

## **GUIDELINES on Managing Detention Centers for Irregular Migrants Under the State Migration Service of the Republic of Azerbaijan**

### **1. General provisions**

1.1. These Guidelines shall define management rules on admitting and leaving as well as guarding foreigners and stateless persons (referred hereinafter to as “foreigner”) placed into and detained voluntarily in the detention centers for irregular migrants (referred hereinafter to as “Center”) under the State Migration Service of the Republic of Azerbaijan (referred hereinafter to as “Service”) and regulate their rights and obligations.

1.2. The Center shall interact with other structural units and divisions of the Service, as well as with relevant structures of the prosecutors’ office, judicial authorities, State Border Service, Ministry of Internal Affairs, Ministry of National Security and Ministry for Foreign Affairs.

### **2. Admitting foreigners to the Center and leaving the Center by foreigners to be voluntary placed and detained there**

2.1. Foreigners shall be placed into the Center voluntarily under the circumstances and for the durations specified below:

2.1.1. under individual request until making decision to grant/refuse refugee status to the claimant but no more than for 3 months (together with his/her family members);

2.1.2. under individual request until employment or settlement of the foreigner granted refugee status but no more than for 3 months;

2.1.3. under individual request until implementation of decision on administrative expulsion from the Republic of Azerbaijan.

2.2. Foreigners shall be detained in the Center under the circumstances and for the durations specified below:

2.2.1. administrative detention either up to 24 hours in order to establish facts of the offence committed by foreigner, subject to a case on administrative offence as well as to identify him/her or up to 3 (three) days under the decision taken by judge in case of lack of identity documents of the foreigner who has committed an offence;

2.2.2. until execution of the court decision against foreigners suspected in avoiding or absconding from implementation of decision on their administrative expulsion from the Republic of Azerbaijan;

2.3. Foreigners to be voluntarily placed into and detained in the Center shall be admitted to the Center under the following documents:

2.3.1. decision of the Service (or court);

2.3-1. while being admitted to the Center foreigners shall receive proper medical examination and records on this as well as on diseases found shall be made in relevant log book (Appendix #9).

2.3-2. written information on bodily injures or signs of violence found during medical examination of foreigners shall be sent to the prosecutor carrying out procedural supervision of preliminary investigation for holding relevant inquiries.

2.3-3. complaints about any torture, inhuman or degrading treatment with the foreigner placed into or detained in the Center voluntarily as well as written information on bodily injures found during medical examination and supposed to be received as a result of any torture, inhuman or degrading treatment shall be sent to the prosecutor carrying out procedural supervision of preliminary investigation for holding relevant inquiries.

2.3.2. protocol on personal search of the detained foreigner;

2.3.3. identity document of the foreigner placed or detained voluntarily (in case of lack of identity document, protocol of the migration authorities' officers on lack of identity document and actions taken to find them);

2.3.4. document on medical examination of foreigners voluntarily placed and detained.

2.4. Detained foreigners shall be searched and protocol on search (Appendix #1) shall be designed in presence of the two case witnesses of the same gender with foreigners subject to a search.

2.5. Seized items, their specific features and numbers shall be indicated in protocol on personal search of the detained foreigner.

2.6. Statement on voluntary depositing of personal belongings of foreigner (or stateless person) (Appendix #18) shall be designed.

2.7. Dactyloscopic data of foreigners voluntarily placed into and detained in the Center shall be taken in laboratory.

2.8. Personal file of every foreigner voluntarily placed into and detained in the Center shall be opened. Documents and material prescribed in point 2.3 of these Guidelines shall be stored in the personal file.

2.9. Duration and rules of keeping personal files in the Center shall be defined by relevant legal and regulatory acts of the Service. Record card (Appendices #2 and 3) of every foreigner admitted to the Center shall be opened and stored with other documents in his/her personal file.

2.10. Upon arrival to the Center the detained foreigner shall be given opportunity to inform his/her near relatives or other persons whom he/she is legally interested to contact with on his/her detention and place of custody by making a phone call or by other means. Meanwhile diplomatic representation or consular office of home country or country of citizenship of the foreigner in question in the Republic of Azerbaijan shall be immediately informed on this case and fact of providing this information shall be recorded.

2.11. Daily data log sheet on foreigners admitted to the Center for their further voluntary placing and detaining (Appendices #4 and 5) shall be submitted to Head of the Center.

2.12. Relevant court decision on extension of the detention's duration shall be read to foreigner against his/her receipts.

2.13. Cancellation of the Service's or court decision on person placed and detained voluntarily is read to foreigner and that person leaves the Center immediately. This decision shall be stored in the personal file of foreigner in question.

