

Detention Comparative table

	<b>Latvia</b>	<b>Estonia</b>	<b>Lithuania</b>	<b>Finland</b>	<b>Norway</b>	<b>Denmark</b>
State actors involved (which institution performs detentions)	<p>State border guards (premises of police office in exceptional situations) + courts (decides on the prolongation of the detention)</p> <p>, Orphan's and Custody Court involvement in case of the detention of minor</p>	<p>Police and Border guard (facilities and application for the detention to court).</p> <p>Children – social services, but children in Estonia are not typically detained.</p> <p>Tallinn / Tartu administrative court.</p> <p>Detention is always done by court within 48 hours.</p>	<p>State Border guards</p> <p>Administrative courts</p> <p>Migration Departments</p> <p>Children represented by the Children rights protection agency.</p>	<p>Decision on the detention by border guard or Police.</p> <p>Review of the decision by regional district court</p> <p>Detention premises under Immigration authority</p>	<p>Police and migration authorities</p> <p>Social workers, child protection services.</p>	<p>Police</p> <p>Before the judge - 72 hours</p> <p>Free lawyer</p> <p>Prison staff has responsibility</p> <p>Normal city court case</p>

<p>Grounds for detention</p>	<p>Broad interpretation of: a) risk of absconding (if arrived irregularly), Belarus as a safe country; b) security threats</p> <p>SBG encouraging to contact the embassies , not for Estonia Lithuanians had situations before, people from embassies could come, but it is not and issue now.</p>	<p>Risk of absconding, identification, threat to national security and health</p> <p>Based on the experience, the detention is applied only in cases of men without documents and in cases of crossing green zone. Families, elderlies and with children are not detained.</p>	<p>Age, vulnerability considerations not taken into account</p> <p>Detention for crossing the border irregularly</p> <p>Alternative measures are approved</p> <p>In practise the lack of the documents is solely ground for detention</p>	<p>Risk of absconding, identification, enforcement of the removal decision, subsequent application.</p> <p>In September 2024 two new grounds: threat to national security + border procedure</p> <p>In practice the grounds interpreted strictly, and less restrictive measures rarely applied prior detention.</p>	<p>Criminal act while still in the process, risk of absconding.</p> <p>No one is arrested at the arrival.</p>	<p>The same.</p> <p>Not usual for the detention upon arrival.</p> <p>But detention could be applied if applications were lodged in several EU member states, (the same for Finland).</p>
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<p>The proximity of the lifeline of state representatives</p>	<p>Medical specialists work at the premises. If needed - access to hospital. In case of hunger strike – additional medical checks performed.</p>	<p>No social mentors for Estonia for detained (also for Latvia). Two nurses and one doctor. Critical situation come ambulance. No psychological health and no mental health - problem when the detention is longer 6 month. Recreational office – cook, make pizza, free time (part of the detention staff). Football trainer. Religious attributes for Ramadan.</p>	<p>Medical staff there, possibility to legal for asylum , if foreigner than no allowed. Can't email or call us. If person at border, they keep at the border for push back, no incommunicado detentions. If needed, escorted to see medical specialists. Access to social workers irrespective of the status. Access to the medical care.</p>	<p>Free legal aid for every detainee. The detained persons have a right to choose their representative but are appointed with a lawyer ex officio if necessary  The detention lawyers are not necessarily specialized in immigration law  Access to medical care, social counsels</p>	<p>Doctors One detention centres and one family centre. Visiting doctor 5 days a week, two nurses present. No 24/7, only working hours. Nurses available during the week.  More bureaucratic. Most asylum seekers do not get the right to a lawyer until after being rejected by the UDI. The lawyer must communicate</p>	<p>Two nurses, 5 days a week. Appointment for doctors in long waiting list. Police sitting right next door. Legal aid very quickly available.  Lawyers can come at any time.  Detained persons can perform jobs at the detention centre - maintaining works!!!</p>
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		<p>Problems with food and meals.</p> <p>If you want a particular book, write the request and the officer will bring it from the library.</p> <p>Medical assistance - one family doctor with two nurses.</p> <p>Access to the legal help, legal aid provider can enter the premises.</p>	<p>For those who live independently (outside the camp), the access to the health services is more complicated.</p>	.	<p>the refusal and help assess</p> <p>whether the applicant should appeal. He or she will be assigned a lawyer free of charge, and if he or she chooses to complain, the lawyer will be the representative during the processing of the complaint.</p> <p>Asylum seekers have unlimited opportunity to talk to their lawyer by phone. This also applies to contact with</p>	
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					<p>other public services and with any representative. In addition, everyone has 42 minutes of phone time each week. They can use it to talk to friends and family.</p>	
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<p>Conditions (use of phones/walking outside/meetings with relatives)</p>	<p>1 h per day for walk and use of telephone (depends on the shift).</p> <p>Problems with access to the gym.</p> <p>During the visit to the detention centre, the head explained - at least 2 hours of walking.</p>	<p>Supreme court decision – before was not possible to use the mobile phones, now every detainee who has a sim card with received phones (without camera). All day long can use.</p> <p>Small gym section, always open. Only cardio. Weights are prohibited due to the security risks.</p> <p>Two computers, now is 5.</p>	<p>Similar to Daugavpils</p> <p>Phones under strict conditions with strict hours. Discussion with managers. Forbidden, if there is no cameras. Problem is camera.</p> <p>Limited</p> <p>Danger of the persons and security systems in place.</p>	<p>No restrictions in the use of phone.</p> <p>Right to visitors (family members / acquaintances / legal representative)</p> <p>Small library, tv-room, playroom, Access to the computers</p> <p>Access to medical care, social counsels</p> <p>The detention unit guards do not wear uniforms</p>	<p>Library</p> <p>As the goal of the stay is a return to the home country or another country of residence, rehabilitation is not the focus either. Those who stay there for more than two weeks will receive an offer to participate in activities.</p> <p>NGO provide books.</p>	<p>Don't have access to their mobile phone. There is phone that they can use. Criticised many reports about conditions. Very limited access to computers - two hours.</p> <p>Hotel detention, ( children), red cross was asked to provide a sim card. Police want them to get phones.</p>
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		Food is 2,50 eur per meal.	<p>Outside activities – limited number of hours.</p> <p>Cafeteria is for everyone.</p> <p>Monthly allowance 15, 70 euro for month.</p> <p>Social workers</p>			
Duration	6 days + up to 2 months	48 hours + court	48 h+ court	<p>Court review latest on 4<sup>th</sup> day from the border/police decision on detention</p> <p>At the request for the detainee/legal representative, reassessment by the court every two weeks.</p>	72 h+ court	72 h+ court

