



3003 Bern-Wabern, March 2008

Reception Centre House Rules for Asylum Seekers and Persons in Need of Protection

The Federal Office for Migration (FOM) issues the following house rules. These rules govern the stay of asylum seekers and persons in need of protection at a reception centre.

1. Management and responsibility

The Federal Office for Migration (FOM) operates reception centres, where the personal data of asylum seekers are registered and their fingerprints and photos taken (Art. 26 Asylum Act; SR 142.31). In a first interview, asylum seekers and persons in need of protection will be questioned on personal data, their itinerary, and the reasons they left their native country, or the country of provenance, that is, the country they resided before coming to Switzerland. In some cases an accelerated asylum procedure is applied at the reception centre. (Art. 29(1a) Asylum Act).

The Federal Office of Public Health (FOPH) is responsible for sanitary precautions at the centres to ensure public health safety (Federal Department of Home Affairs Regulation on Border Sanitary Border Examination; SR 818.125.11).

2. Opening Hours and admission

Reception centres are open workdays from 8 a.m. through 5 p.m. Outside of these hours, on weekends, and on a national or cantonal holiday, reception centres are closed.

No asylum seeker will be newly admitted outside of opening hours. Exceptions are emergencies, women, and children. Furthermore, persons who have applied for asylum right at the Swiss border and have been authorized to enter Switzerland may be admitted to reception centres at any time.

The reception centres are not open to the public, but are reserved to asylum seekers and persons in need of protection.

3. Admission

Asylum seekers and persons in need of protection are provided with a leaflet written in a language they understand, informing them on their rights and duties in the asylum procedure.

- 3.1. Upon registering with a reception centre, asylum seekers and persons in need of protection are required to deposit at the reception gate any travel and identity documents they carry (Art. 8(1b) Asylum Act).

- 3.2. Electrical appliances such as cell phones; photo, film and video cameras; radios and tape recorders; alcoholic beverages and valuables must be deposited with the reception centre staff. Owners will be given a voucher acknowledging receipt of such objects for safekeeping. These objects will be returned when the owner eventually leaves the reception centre.
- 3.3. Any kind of weapon, hazardous objects, and narcotics must be deposited with the centre staff. These objects will be handed over to the police. Return of such objects is at the discretion of the cantonal and local police authorities.
- 3.4. Upon entering the reception centre, baggage will be checked for travel and identity documents, weapons, hazardous objects, narcotics and valuables. Any such objects will be confiscated. A body search is carried out by a person of the same gender (Art. 9(2) Asylum Act).
- 3.5. Persons who try to conceal the possession of such objects and take them into the reception centre are liable to sanctions (for example, refusal to leave the centre or criminal prosecution). Possession of weapons, hazardous objects, or narcotics will be reported to the police immediately. Any such object will be confiscated.

4. Staying at the reception centre

Asylum seekers and persons in need of protection staying at a reception centre are to be available to the asylum authorities, for example for sanitary examination, fingerprinting, interviewing, or notification of decision. Absence from the reception centre is subject to the provisions at section 4.1 of the house rules. Disregard of these rules may result in administrative sanctions such as confinement to the centre. The stay at the reception centre is temporary. The duration of stay depends on the stage of procedure, but should not exceed 60 days.

4.1. Going out and vacation

Asylum seekers and persons in need of protection are free to go outside the centre from 9 a.m. to 5 p.m., provided their presence at the centre is not required. FOM reserves the right to change this rule for administrative reasons.

Permission is required to go outside the centre and valid during the time of stay at the centre. The leave permit shows the time allowed out. Permission will be granted only after those admitted to the centre have been fingerprinted and photographed. Provided the proper functioning of the centre is ensured, asylum seekers and persons in need of protection may stay outside the centre from Friday 9 a.m. to Sunday 7 p.m. The same rule applies to leave on public holidays. On public holidays, leave begins at 7 p.m. on the evening before a holiday begins.

Asylum seekers and persons in need of protection must pay their own fares for public transportation.

On returning to the centre, leave permits must be handed in again.

4.2. Meals

Meals are taken in the dining hall. For reasons of hygiene, food may not be taken to nor consumed in the rooms. Meals are served at the following hours:

Breakfast 7 a.m. to 7.30 a.m.

Lunch 11.30 a.m. to 1 p.m.

Dinner 5 p.m. to 6.30 p.m.

No meals are served outside these hours. For administrative reasons, FOM and the centre executive staff may regulate hours differently.

