



Ad-Hoc Query on violation of rules in reception centres/ asylum facilities

Requested by SK EMN NCP on 13th October 2014

Compilation produced in 20th November 2014

Responses from Austria, Belgium, Bulgaria, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Sweden, United Kingdom plus Norway (23 in Total)

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1. Background Information

The amendment to the asylum law is currently being prepared, including the transposition of the Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 (Reception Conditions Directive) in the Slovak Republic. In connection to that, the Migration Office of the Ministry of Interior of the Slovak Republic would like to collect information about issues related to the violation of the house rules in reception centres/asylum facilities.

Questions:

1. Is it possible to (temporarily or permanently) exclude an asylum seeker from a reception centre/asylum facility as a form of sanction for violation of house rules?



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2. a) If yes, under what circumstances can this be applied?
- b) When applying this sanction of exclusion, how do you at the same time ensure “dignified standard of living” for the applicant as set in the Article 20 (5) of the Reception Conditions Directive?
3. If possible, please attach any related document or specific wording related to this in your Member State.


We would appreciate your response by **November 10, 2014**.

2. Responses

		Wider Dissemination?	<ol style="list-style-type: none"> 1. Is it possible to (temporarily or permanently) exclude an asylum seeker from a reception centre/asylum facility as a form of sanction for violation of house rules? 2. a) If yes, under what circumstances can this be applied? b) When applying this sanction of exclusion, how do you at the same time ensure “dignified standard of living” for the applicant as set in the Article 20 (5) of the Reception Conditions Directive? 3. If possible, please attach any related document or specific wording related to this in your Member State.
	Austria	Yes	<p>1 and 2a. The care of asylum-seekers who continuously or strongly threaten the maintenance of order through gross violations of the house regulations can be limited, provided under restrictions or revoked by the authority.</p> <p>2b. According to current legislation, revoking basic care shall not lead to a restriction of the access to emergency treatments. The recast Reception Directive (2013/33/EU) is to be implemented until 20 July 2015. The preliminary work has already started in this respect.</p> <p>3. Art. 2 para 4(1) of the Basic Welfare Act of the Federal State provides: The care of asylum-seekers or other non-nationals according to para 1 who</p> <ol style="list-style-type: none"> 1. continuously or strongly threaten the maintenance of order through gross violations of the house regulations of the reception facilities (Art. 5) 2. [...] <p>can be limited, provided under restrictions or revoked by the authority. This decision shall not restrict access to emergency treatment.</p> <p>Source: Federal Ministry of the Interior.</p>
	Belgium	Yes	<ol style="list-style-type: none"> 1. Is it possible to (temporarily or permanently) exclude an asylum seeker from a reception centre/asylum facility as a form of

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			<p>sanction for violation of house rules? Yes, a <u>temporary</u> exclusion from the right to material aid in a reception facility is possible for a maximum period of one month.</p> <p>2.a) If yes, under what circumstances can this be applied? If a resident of a reception facility commits such a serious infringement of the house rules that it endangers the staff or the other residents or clearly poses risks to the safety or the compliance with law and order in the reception facility, and that he/she cannot be sanctioned appropriately in any other way, the sanction of 'temporary exclusion of the right to reception' can be taken. The sanction 'temporary exclusion' has serious consequences for the person concerned and can therefore be taken only when it is established that no other measure (*) makes it possible to achieve the goal of ensuring a safe reception for all the inhabitants of the reception facility. (*) The Reception Act of 12/01/2007 states in article 45, 6 other, less drastic, sanctions (1. formal warning, 2. temporary exclusion from participation in the activities organized by the reception facility, 3. temporary exclusion from the possibility to perform paid community services in the reception facility, 4. the restriction of access to certain services, 5. the obligation to perform tasks of general interest for which the non-execution or defective execution can be considered as a new offense, and 6. the transfer, without delay, of the resident to another reception facility. In determining the appropriate sanction the nature and extent of the offense as well as the circumstances in which it was committed are always taken into account. (In practice, it concerns residents who have already been transferred several times from one reception facility to another (sanction 6) for attacking staff or other residents)</p> <p>b) When applying this sanction of exclusion, how do you at the same time ensure “dignified standard of living” for the applicant as set in the Article 20 (5) of the Reception Conditions Directive? - the decisions for the withdrawal of material reception conditions (temporary exclusion) are always based on the particular situation of the person concerned. For example, for residents with medical/psychological problems another solution is sought. - during the temporary exclusion the person concerned will preserve the access to health care. - if during the temporary exclusion correspondence relating to the asylum process arrives in the reception facility, the lawyer of the person concerned will be informed to avoid that the person will be disadvantaged in the context of his asylum application. - if the excluded person has family members residing in the reception facility, he/she has visitation rights for his /her children and partner. The reception facility is responsible to provide a possibility to visit the family members, optionally in a neutral visit space outside the reception structure.</p> <p>3. If possible, please attach any related document or specific wording related to this in your Member State. All related documents are in Dutch and in French (Reception Act (12 January 2007), Royal Decree concerning the procedures for order preserving measures, sanctions and the treatment of complaints from beneficiaries of reception (15 May 2014) and instructions from Federal Agency for the Reception of Asylum Seekers (Fedasil – different dates). Please let us know if you want to receive them.</p>
	Bulgaria	Yes	<p>By order № 03-377/ 16.04.2014 of the President of the Bulgarian State Agency for Refugees with the Council of Ministers (SAR), a set of rules on the accommodation conditions and the internal order in the transit and registration-and-reception centres of SAR was adopted.</p> <p>In accordance with Article 26 of the set of rules, in case of established violations of the rules, the following sanctions are enforced:</p>