<p>Prolongation</p>	<p>With the decision of the court</p>	<p>Court can order first 2+ 4,+ 4+4+4 but in practice it can be less.</p> <p>3 years – released on the street.</p> <p>In the law the maximum time - 21 months.</p>	<p>Every three months reviewed.</p> <p>Up to 18 months maximums.</p> <p>If there are new circumstances, vulnerability assessment, can initiate before.</p> <p>6 months without the decisions, court counted in that period.</p>	<p>The length of the detention not defined in the detention decisions, court review every two weeks.</p> <p>Maximum 12 months, current legislation proposal for 18 months.</p> <p>The police may (and should) at any time release the detainee if the detention grounds cease (eg administrative court grants an interim measure in</p>	<p>Internment can initially apply for 2–4 weeks at a time, but also for a longer period.</p> <p>The police can detain foreigners for a longer period. If the police wish to do so, the foreigner must be brought before the court at the earliest possible time, and no later than three days after the arrest. The court can rule on the detention of the foreigner for up to four weeks at a time. This can</p>	<p>Every four weeks has to be taken before court, 18 months maximums.</p>
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				asylum case and thus no enforceable removal decision)	<p>be done if it is necessary to carry out a forced return, or to clarify the identity of the foreign national.</p> <p>18 months maximums.</p> <p>Addition in most extreme cases can go 21.</p>	
State provided legal aid	Only to appeal the protocol of the initial detention of the State Border Guard	Available state provided free legal aid, but short time to request it (48 hours). In practice there will be no legal aid at the first hearing, but later will be real to request.		Right to free legal aid – every case and in every hearing	<p>Most asylum seekers do not get the right to a lawyer until after being rejected by the UDI. The lawyer must communicate the refusal and help assess</p> <p>whether the applicant should appeal. He or</p>	

					she will be assigned a lawyer free of charge, and if he or she chooses to complain, the lawyer will be the representative during the processing of the complaint.	
Appeal	15 minutes procedure. Usually online, few questions to asylum seeker.	Fast decision making process. No opinion of the applicants is taken into consideration.  Translations issues.		No judicial review may be requested by way of appeal in respect of a decision on detention made by the authorities or a district court. The person detained may make a complaint		

				<p>about the decision of the district court. There is no deadline for the complaint, which shall be considered urgently.</p>		
<p>State security as a ground for detention</p>	<p>No access to the at least minimum information; long</p>			<p>Introduced and implemented into Aliens Act in September 2024; no practice yet</p>	<p>The detention center has its own security department, which can be used if the foreigner is a danger to himself or others. The security department must only be used for short periods. No one should be there longer than necessary.</p>	

Prioritization at the asylum procedure on the merits (yes/no)	No	Is prioritization of the cases of the detained asylum seekers.		no		
Appeal	In any time, but unknow circumstances or the change of the circumstances must be presented			Please see above		
Recent case law and positive case law and practise which has positive/negative impact on particular aspect	Long detention times.					

<p>Challenges</p>		<p>No halal meals, difficult to find a provider.</p> <p>Compliance about the shopping. No products for cloths washing, toothpaste.</p> <p>200 euros per months for the adult.</p> <p>Activities inside the premises - gardening, futball trainer, Estonian Language courses.</p>		<p>Please kindly note in relation to Finland: currently legislative proposals regarding the grounds/duration/ex officio review etc which will likely prolong and increase the detention. The possible impacts of the legislative proposals and currently (in force September 2024) implemented changes in Aliens Act still unknown.</p>	<p>The people who are placed there are routinely locked in their cells for many hours a day, although this is both illegal and disproportionate .</p> <p>They have very limited access to their own telephone, internet or PC without this being either necessary or sufficiently justified.</p> <p>Implementation of the</p>	
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				<p>The detention grounds subject to interpretation which varies depending the authorities / local police station in question.</p> <p>The detention of children still allowed even though heavily criticised</p>	<p>deprivation of liberty also has significant shortcomings with regard to the detainees' right of appeal, legal certainty and access to proper health care.</p> <p>People detained are in a very vulnerable and crisis-ridden situation. Many have major health problems and a strong fear of the future. They rarely know their rights, and are not in a position to either</p>	
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					influence their own everyday life or make demands for the follow-up they receive.	
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