

Republic of Latvia

Cabinet
Regulation No. 222
Adopted 9 March 2010

Internal Procedures Regulations for the Accommodation Premises for Asylum Seekers

*Issued pursuant to
Section 9 of the Asylum Law*

I. General Provisions

1. These Regulations prescribe:

1.1. the internal procedures for the State Border Guard operated accommodation premises (hereinafter – accommodation premises) for asylum seekers.

1.2. the list of the articles and substances, which a detained asylum seeker is prohibited to keep at the accommodation premises (hereinafter – prohibited articles and substances).

II. The Procedures for Provision of Accommodation of an Asylum Seeker in the Accommodation Premises

2. When providing accommodation for an asylum seeker, a shift supervisor shall make a relevant entry in the logbook of asylum seekers (Annex 1) and organise the inspection of the asylum seeker and his or her belongings, drawing up three copies of an inspection and seizure report (Annex 2). One copy of the inspection and seizure report shall be attached to the asylum seeker's file in which documents connected with the detention, identification and guarding of an asylum seeker shall be included in a file (hereinafter – an asylum seeker's file), another copy shall be issued to the asylum seeker, while a third copy shall be attached to belongings handed over for storage.

3. The belongings and documents of an asylum seeker, as well as prohibited articles and substances seized during an inspection shall be kept in premises specially equipped for this purpose.

4. An asylum seeker may hand over for storage securities, precious metals, precious stones and products thereof (hereinafter – valuables). If valuables are handed over, three copies of an act of acceptance-transfer shall be drawn up. One copy of the act of acceptance-transfer of valuables shall be attached to the asylum seeker's file, another copy shall be issued to the asylum seeker, while a third copy shall be stored in a fireproof safe in a sealed envelope or closed box together with the valuables.

5. An asylum seeker may hand over money for storage. In such a case, three copies of a registration card of the asylum seeker's personal money shall be drawn up (Annex 3). One copy of the registration card of the asylum seeker's personal money shall be attached to the asylum seeker's file, another one shall be issued to the asylum seeker, while a third copy shall be stored in a fireproof safe in a sealed envelope or in a closed box together with the money.

6. Upon receipt of a written permit from the supervisor of the accommodation premises, an asylum seeker may hand the money, valuables, as well as prohibited articles to be stored in a warehouse over to his or her relatives or other persons.
7. Visiting hours at the accommodation premises are scheduled every day from 10am until 7pm.
8. Time for open air exercise is ensured for an asylum seeker every day for not less than two hours.
9. From 11 pm until 7am is prescribed curfew time for night rest in the accommodation premises.

III. Visiting Hours for Asylum Seekers

10. A visitor or an asylum seeker shall co-ordinate a meeting with the accommodation premises supervisor. While co-ordinating the meeting time, the supervisor of the accommodation premises will ensure that accommodation premise regulations are observed and the technical capacity for the meeting ensured. and .
11. A meeting shall take place in premises specially equipped for such a purpose and not longer than two hours by any one asylum seeker. An asylum seeker may not meet more than two visitors at the same time.
12. The accommodation premise supervisor may determine a general temporary prohibition of visiting hours (for example, due to quarantine or mass riot). An official of the State Border Guard shall notify a visitor regarding the temporary prohibition.
13. Before the visiting hours, a visitor shall be informed of the internal regulations governing procedures, which apply to visitors.
14. The following are a visitor's duties:
 - 14.1. to present a personal identification document to an official of the State Border Guard (a passport or personal identification certificate), and any personal belongings or articles brought in;
 - 14.2. to be at the place indicated by the official of the State Border Guard; and
 - 14.3. to fulfil any legal requests made by the official of the State Border Guard.
15. While at the Accommodation Premises, a visitor is prohibited:
 - 15.1. to move arbitrarily around the Accommodation Premises;
 - 15.2. to pass any type of items or belongings to an asylum seeker without the permission of an official of the State Border Guard;
 - 15.3. to smoke in a place not intended for such purpose;
 - 15.4. to play board games or other games in order to gain material or other benefits;
 - 15.5. to use swearwords; or
 - 15.6. to bring into the accommodation premises personal identification documents owned by another person.
16. Upon entering the Accommodation Premises, a visitor shall present a personal identification document at the control point of the accommodation premises to an official of the State Border Guard. An official of the State Border Guard shall register the visitor in the

visitor's logbook, recording the data of the submitted personal identification document (Annex 4) and issue a pass to the visitor.