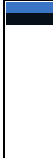

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			<p>Warning of exclusion from the centre – sanction for the first violation of the set of rules, which is enforced by the director or the commandant of the centre and about which the foreigner is informed through a warning protocol;</p> <p>Exclusion from the centre – sanction for a repeated violation of the set of rules, which is enforced through a well-grounded decision of the director of the respective centre following a suggestion of staff members at the centre and after a protocol on the established violations is drafted.</p> <p>In accordance with Article 12(1), item 3, of the set of rules, the right to avail of accommodation at a registration-and-reception centre is terminated with the handing in of a decision under Article 26 on enforcing a sanction of exclusion from the centre.</p> <p>The decision on exclusion from the centre is taken in an objective and impartial way, after assessment of each specific case. It is handed in in accordance with Article 76 of the Law on Asylum and Refugees:</p> <p>„Article 76. (1) A copy of the decision of the Chairperson of the State Agency for Refugees shall be served on the alien seeking protection. The contents of the decision, as well as the rights and obligations arising therefrom, shall be explained to the alien in a language he/she is proficient in.</p> <p>(2) The service of the decision shall be certified by the signatures of the alien seeking protection and of the translator or interpreter, accordingly. The refusal of the alien to sign the decision shall be certified by the signatures of two witnesses.</p> <p>(3) Where the decision is not served in person within 14 days as from the issuance thereof, a notification shall be mailed to the alien by registered mail accompanied by an acknowledgement of receipt.</p> <p>(4) In the event of failure to appear within 7 days as from receipt of the notice accompanied by an acknowledgement of receipt, the decision shall be deemed served.</p> <p>(5) If the notice accompanied by an acknowledgement of receipt is returned to the State Agency for Refugees due to an impossibility to be served, the decision shall be deemed served.</p> <p>(6) (New, SG No. 52 of 2007) After the decision has been served, the alien shall have access to his/her personal file.”</p> <p>The lawfulness of the decision on exclusion from a centre is subject to judicial control.</p> <p>The decision on exclusion provides for the possibility that the foreigner, whose application for international protection is pending, indicates a correspondence address in order to assist the respective staff members in clarifying his/ her case.</p> <p>One of the centres of the State Agency for Refugees serves mainly for the accommodation of unaccompanied minors with respect to whom such sanctions cannot be enforced, since they belong to a vulnerable group.</p>
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	Czech Republic	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further
	Estonia	Yes	<ol style="list-style-type: none"> 1. Yes. 2.-3. According to Act on Granting International Protection to Aliens § 62 art 6 (1) with the permission of an administrative court judge, an applicant for a residence permit on the basis of temporary protection may be detained and be required to stay at the detention centre if the applicant has repeatedly or seriously violated the internal procedure rules of the accommodation centre for asylum seekers.
	Finland	Yes	<ol style="list-style-type: none"> 1. In Finland, it is not possible to exclude the asylum seeker from the reception system as a consequence of violation of house rules. However, an asylum seeker may be transferred from the reception center where he/she is accommodated to another one among other things for security reasons. 2. An asylum seeker may be transferred to another reception center in case he/she is disturbing the personnel or other residents in such a severe way that the problem cannot be solved in the reception center where he/she is accommodated. In situations involving violence and threats the police could be called and the asylum seeker taken to police custody and/or jail. After release he/she may be transferred to another reception center – even against his/her own will. However, the transfer would not have any effect on the services provided for and their standard. So called disciplinary transfer has to be agreed upon with the sending and receiving reception center in advance. Unaccompanied minors causing disturbance may be temporarily placed e.g. in a private child welfare facility (a tailored solution for accommodation). 3. The authorization for transfers is based on the Act on the Reception of Persons applying for International Protection, Sections 16 and 17: Section 16 (Accommodation at the reception centre) (1) Persons applying for international protection and beneficiaries of temporary protection are accommodated at reception centres. They may be transferred to other reception centres if this is necessary for reasons concerning them, the operations of the reception centre or the processing of the application for international protection. The accommodation shall be arranged so that family members may stay together if they so wish. (2) Decisions on the accommodation and transfers are made by the reception centre. The person to be transferred shall be heard before the decision on the transfer is made. When a decision on the transfer of an unaccompanied minor is made, the representative of the child shall also be heard. (3) The Finnish Immigration Service may reserve the power of decision concerning the accommodation or transfer if this is necessary for reasons concerning the processing of the application for international protection or if, in a matter concerning the transfer referred to in subsection 1, no agreement is reached on the reception centre to which the person in question should be transferred. Section 17 (Accommodating unaccompanied minors) (1) Unaccompanied minors are accommodated in group homes. The provisions of section 59 of the Child Welfare Act on the maximum number of children and young persons cared for in one housing unit, the maximum number of children placed in one building


