anyone) have to</p> <ul style="list-style-type: none"> - prove themselves with a negative RT-PCR (or POC) test not older than 48 hours or present a certificate, that proves they suffered a SARS CoV-2 within less than 90 days, - fill a form about anamnesis, - follow the strict hygienic rules, - wear a mask or respirator, - keep the distance of 2 metres from other persons. <p>2. Yes</p> <p>3. Table, chairs and a little playground for the possibility, when the visitor is accompanied with the child.</p> <p>4. The maximum is 4 times a week for 1 hour and 4 people at maximum.</p>


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			<p>5. No. There is no difference.</p> <p>6. No. They have equal opportunities.</p>
	EMN NCP Estonia	Yes	<p>1. The procedure of visits is regulated by the Internal rules of detention centre and the rules of procedure of the detention centre.</p> <p>A visit can be requested by the detainee or a visitor on a basis of a written request. In the request, the following information is required from both the detainee and the visitor:</p> <ul style="list-style-type: none"> - name; - personal ID code or date of birth; - info whether a minor is taken along the visit; - reason for the visit and the relationship between the detainee and the visitor; - place of employment, official title and contact data of the visitor is required; - desirable visiting time; - items to be handed over during the visit; - signature of either the detainee or the visitor (depending on who files the request). <p>The acceptance or refusal of the request is decided within three working days. If the visit is accepted, a time schedule for the visit is prepared.</p> <p>Before the meeting, the identity of the visitor is verified on the basis of the identity document. Then the visitor is introduced the procedure of the visit.</p> <p>The visit takes place under the supervision of an official of the detention centre. During a visit, the detainee and a visitor may be separated by a partition from glass or wire gauze.</p> <p>The detainee is allowed a visit with up to two persons at a time. If a visitor is an adult, s/he is allowed to bring along minors whose number has to be approved by the head of detention centre or an official appointed by him/her.</p>


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			<p>If the procedure of visit is violated, the visit is suspended. The official who detected the violation notifies the head of the detention centre (or an official appointed by him/her), who then decides whether the visit can be continued or shall be terminated.</p> <p>2. Yes</p> <p>3. The room is equipped with a table, chairs and a phone.</p> <p>4. According to the rules of procedure of the detention centre, the meetings take place on Mondays, Wednesdays and Fridays at 14.15-16.15, and on Tuesdays and Thursdays at 10.00-13.00 and 14.15-16.15. In case of a special request, the meeting could be organised outside the given times. The duration of the meeting is up to three hours. There is no restriction for the frequency of meetings.</p> <p>5. There are no differences.</p> <p>6. There is no difference in the rules.</p>
	<p>EMN NCP Finland</p>	<p>Yes</p>	<p>1. A detainee has the right to receive visitors while detained. The personnel of the detention centre must be informed in advance of an upcoming visit. Equally the personnel is authorized to rearrange a visit if required by an imperative reason. A visit may be declined if the detainee is being accommodated separately from other detainees.</p> <p>Visitors are required to follow the instructions given by the personnel of the detention centre. Before entering the meeting premises, visitors are required to leave their personal belongings to the lockers provided by the centre. Possible gifts of items brought to the detainee will be searched by the personnel. Visitors are not allowed to bring food or beverages to the detainee. In cases where a visitors wishes to give the detainee money the personnel will count it and recalculate the amount of daily financial benefits provided to the detainee.</p>

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			<ul style="list-style-type: none"> - A visit is denied if the visitor: - Cannot prove their identity - Abstains from a security check - Endangers the order and security of the centre <p>2. No</p> <p>3. The premises have a sofa, a table, chairs and a door phone system enabling contacting the personnel of the centre.</p> <p>4. The duration of each visit lasts approximately one hour and the detainee is allowed to have two visitors per meeting. Depending on the booking situation of the premises a visit may last up to three hours.</p> <p>5. The detention centre aims to consider the individual needs of the visitors, but the rules for the visits are as laid out above.</p> <p>6. No difference to the rules applied.</p>
	<p>EMN NCP France</p>	<p>Yes</p>	<p>1. A detained person must be able to receive visits from their families and the consular authorities of their country of origin. The detained person can indeed benefit from visits because they have rights under articles L744-4 to L744-5 of the Code on Entry and Residence of Foreign nationals and the Right of Asylum (CESEDA). Foreign nationals placed in detention may request the assistance of "an interpreter, counsel and doctor" and may communicate "with their consulate and any person of their choice".</p> <p>Concerning the intervention of legal entities in detention centers. In France, access by "competent national, international and non-governmental organizations and bodies" to places of detention is governed by the provisions of article R. 553-14-4 of the CESEDA.</p>