2.13-1. Foreigners voluntarily placed into and detained in the Center shall be informed about decisions taken in connection with them in a language they understand.

2.14. Foreigner leaving the Center shall be provided with reference paper on placing into and detaining in the Center voluntarily, copies of relevant decisions taken by the Service (or court), personal documents and deposited (or seized under the protocol) personal belongings.

2.15. Head of the Center shall be informed about foreigner who leaves the Center a day before completion of his/her voluntary placing and detaining.

### **3. Arranging activities for voluntary placing into and detaining foreigners in the Center**

3.1. The following rooms shall be available in the Center with a view of creating proper conditions for secure guarding, voluntary placing and detaining of foreigners as well as for meeting sanitary and hygiene standards:

3.1.1. personal search room;

3.1.2. living rooms;

3.1.3. surgery room;

3.1.4. psychologist room;

3.1.5. sanitary checkpoint with shower cabins;

3.1.6. medical confinement room;

3.1.7. dining room;

3.1.8. prayer room;

- 3.1.9. visiting room;
- 3.1.10. dactyloscopic laboratory;
- 3.1.11. library;
- 3.1.12. room for mother with children;
- 3.1.13. entertainment and recreation room for children;
- 3.1.14. leisure room;
- 3.1.15. bathroom and laundry;
- 3.1.16. stock room.

3.2. Special living rooms for 1, 2 and 6 persons shall be available for voluntary placing into and detaining of foreigners in the Center.

3.3. Structure of living rooms shall provide fully a secure confinement of detained foreigners from outside and lack of connection with other service and living rooms.

3.4. Home appliances required for foreigners placed voluntarily shall be available in their rooms.

3.5. Food and logistics standards shall be established for foreigners placed into and detained in the Center.

3.6. Foreigners voluntarily placed into and detained in the Center shall be provided with free meal thrice per day.

3.6-1. A doctor shall make daily conclusion on eatability of food to be served to foreigners placed into and detained in the Center and it shall be recorded in relevant log book (Appendix #11).

3.7. Detained foreigners shall have daily 3(three)-hour walk in a designated outdoor areas of the Center's courtyard.

3.8. Foreigners voluntarily placed into and detained in the Center shall use bathroom not less than weekly. In warm weather foreigners placed and detained voluntarily shall be allowed to use bathroom or to take shower more frequently.

3.9. The freedom of movement of the foreigners placed into the Center voluntarily shall be ensured. These foreigners shall be entitled to exit and enter the Center at time indicated in permits (Appendix #6) issued to them.

3.10. Foreigners voluntarily placed and detained may be provided with board games in order to have more interesting leisure time.

3.11. Records shall be made in the log book (Appendix #7) on the basis of permits (Appendix #6) presented by every foreigner placed voluntarily who enters and exits the Center through the checkpoint located at entrance to the Center.

3.12. Foreigners voluntarily placed and detained shall be given opportunity to use phone up to 30 minutes per week. Expenses for long-distance and cell phone calls shall be covered either by the foreigner concerned or by his/her near relatives or other persons whom he/she is legally interested to contact with.

3.13. Management of the Center shall ensure allocating premise designated for meetings in adequate conditions and under the supervision between foreigners placed and detained voluntarily and officials of relevant embassies and consular offices or their relatives or persons whom they are legally interested to contact with.

3.14. A meeting where rules of conduct have been violated can be stopped earlier and reason of it shall be recorded.

3.15. Records on all persons who come to meet with foreigners voluntarily placed into and detained in the Center shall be made in relevant log book (Appendix #8).

3.16. Proposals, requests and complaints of foreigners placed into and detained in the Center voluntarily addressed to the prosecutor carrying out procedural supervision of preliminary investigation, to the court, authorities supervising operation of the Center, Human Rights Commissioner (Ombudsman) of the Republic of Azerbaijan, UN agencies dealing with protection of human rights and freedoms, European Court of Human Rights or to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or

Punishment shall be forwarded to the recipients without delay. These proposals, requests and complaints as well as replies to them shall not be censored.

3.17. The Human Rights Commissioner (Ombudsman) and members of the National Preventive Group of the Republic of Azerbaijan shall have the right to enter the Center at any time without hindrance and prior notice, to hold meetings and interviews in private with foreigners voluntarily placed into and detained in the Center as well as with any other person who can give relevant information with participation of an interpreter and another specialist when so required, as well as to look into and take copies of all the documents confirming the lawfulness of placing and detaining foreigners in question in these institutions and describing conditions of their placing, detaining and treatment, to make records and design protocols on progress and results of actions taken, provide recommendations to the Center and get timely feedback to these recommendations.