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			<p>and the minimum number of personnel responsible for the care and upbringing of the children apply to group homes.</p> <p>(2) Unaccompanied minors that have reached the age of 16 may be accommodated in supported housing units if this is justified on the grounds of their development and well-being. A maximum of 40 children may be placed in one building and there shall be at least three employees in care and upbringing duties for each ten children. In urgent cases, temporary exceptions may be made concerning the numbers laid down in this subsection if this is necessary for arranging reception services for the children.</p> <p>(3) Unaccompanied minors may also be accommodated in other places of accommodation intended for children. In that case, the provisions of subsections 1 and 2 apply to the number of residents and employees.</p> <p>(4) The provisions of section 60 of the Child Welfare Act apply to the qualification requirements of employees of group homes, supported housing units and other places of accommodation intended for children.</p>
	France	Yes	<p>1. Yes, it is possible to exclude an asylum seeker from a reception centre/asylum facility as a form of sanction for violation of house rules.</p> <p>2. a) Most of the time, an asylum seeker can be excluded from a reception centre as a form of sanction for violation of house rules for violence between families or toward the personnel or in case of numerous unauthorised absences.</p> <p>2. b) When an asylum seeker is excluded from a reception centre, accommodation is proposed to be provided in another reception centre. Administrators from reception centres cannot force the asylum seeker to leave. Forced expulsion by the police can only be implemented after a judicial decision. If the asylum seeker refuse the alternative accommodation offer, he/she can still benefit from the temporary waiting allowance. In general, exclusions are fairly rare and formalized as a last resort, when mediation solution have failed.</p> <p>3. The conditions for exclusion, under prefectural agreement following notification from a reception centre, are listed at the national level in the model of operational regulations for the reception centres (appendix to decree n° 2011-861 of 20 July 2011 – in French).</p>
	Germany	Yes	<p>1. No. There is only the possibility to transfer the asylum seeker for disciplinary reasons in an other reception centre.</p> <p>2. n/a</p> <p>3. n/a</p>
	Greece	Yes	<p>1. According to the General Regulation of Open Accommodation Facilities for third countries nationals operated by First Reception Service, the imposition of the sanction of terminating a beneficiary's right of residence, can be applied in case of specific rules' violation.</p> <p>2. The termination of a beneficiary's right of residence is explicitly applied under the following circumstances a) expression of any form of violent behavior, b) physical, emotional or sexual harassment of staff or of other beneficiaries and c) use of prohibited substances (drugs, alcohol), objects or/ and explosive materials which can harm oneself or others.</p> <p>The Director of the Accommodation Facility has the authority to impose the above sanction in further cases, for example, misbehavior to the other beneficiaries, personal activities that may jeopardize life and physical integrity of staff or other residents.</p> <p>3. In case that the sanction of exclusion from an accommodation facility is applied, EKKA (National Centre for Social Solidarity) is the responsible authority for providing housing in another Open Accommodation Facility.</p>
	Hungary	Yes	<p>1. Yes. Specifically on violations of the house rules of a reception center, according to the Hungarian Act on Asylum, the refugee authority <u>may designate a place of accommodation</u> as a sanction, "if the person seeking recognition</p> <p>a) <u>grossly violates the rules of conduct in force at the designated place of accommodation;</u> or</p> <p>b) <u>manifests serious violent behaviour</u>".</p> <p>2. The refugee authority shall order the reduction or withdrawal of the material conditions of reception for an indefinite or a definite</p>