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			<p>Decree n°2014-676 of June 24, 2014 relating to the access of humanitarian associations to places of detention has relaxed the rules for access of associations to detention centers in application of the Return Directive 2008/115/EC. In order to visit a person in detention centers, associations must be authorized by a ministerial order. This decree has explicitly established the principle of the possibility of interviewing a detained person.</p> <p>Article R553-3 stipulates that all detention centers must have premises "furnished and equipped with a telephone, assigned to the association" authorized to intervene in detention centers and inform detained foreign nationals and help them exercise their rights.</p> <p>Administrative detention centers must include "a room for receiving visits from families and consular authorities" (Article R553-3 of the CESEDA), but also a room dedicated to lawyers (governed by Article R553-7, it must be a room that allows the confidentiality of interviews. That room should be accessible in all circumstances upon simple request by the lawyer to the department in charge of the reception of detained foreign nationals and with the agreement of the person concerned).</p> <p>The internal regulations of each detention center determines the conditions under which the visits take place. The rules set the days and times of the visit, specify that unaccompanied minors are not allowed and that visitors must undergo a mandatory security check. If the detained foreign national wishes to have a confidential conversation, the visit may take place in the room dedicated to lawyers.</p> <p>2. There is no regulatory provision for the presence of surveillance cameras in the premises dedicated to visits. Confidentiality of conversations can be requested by the visitor and the concerned person. Premises dedicated to lawyers' visits should allow to preserve the confidentiality of conversations (article 553-3 of the CESEDA). The presence of video-surveillance cameras in the premises dedicated to visits depends on each administrative detention center or premises, so practices may vary from one center to another. For example, the foreign national being held and the visitor may be under the visual surveillance of a police officer during the visit, through glass walls.</p> <p>3. The equipment of the premises dedicated to visits to administrative detention centers and premises varies from one facility to another. Article R. 553-3 of the CESEDA only requires the existence of</p>
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			<p>premises dedicated to visits (for the reception of families, consular authorities, lawyers, associations, etc.) and does not mention the need for additional equipment within these premises.</p> <p>4. The internal rules of procedure of the detention centers determine the time slots and frequency of visits. Practices may therefore vary from one center to another.</p> <p>Within the framework of visits conducted by authorized humanitarian associations, the decree of June 24, 2014 limits the number of visits to a maximum of five people per 24-hour period (R. 553-14-7-1 of the CESEDA). The decree also specifies that these visits must take place at times compatible with the "smooth functioning" of the center, during the day and preferably on a weekday.</p> <p>5. The premises provided for the visits are not necessarily the same according to the visitors. Lawyers and authorized associations can therefore visit a person in a dedicated room, in order to guarantee the confidentiality of the exchanges.</p> <p>6. The visiting procedures are identical.</p>
	<p>EMN NCP Hungary</p>	<p>Yes</p>	<p>1. A person arriving for an official visit can meet and talk with the foreigner without monitoring, under only security supervision.</p> <p>Official visit means the meeting with the following persons or representatives of organizations:</p> <ul style="list-style-type: none"> - an authorized legal representative or a seconded trustee; - legal advisor; - with the representative of a non-governmental organization or foundation aiming at the protection of human rights according to its founding document; - a member of the Council of European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the United Nations and the Council of Europe's human rights organizations;