17. In order to ensure the safety measures of the accommodation premises and prevent the bringing in and transfer to an asylum seeker of prohibited articles and substances into the accommodation premises, an official of the State Border Guard shall check a visitor and his or her personal belongings, as well as any goods brought in at a location specially provided for such purpose in the accommodation premises.

IV. Procedures for the Receipt of Parcels and Consignments

18. In a visible place at the premises designated for the receipt of parcels information on the procedures governing receipt of parcels as well as copies of the regulatory enactments in which the list of prohibited articles and substances in parcels are specified shall be displayed..

19. An official of the State Border Guard shall check the content of a parcel in the presence of the supplier, but a consignment shall be opened in the presence of the asylum seeker to whom it has been addressed.

20. Upon determining prohibited articles or substances in a parcel or consignment (except for the instance referred to in Paragraph 21 of these Regulations):

20.1. a parcel shall not be accepted and shall be returned to the supplier of the parcel;
or

20.2. a consignment shall be sent back to the sender.

21. If there is any suspicion that a parcel or consignment may contain narcotic or psychotropic substances, explosive substances, firearms or ammunition, the parcel or consignment shall be handed over to the State Police. The supplier of the parcel shall be detained and handed over to the State Police.

22. If an asylum seeker is transferred to another accommodation premise, a consignment addressed to him or her shall not be opened but sent to the pertinent accommodation premises. The expenses involved in the transfer shall be assumed by the State Border Guard.

23. If an asylum seeker has left the territory of the country, has been released from the accommodation premises or is deceased, a consignment addressed to him or her shall be returned to the sender.

V. Safety Measures

24. An asylum seeker is not permitted to:

24.1. arbitrarily leave the accommodation premises;

24.2. be arbitrarily located in places, wherein asylum seekers are not allowed entry beyond the specified time;

24.3. manufacture, use or store prohibited articles and substances;

24.4. take from other asylum seekers his or her personal belongings, products and substances or transfer his or her own personal belongings, products and substances to other asylum seekers, as well as to purchase or borrow them from other asylum seekers;

24.5. play board games or other games in order to gain a material or other benefit;

24.6. use swear words;

24.7. tattoo himself or herself or other asylum seekers;

- 24.8. screen his or her bed, as well as mutually exchange beds with other asylum seekers;
- 24.9. intentionally do harm to his or her or another person's health;
- 24.10. keep animals;
- 24.11. damage the property of the accommodation premises, as well as the belongings of other asylum seekers;
- 24.12. smoke in a place not intended for such purpose;
- 24.13. use or store alcohol; and
- 24.14. use or store narcotic or psychotropic, toxic or other intoxicating substances.

25. Inspection of an asylum seeker and his or her belongings shall be performed:
- 25.1. at the point of installing an asylum seeker in the accommodation premises;
 - 25.2. before being placed in the living premises and after being removed from them;
 - 25.3. before and after meeting with visitors;
 - 25.4. before being removed from the Accommodation Premises and after return therein;
 - 25.5. before release;
 - 25.6. when performing inspection of the living premises and common-use premises;
 - 25.7. if any suspicion has arisen that an asylum seeker could have in his possession prohibited articles, substances or products or substances, which he or she could use for the commission of a criminal offence or for an attempt to escape.

26. A partial or full inspection of an asylum seeker and belongings thereof may be performed.

27. Only an official of the State Border Guard of the same sex as the asylum seeker may perform and take part in the inspection of the asylum seeker.