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			<p>period. In case of minors seeking recognition, the reduction of the material conditions of reception shall be applied primarily. In the event of withdrawal, the best interest of the child and the principle of proportionality shall be primary considerations. If the person punished by the sanction is responsible for a child of school age – the possibility of the education of the child of school age shall be ensured during the relocation. Moreover in case of a person in need of special treatment, the material conditions of reception which have been established with regard to the specific situation of the person seeking recognition shall also be ensured after the relocation. Still, with regard to persons in need of special treatment, reduction or withdrawing measures may only affect the material conditions of reception for which the person seeking recognition is eligible with respect to his/her individual situation in particularly justified cases. Finally, if the reduction or withdrawal is for an indefinite period and the reasons serving as a basis of the decision cease to exist, after consideration of the specific situation of the person seeking recognition, the refugee authority may, in a decision, order <i>ex officio</i>, or based on the request of the person seeking recognition to resume the provision of the initial material conditions of reception that were reduced or withdrawn.</p> <p>3. In general, “the conditions of reception provided for a person seeking recognition may be reduced and/or – in exceptional and duly justified cases – withdrawn if the person seeking recognition</p> <ul style="list-style-type: none"> a) has departed from the private housing authorized for him/her for an unknown destination and a period of fifteen days has elapsed since his/her departure; b) repeatedly submits an application for recognition on factual grounds unchanged; c) does not comply with his/her reporting obligation relating to the asylum procedure, does not supply the required data or information or fails to appear at personal hearings, or d) has concealed the fact that s/he has sufficient funds, which means that s/he has used the material conditions of reception unlawfully”. <p>Regarding the specific house rules see above.</p>
	<p>Ireland</p>	<p align="center">Yes</p>	<p>Firstly, it must be pointed out that Ireland has not opted-in to the Minimum Standards Directive on Reception Conditions. The primary reason for this is in respect of the right to work. Asylum seekers are not entitled to work under Irish law. The response below must be read in this context.</p> <p>The Reception & Integration Agency (RIA) is responsible for the operation of Reception Accommodation and associated services to asylum seekers in Ireland. RIA is a non-statutory agency and is a Division of the Department of Justice & Equality.</p> <p><u>General:</u></p>