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			<ul style="list-style-type: none"> - a member of an organization authorized by Hungarian law to protect human rights or of an authority assigned to control detention; - the diplomatic representative, consular officer accredited in Hungary of the country of origin, or, failing that, the representative of a state that represents the detained person's interests; - a clergy for the purpose of practicing a religion, a professional member of a religious organization performing a religious ceremony and any other person authorized by the ecclesiastical legal person or the religious organization. <p>The official visit will take place at a pre-arranged time, with the exception of representatives of the Council of European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, representatives of different human rights organizations of the United Nations and Council of Europe. Hungarian authority responsible for monitoring the detention may also visit the detention centre at unannounced times. The duration of the visit is not limited.</p> <p>A person arriving for the purpose of a private visit (e.g. relative, spouse, acquaintance, etc.) can meet and talk with the detainee under security supervision. With the permission of the head of the detention centre, the detainee may receive several visitors at the same time, if this does not endanger the order and safety of the detention centre.</p> <p>Before the start of the visit, the visitor is reminded that during the visit he / she must not carry a telephone, video or audio recording device, a device dangerous for human life or capable of causing body injury. To verify this, the visitor's clothing and luggage are inspected, and the image and sound recording device is taken over by the staff of the detention centre for the duration of the visit. A visit shall not be permitted if the visitor is drunk, intoxicated or has a device dangerous for human life or capable of causing body injury. The visit must be terminated immediately if the detainee or the visitor behaves in violation of the law or endangers the safety of the detention center. The visitor may also bring a package to the detainee, which may include seasonal clothing, underwear, cleaning supplies, tobacco products, books, press products, writing utensils, writing papers, and non-perishable food. The inspection of the package is carried out in the presence of the visitor and the detainee. Unauthorized products will be returned to the visitor.</p>
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			<p>2. Yes</p> <p>3. By default, the equipment consists of a table and chairs, but there are detention centers where a children's corner with toys was also set up in the visitor's room, in case the visitor comes to the detainee with a small child.</p> <p>4. There is no limit to the duration or frequency of official visits. In cases of a private visit, the frequency cannot be limited, the following rules must be observed regarding the duration:</p> <ul style="list-style-type: none"> - The visitor must arrange the date of the visit in advance with the leadership of the detention centre. - The visit - recorded in the agenda - can be allowed between 07.30 and 16.00 on a working day or on a public holiday. - The duration of the visit may be 45 minutes by default, which may be extended by 30 minutes with the permission of the leadership of the detention centre. - In the case of a visitor coming from abroad, the visit may be allowed for a period of 60 minutes out of turn. The frequency of the visit cannot be limited. <p>5. See reply nr. 1.</p> <p>6. According to the current legislation, there are the same regulations for visiting detainees in a detention centre and for visiting asylum seekers in a detention centre.</p>
	<p>EMN NCP Ireland</p>	<p>Yes</p>	<p>1. Not applicable. Ireland does not operate immigrant detention centres. Places of detention for immigration related offences are prescribed by Regulation and include prisons and police stations.</p> <p>2.</p> <p>3. n/a</p>


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			<p>4. n/a</p> <p>5. n/a</p> <p>6. n/a</p>
	EMN NCP Italy	Yes	<p>1. The regulation relating to Detention Centers for Repatriation (Centri di Permanenza per il Rimpatrio, CPRs) is outlined in the Decree of the Minister of the Interior of 20 October 2014. The Regulation allows, inter alia, visits by the following categories of persons:</p> <ul style="list-style-type: none"> - ministers of religion at the request of the foreigner; - spouses, children and family members of the foreigner; - staff of the diplomatic or consular representation of the country of origin, at the request of the foreigner; - other persons who make a motivated request. <p>The request for authorisation to access the centres must be addressed to the competent Prefecture, well in advance of the date of access requested. Upon receiving the authorization (nulla osta) from the Police Headquarters and the Department for Civil Liberties and Immigration, the Prefecture authorises the access and provides the list of authorised persons to the manager of the detention center. Upon entering the facility, visitors must be subjected to careful control, including the use of fixed metal detectors or similar portable devices, in order to prevent the unauthorised introduction of weapons or offensive instruments.</p> <p>All visitors must have an identification document and, if they are foreigners, a valid residence permit must be registered in a special register kept by the person in charge of the Centre's surveillance system and must comply with the established timetables.</p> <p>2. No</p>