3.18. Foreigners placed into and detained in the Center voluntarily shall be treated kindly, carefully and courteously.

3.19. Physical force and special devices may be applied against foreigners who violate internal rules, resist physically or take other coercive actions.

3.20. Foreigners who have symptoms of illness shall be placed into rooms designated for sick persons and provided medical assistance.

3.21. Medical staff of the Center shall make records in relevant log book (Appendix #9) about foreigner placed into and detained in the Center who is a subject to a medical assistance.

3.22. Foreigners who have serious health concerns shall be referred to the medical unit of the Center or to the relevant medical institution of health authorities.

3.23. Management of the Center shall immediately inform about it Head of the Center (or doctor) as well as (available) relatives of the foreigner concerned who reside in the territory of the Republic of Azerbaijan. Foreigner who has been cured shall be returned to the Center.

3.23-1. Staff of the Center shall make records on ensuring rights prescribed by these Guidelines for foreigners placed into and detained in the Center voluntarily.

3.24. Duty guard officers of the Center shall supervise foreigners placed into and detained in rooms voluntarily.

3.25. Results of inspection of activities arranged in the Center that is carried out by Head of the Service or relevant structural unit under the instruction of Head of the Service in accordance with the established procedure shall be recorded in relevant log book (Appendix #10).

3.26. Records on disinfection, disinsection and disinfestation works that are carried out under the contract signed and on regular basis by staff of the local sanitary and epidemiological service in the territory of the Center, especially in living rooms and premises, community facilities, dining room, kitchen, stock rooms, designated and other rooms shall be made in relevant log book (Appendix #11).

#### **4. Rights and obligations of foreigners voluntarily placed into and detained in the Center**

4.1. Foreigners detained in the Center shall have the following obligations:

4.1.1. to observe daily schedule (Appendix #12);

4.1.2. to meet lawful requirements of the officers on duty;

4.1.3. to treat staff of the Center and each other with courtesy;

4.1.4. to respect cultural interests and religious convictions of other foreigners and to avoid any prejudice;

4.1.5. to keep living rooms always clean and tidy;

4.1.6. to comply with sanitary and hygiene rules;

4.1.7. to take care of state property;

4.1.8. to follow health and safety as well as fire safety rules;

4.1.9. to deposit in formal manner all available cash, other valuables, electronic equipment and medium as well as other items forbidden under point 4.7 of these Guidelines;

4.1.10. to receive required medical examination with a view of public health protection.

4.2. Foreigners detained in the Center shall have the following rights:

4.2.1. to have access to rooms equipped with home appliances;

4.2.2. to have individual single bed and bed linen;

4.2.3. to receive established meal ration and logistics;

4.2.4. to have no more than 50 cm long towel, soap, tooth brush, tooth paste (dentifrice), hair brush, handkerchief, glasses, prosthetic devices or crutches for disabled, medicine under the permit of medical staff and other accessories (these items may be acquired with help of foreigners' friends);

4.2.5. to receive required medical, psychological or other assistance as it is provided for by legislation with a view of health protection;

4.2.6. to use personal seasonable clothing;

4.2.7. to receive a meal thrice per day at fixed time;

4.2.8. to have daily 3(three)-hour walk in a designated outdoor areas of the Center's courtyard at fixed time;

4.2.9. to make local and international phone calls;

4.2.10. to have access to information about history and culture of Azerbaijan;

4.2.11. to watch TV, to read;

4.2.11-1. to go in for sports activities and play board games;

4.2.12. to have meetings with Human Rights Commissioner (Ombudsman) of the Republic of Azerbaijan, ambassadors of their home countries, relatives as well as meetings in private of unlimited number and duration with their legal counsels;

4.2.13. to submit requests and complaints;

4.2.14. to practice their religion;

4.2.15. to require involvement of legal counsel for protection of their rights;

4.2.16. to be free from any torture, inhuman or degrading treatment or punishment;

4.2.17. to have free access to legal assistance and information on migration law of the Republic of Azerbaijan.

4.3. Foreigners detained in the Center shall be prohibited to:

4.3.1. violate established internal rules and disturb the silence, to argue with staff of the Center and with each other;

4.3.2. smoke out of designated places;

4.3.3. write and make marks on walls as well as on equipment and objects belonging to the Center;

4.3.4. bring to, manufacture, use and keep in the Center alcohol and narcotic drugs, electronic equipment and medium as well as other items forbidden under point 4.7 of these Guidelines;

4.3.5. keep or manufacture substances, items and means forbidden under point 4.7 of these Guidelines and playing cards, to gamble, to exchange room objects between themselves or to sell them;

4.3.6. leave the territory of the Center without permission.