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			<p>In Ireland a Direct Provision system is used to provide for the basic needs of asylum seekers while they await a determination on their asylum and related applications (i.e. Subsidiary Protection, Humanitarian Leave to Remain, Judicial Reviews of any stage of the process, and while they await action on a Deportation Order).</p> <p>The Direct Provision system provides full board accommodation free of charge to all such persons until there is a final resolution of their case (i.e. until they are granted some form of status in Ireland or are removed from the State).</p> <p>In addition to full board accommodation, free medical supports, including doctor, nurse, hospital and medicines are provided to those in Direct Provision accommodation. Children are entitled to access free Pre-school, Primary and Secondary level education.</p> <p>RIA currently operates 34 Reception Centres accommodating 4,336 persons at end September, 2014.</p> <p>Asylum seekers are not required to live in Direct Provision accommodation. However, the Irish State does not offer any alternative State support to those who do not wish to avail of Direct Provision services. In reality, it is estimated that around 50% of those in Ireland who are entitled to avail of Direct Provision services choose not to and instead make their own arrangements without State support.</p> <p>The Direct Provision system is operated in line with Government Policy and the system itself and how it is operated is not set out in legislation. This is particularly relevant to the query.</p> <p><u>House Rules:</u> A copy of the House Rules which apply for RIA reception centres is included separately. The sections relevant to the query are as follows:</p> <p>Page 6/7: How does Irish law affect the Rules?</p> <p>Page 12/13: Respect; the Law</p> <p>Page 31: Transfers</p> <p>Page 32: Expulsions</p> <p><u>Operational reality:</u> It is extremely rare for someone to behave in such a way that RIA has no option but to expel them. In effect, such persons are expelling themselves due to, for example extreme violence, serious damage to property, putting others at risk etc.</p> <p>Where an expulsion does happen, it will be temporary to allow a cooling off period for the perpetrator. In some instances, such a person may have been arrested and detained for breach of the criminal law anyway and therefore would not be accessing the Reception system.</p> <p>In cases of expulsion, the perpetrator would probably be allowed to return to a Reception centre (usually a different one) after a week or so. Such a return would be on the understanding that they sign a document to acknowledge the breach of rules and give an undertaking to</p>
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			<p>behave in future. This would often be done through a legal representative or NGO.</p> <p>There is no law in Ireland in respect of the Direct Provision system, including in the area of expulsions. Although some argument may be made about the legal position on trespassing under law.</p> <p>Those persons entitled to Direct Provision services (the Irish Reception System) are not entitled to any alternative form of State support, including social welfare and State homeless service supports. They are also not entitled to work. This reality causes difficulty should there be a legal challenge to RIA expelling a person. The argument would be made (and has been alluded to in Court on one occasion at least) that by expelling an asylum seeker from the Direct Provision system, the Irish State is knowingly, deliberately and effectively making a person entirely destitute and therefore putting their lives at risk. The absence of prescribed legal powers at RIA also make this a difficult situation.</p> <p>It must be said that the vast majority of persons in the Direct Provision system conduct themselves with dignity and respect. Those rare persons who do not can be a significant problem. It is often the same people who fall to be considered for expulsion time and time again. Such persons generally would be in a position to make their own accommodation arrangements for the cooling off period following expulsion, in RIA's experience.</p> <p>Providing for an alternative support for expulsion cases is difficult also. If a cash-based safety net was put in place to assist expelled persons, it may actually prove attractive to persons who simply want the cash (the Direct Provision system is a largely cashless system). What is not desired is a sub-system which tempts Reception System residents to cause disruption and therefore access a cash-based solution. This was an issue some years ago in Ireland but the homeless services have tightened up on that area.</p> <p>As stated earlier, in Ireland, RIA accommodates people until there is a resolution of their case. This does give rise to cases where, for example, people with an active Deportation Order against them but whom Ireland is not in a position to remove from the State find themselves in a position where they effectively are untouchable and have nothing to lose by causing disruption.</p> <p><u>Summary:</u> RIA fully understands the query raised. It has been the subject of conversation within RIA and also at European Level through EPRA and ENARO groups as well as through EMN surveys, and at UN level. There is no easy answer on this question.</p> <p align="center">  House Rules Nov 2009 (A4) (Amended) </p>
	Italy	Yes	<ol style="list-style-type: none"> 1) Yes, it is possible to exclude Asylum seekers from a reception centre as a form of sanction for violation of house of rules. 2) According to Article 12 of Legislative Decree No. 140/2005, an Asylum seeker could be excluded from a reception centre in these cases: <ol style="list-style-type: none"> a) The applicant fails to appear at the facility or leaves the reception centre without first giving well-founded notice to the