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			<p>There is no video surveillance of the premises where visits take place. Surveillance during confidential interviews must be discreet and carried out in such a way as not to restrict the right to privacy, in order to guarantee the safety of visitors and foreigners themselves.</p> <p>3. The interviews must take place in spaces or rooms identified in advance, avoiding overcrowding of the facility that could compromise its security.</p> <p>4. Each CPR, ensures that visits are carried out over seven days and at specific time slots set by the Prefect, in agreement with the Chief of Police, making sure that visits can take place both in the morning and in the afternoon, and that the duration of each meeting is not less than two hours.</p> <p>5. In general, the rules are the same for all categories of visitors. Ministers of religion may enter any areas reserved for worship and may also meet with more than one person at a time, subject to the security requirements assessed on a case-by-case basis by the person in charge of the Centre's security arrangements. Representatives of bodies and associations authorised to provide information and legal assistance may also access areas reserved for accommodation. For the purposes of the interview with a legal representative, the security staff take care to check whether the foreigner has given a specific mandate.</p> <p>6. The rules are the same for all categories of detained foreigners.</p>
	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. Regulation No. 254 “Internal Rules of Procedure of Accommodation Premises for Detained Foreigners and Asylum Seekers” that was adopted on 16 May 2017 by the Cabinet of Ministers defines among other procedures also the procedure on meetings of detained foreigners with visitors (hereinafter – Regulation No.254), inter alia obligations of visitors and prohibited actions in accommodation premises, etc.</p>


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			<p>The meeting time shall be coordinated with the Head of the Detained Foreigners' Accommodation Center (hereinafter - Accommodation centre). The Head of the Accommodation centre shall take into account the daily schedule (visitors can be present at the premises from 10:00 till 19:00) and technical possibilities of a meeting. The meeting shall take place at the room specially equipped for this purpose. The legal act is available in English on the website: https://likumi.lv/ta/en/en/id/290847-internal-rules-of-procedure-of-accommodation-premises-for-detained-foreigners-and-asylum-seekers</p> <p>2. No The meeting premises in the Accommodation Centre are not equipped with video surveillance.</p> <p>3. The meeting premises in the Accommodation Centre are equipped with the table, chairs, reclining chair, wipe holder, waste bin, blinds for each window, wall clock, carpet, clothes hanger.</p> <p>4. Visitors can be present at the Accommodation centre during the time determined in the daily schedule each day from 10.00 till 19.00. The meeting shall take place at the room specially equipped for this purpose, and the duration of the meeting shall not exceed two hours for one detained person. These requirements shall not be applied with regard to officials of the State administration institutions, representatives of associations and foundations, international organizations if they plan to visit the accommodation premises. The meeting time shall be coordinated with the Head of the Accommodation centre. The detained person may meet not more than two visitors at the same time, the exception is: if the visitor is the detained person's spouse with several children. Before a meeting a visitor shall be acquainted against the signature with the internal rules of procedure of the Accommodation Centre which apply to visitors.</p> <p>5. There are no differences in organization of meetings with family members or other visitors. Regulation No. 254 defines joint rules for organization of meetings with visitors of the Accommodation Centre.</p>
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			<p>6. There are unified rules on meetings with visitors defined in Regulation No. 254 that are applicable to detained asylum seekers and detained foreigners in return procedure, who are accommodated in the Accommodation Centre.</p>
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. In order to have a visitor(-s), a foreigner accommodated in the detention center must submit an application form. Upon authorization, the officer of the Foreigners' Registration Center organizes a visit. A meeting takes place in a dedicated room.</p> <p>2. Yes</p> <p>3. The meeting premises are equipped with the necessary furniture (tables, chairs, bin and a cupboard to keep a cleaning inventory). There are 2 sofas, a microwave, an electric kettle, a refrigerator. There is also a toilet, wash basin in the room. After each meeting, the room is cleaned and ventilated.</p> <p>4. Visits are organised between 8.30 and 17.00 on work days, in exceptional cases on day offs and public holidays. The Center's watchkeeper shall have the right to organise visits at other times, if the circumstances so require. Additional requirements, restrictions and/or prohibitions may be imposed on such visits during the period of the quarantine, an emergency or an event endangering the health and life of the staff and foreigners that have been detained in the center. The duration of the visit is up to 2 hours.</p> <p>5. There are no differences in the organisation of meetings with family members in comparison to other visitors.</p> <p>6. The same rules are applied.</p>


