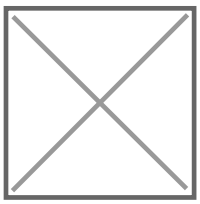
Please cite as: EUAA, '4.7.2 Applicants' daily life' in *EASO Asylum Report 2021* , Enero 2022.

4.7.2 Applicants' daily life



4.7.2.1 House rules and measures for disruptive applicants

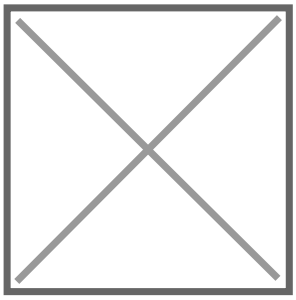
In a few Member States, such as Austria and Czechia, reception facilities updated their house rules to include some measures related to the pandemic. In Czechia, the objective of these changes was to align the house rules with national pandemic measures.

As in previous years,[600] the Netherlands continued with measures to address the issue of disruptive or criminal applicants. Following a serious incident, applicants in reception may now be placed temporarily in time-out, a separate, sober place within a reception facility where applicants would only be entitled to material reception conditions in kind, not in cash.[601] In addition, the State Secretary for Justice and Security presented a toolbox on dealing locally with disruptive or criminal applicants.[602] The toolbox presents 70 measures which provide support in different areas: general measures and measures within reception, for public transport, for shopping areas and for residential areas.[603]

The Swiss National Commission for the Prevention of Torture recommended the establishment of a complaints management system that applicants can easily trigger. The commission also saw the need to improve the training of security personnel in reception centres. The organisation received reports of several incidents when security personnel used excessive force or implemented disproportionate measures.[604]

The Vilnius Regional Administrative Court deliberated on the case of a Russian applicant who repeatedly breached the rules of the reception centre, and the State Border Guard Service requested his detention. The court assessed that the applicant's behaviour – alcohol consumption, refusing to wear a protective mask and not complying with the COVID-19 health requirements – does not pose a threat to public order or national security and, thus, found that the grounds for detention were not established.

Legislative amendments from 2018[605] entered into force in Switzerland, setting the legal framework for the modalities and limits of video surveillance in federal asylum centres.[606] Also in Switzerland, the Federal Administrative Court held that assigning an applicant to a special reception centre for disruptive applicants does not amount to a deprivation of liberty, as applicants have a certain degree of freedom of movement and can leave the centre under certain conditions. This special centre in Les Verrières was temporarily closed in September 2019 but reopened again in February 2021.[607]



[600] See: European Asylum Support Office. (June 2020). *EASO Asylum Report 2020: The Situation of Asylum in the European Union* . https://easo.europa.eu/asylum-report-2020; European Asylum Support Office. (2019). *Annual Report on the Situation of Asylum in the European Union 2018*. https://easo.europa.eu/easo-annual-report-2018

[601] Central Agency for the Reception of Asylum Seekers | Centraal Orgaan opvang asielzoekers. (2020, July 1). *Time-out voor overlastgevende asielzoeker [Time-out for asylum seekers causing nuisance]* . https://www.coa.nl/nl/nieuws/time-out-voor-overlastgevende-asielzoeker

[602] Ministry of Justice and Security | Ministerie van Justitie en Veiligheid. (2020, November 10). *Toolbox voor lokale aanpak overlastgevende asielzoekers [Toolbox for local management of disruptive applicants]* . https://www.rijksoverheid.nl/actueel/nieuws/2020/11/10/toolbox-voor-lokale-aanpak-overlastgevende-asielzoekers; Ministry of Justice and Security | Ministerie van Justitie en Veiligheid. (2020, November 10). *Kamerbrief over aanpak van overlastgevende en criminele asielzoekers [Parliamentary brief on managing disruptive and criminal asylum seekers]*. https://www.rijksoverheid.nl/documenten/kamerstukken/2020/11/10/tk-aanpak-van-overlastgevende-en-criminele-asielzoekers

[603] Ministry of Justice and Security | Ministerie van Justitie en Veiligheid. (2020, October 5). *Toolbox aanpak overlastgevende en/of criminele asielzoekers [Toolbox for managing disruptive and/or criminal asylum seekers]* .

https://www.rijksoverheid.nl/documenten/publicaties/2020/10/05/toolbox-aanpak-overlastgevende-en-of-criminele-asielzoekers

[604] National Commission for the Prevention of Torture | Nationale Kommission zur Verhütung von Folter | Commission National de Prévention de la Torture | Commissione nazionale per la prevenzione della tortura. (December 2020). *Résumé du rapport de la Commission nationale de prévention de la torture sur ses visites dans les centres fédéraux pour requérants d'asile (2019-2020) [Summary of the report of the National Commission for the Prevention of Torture on its visits to federal centres for asylum applicants (2019-2020)]* .

https://www.nkvf.admin.ch/dam/nkvf/fr/data/Berichte/2020/baz/ber-zus-baz-fr.pdf.download.pdf/ber-zus-baz-fr.pdf

[605] See European Asylum Support Office. (2019). *EASO Annual Report on the Situation of Asylum in the European Union 2018* .

https://easo.europa.eu/easo-annual-report-2018

[606] Ordonnance portant mise en vigueur partielle de la modification du 14 décembre 2018 de la loi sur les étrangers et l'intégration, RO 2020 881 [Ordinance partially bringing into force the amendment of 14 December 2018 to the Law on Foreigners and Integration, RO 2020 881]. https://www.fedlex.admin.ch/eli/oc/2020/170/fr; Ordonnance 1 sur l'asile relative à la procédure (Ordonnance 1 sur l'asile, OA 1), RO 2020 913 [Ordinance 1 on asylum related to procedures (Ordinance 1 on asylum, OA1), RO 2020 5869]. https://www.fedlex.admin.ch/eli/oc/2020/173/fr

[607] State Secretariat for Migration | Staatssekretariat für Migration | Secrétariat d'État aux migrations | Segreteria di Stato della migrazione. (2021, February 2). *Remise en service du centre fédéral spécifique pour requérants d'asile des Verrières [Relaunching the special federal centre for asylum seekers in Verrières]*. https://www.sem.admin.ch/sem/fr/home/sem/medien/mm.msg-id-82196.html

[608] Foundation Cepaim | Fundación Cepaim. (2021). *Input to the EASO Asylum Report 2021.*
https://easo.europa.eu/sites/default/files/Cepaim.pdf





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