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			<p>competent <i>Prefecture-Local Government Office</i>;</p> <p>b) The applicant fails to appear at the interview with the application examining body even though the notification to attend has been served at the reception centre;</p> <p>c) The applicant has already submitted an asylum application in Italy on a previous occasion;</p> <p>d) It is ascertained that the applicant has sufficient financial means to provide for him/her subsistence autonomously;</p> <p>e) The applicant breaks the rules of the reception centre hosting him/her seriously and repeatedly or exhibits seriously violent behaviour.</p> <p>3) Italy has not yet implemented Directive No 33/2003/EU. Law No 154/2014 delegated the Government to adopt an Implementing Decree, which, however, has not been adopted yet.</p>
	Latvia	Yes	<p>1.No 2.N/A 3.N/A</p>
	Lithuania	Yes	<p>1. No 2. Not applicable 3. Not applicable</p>
	Luxembourg	Yes	<p>1. Yes. 2. Articles 3 and 4 of the Law of 16 December 2008 on reception and integration of foreigners state that the Luxembourgish Reception and Integration Agency (OLAI) is competent for the housing and social aid to international protection applicants. The withdrawal and the limitation of social aid, which includes financial allowances as well as accommodation, is regulated by the Grand Ducal Regulation of 8 June 2012.¹</p> <p>The minister may limit or withdraw social aid in case the beneficiary:</p> <ul style="list-style-type: none"> - has concealed his financial resources; - has acted violently or in a threatening manner to staff or residents of the reception facility; - has left the reception facility without informing the competent authorities; - did not comply with reporting duties; - has already introduced an application in the Grand-Duchy of Luxembourg; - has committed a serious breach of the rules of procedure of the reception facilities.²

¹ See Articles 5, 6 and 7 of the Grand-Ducal of 8 June 2012 setting the conditions and modalities under which international protection applicants may benefit from social aid under article 14 of the Asylum Law.

² Articles 5 of the Grand-Ducal Regulation of 8 June 2012 setting the conditions and modalities under which international protection applicants may benefit from social aid under article 14 of the Asylum Law.






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			<p>In Luxembourg, an internal Regulation for Reception Facilities establishes the internal functioning rules of all the reception structures housing international protection applicants. After being informed on these rules in a language which they understand or are reasonably supposed to understand, the beneficiaries must sign a document acknowledging that they are aware of the existence of this internal regulation and that they will respect it. The signature must take place before their transfer from the first reception facility to the new lodging structure for international protection applicants. These internal rules sanction certain violations to the internal rules such as: drug use, repeated absences and the refusal to perform cleaning and maintenance tasks in the reception facilities.</p> <p>2.b) The balance of imposing sanctions of withdrawing or limiting access to accommodation and the disposition of article 20 (5) of the Reception Conditions Directive can be explained in accordance with consideration (25) of the directive that states: “(25) The possibility of abuse of the reception system should be restricted by specifying the circumstances in which material reception conditions for applicants may be reduced or withdrawn while at the same time ensuring a dignified standard of living for all applicants.”</p> <p>3. See document attached.</p>
	<p>Netherlands</p>	<p align="center">Yes</p>	<p>1. Yes</p> <p>2. a.</p> <ul style="list-style-type: none"> • If the asylum seeker repeatedly rather severely harasses staff or other residents: 2 weeks withdrawal of all reception conditions • Severe harassment: 4 weeks • Repeated severe harassment: 8 weeks • Continuously repeated severe harassment: permanent withdrawal <p>The decision is taken individually and motivated, appeal is possible. Individual circumstances like vulnerabilities are taken into account in taking the decision.</p> <p>b. The asylum seeker is informed about the possibility to go to a shelter for homeless people, for example of the Salvation Army. Access to health care is always available.</p> <p>3. See attached document (in Dutch)</p>
	<p>Poland</p>	<p align="center">Yes</p>	<p>1. Yes.</p> <p>2. Sanctions are applied based on the <i>Act of June 13th 2003 on granting protection to foreigners within the territory of the Republic of Poland</i>, which states that a foreigner who flagrantly violates the rules of social coexistence at a center is deprived of social assistance (art. 76). Each case is analyzed individually and the decision is made by the Head of the Office for Foreigners.</p> <p>Social assistance can be restored only once. When violation of rules occurs once more social assistances can be restored again only as one-third of the cash benefit paid to foreigners living outside the center (art. 78). This also applies to asylum seekers who refuse medical examination upon admission to the center (art. 81). Withdrawal or reduction of social aid depends on individual case and can be applied only in the last resort when other methods turned out to be insufficient. Furthermore there is the internal Procedure for dealing with violation of legal norms by a foreigner staying at the center, which describes step by step how worker of a center should</p>