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	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. The arrangements for visits are determined by the amended law of 28 May 2009 on the establishment and organization of the Detention Center and the Grand ducal regulation of 17 August 2011 on the conditions and practical modalities of the detention regime of the Detention Centre.</p> <p>Detainees may receive visitors freely and without supervision (article 15 (1) of the law). However, the director may order that the visit is supervised, except for lawyers and doctors' visits, in case there is serious evidence of abuse, risk of absconding or endangering of the centre's safety (article 15 (5) of the law).</p> <p>There is no restriction regarding the type of visitors that are allowed, but visitors who refuse to submit to security checks are denied access to the center. The director may also refuse entry to visitors whose behavior is likely to endanger the center's safety, its staff or its occupants (article 15 (6) of the law). Lawyers and doctors do not have to undergo a security check (article 15 (2) of the law).</p> <p>The detainee may not receive more than three adults per visit and minors have to be accompanied by an adult (article 22 al. 5 of the Grand ducal regulation).</p> <p>The visitors have to present an identification document at the entry of the detention center and are only allowed to enter if they possess a residence permit (article 23 al. 1 of the Grand ducal regulation). A general register of visitors is kept.</p> <p>In practice, exceptions are made the day before a detainee is removed, in that case an applicant for international protection (who can prove that s/he is an applicant, but does not have a residence permit as s/he is still in the procedure of applying for one) is allowed to see the detainee before s/he is returned.</p> <p>There are several representatives of organisations active in the field of guidance and support of detainees, which are approved by the Minister, who have access to the Detention Centre within the limits and under the conditions prescribed by the director. Detainees may request their support or aid either on demand or during continuous consultation which is offered by some of those organisations on a regular basis within the detention center. Approved NGOs can also access the units and do not</p>
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			<p>necessarily have to remain in the visitor rooms.</p> <p>At present, in the context of the Covid crisis, a detainee may only receive one visitor at a time, who must submit to a temperature reading, hand disinfection and the wearing of a mask inside the Centre. In order to guarantee the social distance between visitors and detainees, strict separation between visitors and detainees has been implemented.</p> <p>2. No</p> <p>3. There is one visitor room that is slightly bigger than the others and that is intended for family visits (and is more decorated than the other rooms) and 3 other visitor rooms, one of which is only for visits from lawyers.</p> <p>4. The director determines schedules and duration of visits, but the frequency of visits may not be restricted to less than 2 per week and per detainee. Visits can take place 7 days a week from 8h00 - 12h00 and from 13h00 - 18h00. Usually a visit is planned for an hour, but if the room for the visit is not needed afterwards for another person, the staff of the detention center is flexible and lets the visitors stay longer (art. 22 al. 1 of the GDR).</p> <p>Lawyers can also visit the detainees every day of the week, between 8h00 and 18h00.</p> <p>5. No.</p> <p>6. No.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. In the Netherlands the three detention centers for foreign nationals apply general visiting rules. Foreigners themselves can plan when visitors come to the detention center.^[1] The visiting hours vary per detention center. Furthermore, the number of people that can visit at a time is limited. Children</p>


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			<p>younger than 12 years old must be accompanied by an adult when visiting, otherwise their entry will be denied.</p> <p>The current meeting rules during the COVID-19 pandemic also allow visitors to visit foreigners. However, in all the establishments the Dutch National Institute for Public Health and Environment (RIVM)-guidelines must be followed. Thus, a 1,5 meter distance must be held at all times, a walking route has been mapped out, visits mostly take place behind plexiglass and a health check is required upon entry. The health check consists of a set of questions.^[3] Furthermore, a non-medical mouth mask must be worn if the 1.5 meter distance cannot be respected. The director of a judicial establishment is authorized to deviate from the above rules for health and safety reasons.</p> <p>As a result of COVID-19, visiting possibilities have been altered as of the 27th of January 2021. Adults and juveniles may receive a maximum of 1 visitor at a time. However, these options may vary depending on the center. When the visitors consist of children, the director can determine a maximum number of children per visit.</p> <p>[1] https://www.dji.nl/justitiabelen/vreemdelingen-in-bewaring/verblijf [2] https://www.dji.nl/justitiabelen/vreemdelingen-in-bewaring/verblijf; https://www.dji.nl/justitiabelen/bezoek [3] https://www.dji.nl/justitiabelen/bezoek</p> <p>2. Yes</p> <p>3. The meeting room is equipped with tables, chairs, a vending machine to buy refreshments and a child-friendly play area.</p> <p>4. The foreigner can receive at least one hour and a maximum of two hours of private visits per week. During weekdays it is possible to have visitors for one or two hours. In the weekends, the foreigner can receive visitors for one hour, with the possibility to combine it with a one-hour meeting during weekdays.</p>
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			<p>5. No, there are no differences between visitors. However, for certain privileged contacts (e.g. lawyers, Council for the Administration of Criminal Justice and Protection of Juveniles, Commission of Supervision) different rules apply. They have the right to visit anytime. These privileged meetings take place in a consultation room. During these consultations there is no direct supervision. An employee of the detention center indirectly supervises these visits by waiting outside the consultation room.</p> <p>6. Yes, there are differences between detained asylum seekers and irregular migrants in terms of meeting visitors. For example, irregular migrants are allowed visits for one hour and have the possibility to have visits with their partner without supervision (according to the penitentiary principles law – Penitentiaire Beginselenwet).</p>
	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. Permission to visit a foreigner detained in the Guarded Center for Foreigners is granted by the Head of the Department - the Head of the Guarded Center for Foreigners. The completed application for a visit permit should be sent to the address of the Guarded Center for Foreigners. Visiting applications are processed during the working hours of the administration of the center. The application should be legible and must contain: name, surname, citizenship, date of birth, name, series and number of the visitor's identity document. If there are discrepancies between the data included in the sent application for a visit permit and the data contained in the ID document, the visit will not be performed. Only the interested foreigner is informed about the received consent or the lack of consent to hold a visit.</p> <p>2. Yes Visiting rooms are covered by the video monitoring system (image recording without sound recording). In the case of meetings between persons staying in a guarded center with an appointed representative (at the request of a party), it is possible to visit a room that will not be covered by the monitoring system for the time of the meeting.</p> <p>3. Meeting rooms are equipped only with tables and chairs.</p> <p>4. Visits may take place seven days a week and may last up to 90 minutes.</p>