4.3. Accommodation

Asylum seekers and persons in need of protection are each assigned a place to sleep in gender separated rooms. Places may not be changed without prior approval from the staff. Circumstances allowing, family members share rooms.

Bathrooms and premises reserved exclusively for males or females are strictly off-limits to the other gender.

There is a day room equipped with a TV set. Staff premises (kitchen, storerooms, plant rooms, etc.) are off-limits to unauthorized persons, unless authorized or ordered access to such premises by the staff.

4.4. Tobacco, alcohol, and drugs

For security reasons, smoking is not allowed on the centre premises, nor at the emergency overnight accommodation.

Alcoholic beverages may not be consumed nor kept at the reception centre.

Possession and consumption of illegal drugs is against the law. Non-compliance is subject to criminal prosecution.

4.5. Maintaining peace

Care is to be taken to avoid noise constituting a nuisance within the reception centre and in its nearby surroundings. In addition, local regulations apply outside the centre. Everyone residing at the centre is required to behave correctly and thoughtfully and not to disturb others at the centre. The day room and the TV may not be used after 10 p.m. Night's rest must be respected from 10 p.m. to 6 a.m.

4.6. Housework

Asylum seekers and persons in need of protection are obliged to assist in housework duties at the centre (for example, cleaning, serving meals). The centre staff have authority to assign such work if need arises. Residents at the centre are to ensure that the rooms assigned to them and those used by them are kept tidy.

Furthermore, residents are responsible for hygiene in sanitary installations. It is forbidden to discard waste on the floor or to soil walls.

4.7. Medical care

Diseases or signs thereof must be reported immediately to the centre staff, who will take appropriate precautions. Patients will be assigned to any of the hospitals of the

canton in which the reception centre is located.

4.8. Accidents and disputes

Accidents and disputes in the centre must be reported to the care staff immediately.

5. Visitors and communication

Visitors may be met if approved by the centre management. Before entering or leaving the centre, visitors are required to report to the reception for identification. For security reasons, visitors will be checked by reception staff. As a rule, visitors may only be met at the assigned premises. The centre management sets visiting times. Minimum visiting time is 2.5 hours a day. FOM reserves the right to change visiting hours for administrative reasons. Phones and faxes are provided. Faxes may be used to contact legal advice or legal representation. Messages from legal advice and legal representation will be forwarded.

6. Damage und liability

Asylum seekers and persons in need of protection are obliged to treat carefully objects and furnishings put at their disposal for the time of their stay at the centre. Damaged furnishings or damage caused to facilities must be reported to the centre staff on duty. Persons responsible for damage may be held liable. In cases where minors have caused damage, their parents are held liable.

FOM accepts neither responsibility for the goods and items of those residing at the reception centre nor for damage that asylum seekers or persons in need of protection staying at the centre may cause to third property. The centre does not safeguard valuables, except substantial amounts of cash (86f Asylum Act, 16ff Asylum Regulation 2).

7. Leaving the reception centre

Before leaving the reception centre, asylum seekers and persons in need of protection are required to tidy the room they were assigned to and return the bedclothes. Persons, whose application for asylum has been denied, are issued a train ticket if they are leaving the centre. Asylum seekers whose application has been granted provisionally are issued a train ticket, the allocation decision, and a laissez-passer. Any objects deposited against receipt will be returned to them.

8. Information and regulations

Important information and regulations are put up on the centre bulletin board.

Unaccompanied minors are subject to the Guidelines on How to Take Care of Unaccompanied Asylum-seeking Minors at Reception Centres.

9. Contacts

In case of problems, care staff should be contacted first. If not available, reception staff is

responsible.

Complaints about care staff or supervisory staff are to be lodged with the centre management. Complaints about the centre management can be lodged with FOM by petitioning for administrative review (BFM, Leitung Abteilung Empfangs- und Verfahrenszentren, Quellenweg 6, 3003 Bern-Wabern).

10. Sanctions

Asylum seekers and persons in need of protection may be refused permission to leave the centre if they disregard requirements on the maintenance of peace and order. In this context they can be denied access to rooms which normally are accessible to everybody. Persons who are repeatedly denied exit from the centre or are not allowed to go outside the centre for several days can ask for a written decision they can appeal against. Persons in disregard of requirements may be expelled from the reception centre by written order for a maximum of 24 hours if their conduct jeopardizes others people's well-being, if they disturb the peace and quiet or disobey orders of the staff.

11. Validity

These house rules are effective from March 1st, 2008. They supersede previous house rules. These house rules are to be made readily visible to everyone concerned at the reception centre.

Federal Office for Migration FOM

Eduard Gnesa

Director