28. In performing a partial inspection of an asylum seeker and belongings thereof the following shall apply:

- 28.1. an asylum seeker has an obligation to hand over prohibited articles, substances or products and substances which can be used for the commission of a criminal offence or for an attempt to escape;
- 28.2. an asylum seeker has an obligation to raise his or her hands, turn with his or her face against the wall and to lean against it and to spread his or her legs his or her shoulder width;
- 28.3. an official of the State Border Guard standing behind the asylum seeker shall frisk his or her clothes from top to bottom;
- 28.4. headgear and footwear shall be inspected; and
- 28.5. the belongings of an asylum seeker shall be inspected.

29. If in performing a partial inspection of an asylum seeker and his or her belongings the behaviour of the asylum seeker causes any suspicion that he or she could be holding prohibited articles or substances, or products or substances, which an asylum seeker could use for the commission of a criminal offence or for an attempt to escape, a full inspection of the asylum seeker and his or her belongings shall be performed.

30. A full inspection of an asylum seeker and his or her belongings shall be performed in premises specially equipped for such purpose.

31. In performing a full inspection of an asylum seeker and belongings thereof:

31.1. the asylum seeker has an obligation to hand over prohibited articles or substances, as well as products or substances, which can be used for the commission of a criminal offence or for an attempt to escape, and he or she shall be asked to disrobe;

31.2. an official of the State Border Guard shall inspect the asylum seeker's body (for example, oral cavity, ears, hair, and between toes and fingers), prosthesis and medical bandages (if necessary, the inspection shall be performed in the presence of a health care professional);

31.3. the asylum seeker's belongings and clothes shall be inspected.

32. An official of the State Border Guard has the right to examine at any time the living premises of an asylum seeker and common-use premises, as well as possessions and articles therein. The asylum seeker's personal belongings are examined in the presence of the asylum seeker.

33. If prohibited articles or substances, as well as products or substances, which can be used for the commission of a criminal offence or for trying to escape, are detected during the inspection, an inspection and seizure report in three copies shall be drawn up. One of the copies of the report shall be attached to the file of the asylum seeker, another shall be issued to the asylum seeker, while the third copy shall be attached to the belongings handed over for storage.

34. Prohibited articles and substances are specified in Annex 5 of these Regulations.

VI. Actions Pertaining to the Property of an Asylum Seeker at the Accommodation Premises

35. When releasing an asylum seeker from the accommodation premises, valuables, belongings and money removed or handed over for storage shall be issued to the asylum seeker and an inspection and seizure report in two copies shall be drawn up thereon. One copy of the report shall be issued to the recipient of the valuables, belongings and money, while the second copy shall be attached to the file of the asylum seeker.

36. In case of an asylum seeker's death, the valuables, belongings and money removed or handed over for storage shall be issued to his or her heirs and an inspection and seizure report shall be drawn up thereon.

37. If an asylum seeker does not have any heirs or they have not applied or attested to the hereditary right thereof after the disclosure of an inheritance within the time period specified by law, the money of the asylum seeker shall be transferred to the State budget, but the valuables and belongings shall be realised in accordance with the procedures specified in the regulatory enactments regarding accounting, assessment, realisation, handing over free of charge, destruction of property under the jurisdiction of the State and transferring of the income from sales to the State budget.

Prime Minister

V. Dombrovskis

Minister for the Interior

L. Mūrniece

List of Prohibited Articles and Substances

1. A mobile phone.
2. A photographic camera of any type.
3. A video camera of any type.
4. A dictophone.
5. Transmitter.
6. Medicinal products (except with the permission of a medical practitioner).
7. Firearms and munitions of any type.
8. Side arms and other articles which may serve as weapons.
9. Audio, video products and literature of a pornographic nature or content initiating violation.
10. Pyrotechnics, explosives and highly inflammable substances.
11. Narcotic or psychotropic, toxic or other intoxicating substances.
12. Yeast and other yeasty products.
13. Alcohol.

Minister for the Interior

L.Mürniece