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			<p>5. All visits, both family members and other guests, are subject to the same rules.</p> <p>6. The rules concerning meetings with guests are uniform for all foreigners, regardless of the type of asylum or return procedure.</p>
	EMN NCP Portugal	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	EMN NCP Slovakia	Yes	<p>1. Visits of third-country nationals detained at the Detention Center are allowed by the Director of a particular center in the presence of a patrol in designated areas– meeting rooms located on the ground floor of the administrative building. Visits are authorised at a written request of the detained person to receive the visit in such a way as not to interfere with the performance of the center’s tasks. The third-country national has the right to receive a visit, up to two persons, every two weeks for the duration of 30 minutes. In justified cases, the Director of the Center may authorise an exemption. Persons who may visit the detained person are not explicitly categorised by the Act on Residence of Foreigners, e.g. family members or other persons. In this context, the Act on Residence of Foreigner mentions only IOM staff, non-governmental or intergovernmental organisations and persons who provide legal protection to a third-country national. All these persons shall be admitted to the Center throughout the period of detention of the third-country national, with the agreement of the Director of the Center, at a time which does not interfere with the performance of the center’s tasks. The third-country national has the right to receive all these persons without restrictions.</p> <p>Representatives of the above-mentioned organisations/ bodies should inform of their planned visits in advance.</p> <p>During the visits, the Center’s patrol supervises inside the meeting room. If the detainees are visited by persons providing legal protection in criminal proceedings against the detainee, the center’s patrol supervises outside the entry to the meeting room. Visits are required to follow the instructions of the duty police officer and the principles laid down in the internal rules of the Detention Center. For</p>