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			<p>react to breaching of regulations.</p> <p>3. Please find attached Act of June 13th, 2003 on granting protection to foreigners within the territory of the Republic of Poland.</p>
	Portugal	Yes	<p>1. Yes. The exclusion of applicants for international protection lodged in a reception centre can be made when there is a serious breach of the rules of functioning of the centre. In this case they are referred to external lodgement. Besides that reception conditions may be withdraw:</p> <p>2. A)According the national asylum act the reception conditions may be totally or partially withdrawn if the asylum or subsidiary protection seeker, without any due justification: Abandons the residing place established by the competent authority without informing Aliens and Borders Service or without the required authorization; Abandons his/her residing place without informing the competent entity for the accommodation; Does not fulfil his/her obligation to show up whenever requested to do so; d) Does not supply the requested information or does not show up at the individual interviews, when summoned for that purpose; e) Has dissimulated his/her financial resources and thus, unduly benefit from the material accommodation conditions.</p> <p>3. b) The recast of RCD has been recently implemented and has not yet been regulated. However it's already foreseen in National Act that the reduction or cessation of benefits does not affect access to emergency health care, basic treatment of diseases and serious mental disorders and medical care or other necessary assistance to applicants in need of special care, including appropriate psychological assistance if necessary.</p>
	Slovak Republic	Yes	<p>1. No. 2. N.A. 3. N.A.</p>
	Slovenia	Yes	<p>Q1; International Protection Act does not envisage exclusion of asylum seekers from asylum facility as a form of sanction for violation of house rules. Q2. N.A Q3. N.A</p>
	Sweden	Yes	<p>1. NO 2. N.a. 3. N.a.</p>
	United Kingdom	Yes	<p>Generally in the United Kingdom, asylum seekers are provided with accommodation in properties within the community as a whole, rather than in reception centres. They may also be provided with a “subsistence” allowance.</p> <p>In 2005, when implementing the European Council Directive which laid down minimum standards for the reception of asylum seekers, a number of changes were made to UK domestic legislation. Regulation 20 of the Asylum Support Regulations 2000 was amended to set out when accommodation and subsistence may be suspended or discontinued.</p>

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			<p>As a result, there are conditions mirroring the legislative provisions, attached to the provision of accommodation and subsistence. These conditions are set out in the Asylum Support Agreement (attached) which each recipient of asylum support should sign when provided with accommodation and subsistence. Should the applicant or his dependants breach these conditions, the accommodation and subsistence may be withdrawn.</p> <p>1) Is it possible to (temporarily or permanently) exclude an asylum seeker from a reception centre/asylum facility as a form of sanction for violation of house rules?</p> <p>Yes</p> <p>2 a) If yes, under what circumstances can this be applied?</p> <p>The subsistence (including accommodation) could be withdrawn if the person:</p> <ul style="list-style-type: none"> • does not travel to the designated accommodation address in accordance with arrangements made; • does not reside at the authorised address; • does not adhere to the rules of the accommodation; • behaves in a violent manner; • does not collect their subsistence regularly; • does not comply with any reporting restrictions imposed on them by an Immigration Officer; • does not comply with requests from the Home Office for: <ul style="list-style-type: none"> ○ Information about their asylum claim; ○ Information about their asylum support; or, ○ attendance at an interview about their asylum support. • Does not inform the immigration authorities of any changes in their circumstances which may affect their right to accommodation and subsistence. <p>b) When applying this sanction of exclusion, how do you at the same time ensure “dignified standard of living” for the applicant as set in the Article 20 (5) of the Reception Conditions Directive?</p> <p>The UK is not signed up to the 2013 Recast Reception Conditions Directive of which the article mentioned forms part. Asylum seekers living in the UK may have a “dignified standard of living” if they adhere to the conditions of the support and accommodation provided by the UK.</p> <p>4. If possible, please attach any related document or specific wording related to this in your Member State.</p> <p>Asylum support regulations 2000: http://www.legislation.gov.uk/uksi/2000/704/part/8/made</p>
	Norway	Yes	<p>1. No. 2. N.A. 3. N.A.</p>

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