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			<p>example, they are obliged to hand over their guns, mobile phones, audiovisual equipment or other objects (including alcoholic beverages, narcotic drugs, psychotropic substances, precursors, poisons, explosives and other similar substances) which could endanger the life and health of persons in the unit, to move within the unit's premises exclusively accompanied by a duty officer or authorised person, or to be marked in a visible place on the unit's premises in the manner prescribed (e.g. a tag). A person; who refuses to follow the instructions set out in the Internal Rules and the instructions of the on-duty police officer, the visit shall not be allowed.</p> <p>Detainees located in an area of a separate detention regime shall not be allowed to receive visits. Reciprocal visits between detainees shall take place at a designated place during journeys or in a visiting room. Reciprocal visits to detainees placed in the bedside of the unit's health institution may be prohibited by the doctor in justified cases.</p> <p>2. Yes</p> <p>There are two detention centers for foreigners in Slovakia – meeting premises of one of them are under video surveillance and in the other one they are monitored by a police officer through a glass.</p> <p>3. The meeting room is equipped with furniture, table, chairs, without household appliances. One of the two Detention Centers for Foreigners (in Medvedov) has two meeting rooms. The visiting rooms are equipped with tables with two benches against each other attached to the floor, two dashboards with information on legal aid and on the possibility of assisted voluntary return. In addition, a washbasin is located in one of the meeting rooms and in the other one there is cabinet with leaflets from various NGOs providing information on their activities in different languages.</p> <p>4. According to the Act on Residence of Foreigners, a third-country national has the right to receive a visit, up to two persons, once every two weeks for a duration of 30 minutes. In justified cases, the Director of the Center may authorise an exemption. Persons providing legal counselling to a third-country national are allowed to visit the detained third-country national without restrictions.</p> <p>5. There are no differences in the organisation of meetings with family members and other visitors. The conditions of visit are the same for everyone. The only difference is that persons providing legal counselling to a third-country national may make a visit without restriction and not only once every 2</p>
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			<p>weeks, but under the same conditions regarding the organisation of the meetings which apply to other visitors.</p> <p>6. Under the Act on Residence of Foreigners, an asylum seeker has the right to</p> <p>(a) communicate with representatives of the United Nations High Commissioner for Refugees, family members and persons providing legal counselling to the asylum seeker;</p> <p>(b) visits by representatives of the United Nations High Commissioner for Refugees, family members and persons providing legal counselling to asylum seekers under conditions that ensure privacy.</p> <p>Prístup rodinných príslušníkov žiadateľa o udelenie azylu a osôb, ktoré žiadateľovi o udelenie azylu poskytujú právnu pomoc, možno obmedziť z dôvodov ohrozenia bezpečnosti štátu a verejného poriadku alebo na základe rozhodnutia riaditeľa zariadenia, ak tým nie je výrazne obmedzený alebo znemožnený prístup týchto osôb k žiadateľovi o udelenie azylu.</p> <p>Access of the asylum seeker's family members and persons providing them legal counselling may be restricted on grounds of threat to state security and public order, or on the basis of a decision of the Director of the Center, unless this decision makes the access by these persons to the asylum seeker significantly restricted or rendered impossible.</p>
	EMN NCP Slovenia	Yes	<p>1. Visit hours are from 14.00 – 18.30. Legal representatives, guardians can visit their clients anytime. Head of Centre for Foreigners or his deputy can restrict access to Centre premises, due to implementation of security measures (e.g. Covid -19).</p> <p>2. Yes</p> <p>3. Meetings are held in premises that are under video surveillance, equipped with chairs and tables.</p> <p>4. Duration of visits lasts approximately 30 minutes. Time of each meeting is adjusted accordingly to the number of visitors. Max. three visitors can be simultaneously present on a meeting.</p> <p>5. See answer on question 1.</p>

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			6. Same rules apply for all foreigners staying in Centre for Foreigners.
	EMN NCP Spain	Yes	<p>1. Anyone can visit a detainee, except for security reasons. This has to be requested by the detainee.</p> <p>2. Yes</p> <p>3. In a single room, furniture is arranged in a row so that visitor and visited person are seated and separated by a glass panel, and separated by panels from neighboring visitors and detainees.</p> <p>4. Visiting hours are established at each detention center. Interviews with the designated lawyer are also allowed outside those visiting hours.</p> <p>5. No, except with the designated lawyer (see above).</p> <p>6. Asylum seekers are not detained in Spain, except at BCPs for the border asylum procedure (8 days), or in case asylum is requested in a detention centre for irregular migrants. In the last case, visiting rules remain unchanged.</p>
	EMN NCP Sweden	Yes	<p>1. The regular procedure is that the detainee says that he wants to have a visitor and then he/she chooses a time when a visitor room is available. It also happens that a visitor just presents him-/herself at the entrance and says that he/she wants to visit one of the detainee. We then check with the detainee if this is a visitor that he wants to receive and if we have a visitor room available, the visit can take place.</p> <p>2. No</p>

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			<p>3. Table, chairs/sofa, it varies a bit between detention centres and visitor rooms at the detention centres. There will also be access to toys for instance if there will be children who pays a visit.</p> <p>4. General rule is that a visit is allowed for one hour. Depending on relation between detainee/visitor and where in the process the detainee is, the visit can be longer. It also depends on how many detainees wants to have a visit. If there are fewer detainees who wants to have a visit, we can be more generous and vice versa.</p> <p>5. Not formally, but we try to be more generous in regard of visiting possibilities/length of visits if family members visits the detainee.</p> <p>6. We do not make any difference between different categories of detainees.</p>
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