4.4. Foreigners placed into the Center voluntarily shall have the following obligations:

4.4.1. to observe daily schedule (Appendix #13);

4.4.2. to meet lawful requirements of the officers on duty;

4.4.3. to treat staff of the Center and each other with courtesy;

4.4.4. to respect cultural interests and religious convictions of other foreigners and to avoid any prejudice;

4.4.6. to keep living rooms always clean and tidy;

4.4.7. to comply with sanitary and hygiene rules;

4.4.8. to take care of state property;

4.4.9. to follow health and safety as well as fire safety rules;

4.4.10. to deposit in formal manner all available cash, other valuables, electronic equipment and medium as well as other items forbidden under point 4.7 of these Guidelines;

4.4.11. to receive required medical examination with a view of public health protection;  
4.4.12. to watch their minor children;  
4.4.13. to return a living premise allocated to them on temporary basis as it was originally until moving from that premise.

4.5. Foreigners placed into the Center voluntarily shall have the following rights:

4.5.1. to have access to rooms equipped with home appliances;  
4.5.2. to have individual single bed and bed linen;  
4.5.3. to receive established meal ration and logistics;  
4.5.4. to have towel, soap, tooth brush, tooth paste (dentifrice), hair brush, handkerchief, glasses, prosthetic devices or crutches for disabled, medicine under the permit of medical staff and other accessories;

4.5.5. to receive required medical, psychological or other assistance as it is provided for by legislation with a view of health protection;

4.5.6. to use personal seasonable clothing;

4.5.7. to receive a meal thrice per day at fixed time;

4.5.8. to exit and enter the Center during a day at time indicated in permits (Appendix #6) issued to them.

4.5.9. to make local and international phone calls;

4.5.10. to have access to information about history and culture of Azerbaijan;

4.5.11. to watch TV, to read;

4.5.11-1. to go in for sports activities and play board games;

4.5.12. to have meetings with Human Rights Commissioner (Ombudsman) of the Republic of Azerbaijan, UNHCR representative, ambassadors of their home countries, relatives as well as meetings in private of unlimited number and duration with their legal counsels;

4.5.13. to submit requests and complaints;

4.5.14. to practice their religion;

4.5.15. to be free from any torture, inhuman or degrading treatment or punishment;

4.5.16. to have free access to legal assistance and information on migration law of the Republic of Azerbaijan.

4.6. Foreigners placed into the Center voluntarily shall be prohibited to:

4.6.1. violate established internal rules and disturb the silence, to argue with staff of the Center and with each other;

4.6.2. smoke in living rooms allocated on temporary basis and out of designated places;

4.6.3. write and make marks on walls as well as on equipment and objects belonging to the Center;

4.6.4. cook and wash in living rooms allocated on temporary basis;

4.6.5. throw out objects from rooms;

4.6.6. bring to, use and keep in the Center alcohol and narcotic drugs, electronic equipment and medium as well as other items forbidden under point 4.7 of these Guidelines;

4.6.7. bring to and have pets in the Center without the consent of Head of the Center;

4.6.8. manufacture and keep cutting and piercing items that may endanger life of others;

4.6.9. keep or manufacture playing cards, to gamble, to exchange room objects between themselves or to sell them;

4.6.10. leave the territory of the Center without permission.

4.7. List of items prohibited for manufacturing, keeping, holding, carrying or using by foreigners placed into and detained in the Center voluntarily shall include:

4.7.1. all types of firearms and cold weapon, ammunition, explosives and its components, special devices, hazardous substances (endangering human health);

4.7.2. cutting and piercing items that look like cold weapon by its design;

4.7.3. narcotic drugs, psychotropic substances and its precursors;

4.7.3. strong medicines;

- 4.7.4. all sorts of alcohol, alcohol containing substances;
- 4.7.5. devices transmitting and jamming radio (electromagnetic) waves, radio-electronic devices, taps and hidden cameras' detectors (detecting devices);
- 4.7.6. optical devices, all types of radio receivers, transmitters, pagers, cell phones, fax machines, computers, devices for Internet access;
- 4.7.7. publications and audio-video medium advocating war, violence, extremism, terror and cruelty, inciting to national, religious and racial confrontation as well as those ones of pornographic nature.

## **5. Arranging activities for guarding foreigners placed voluntarily into and detained in the Center**

- 5.1. Guard personnel shall carry out guarding of foreigners placed into and detained in the Center and outside the Center.
- 5.2. Guard personnel shall include duty officer of the Center, duty officers on escort, checkpoint and guarding.
- 5.3. Duty officer of the Center shall organize guarding of the territory, lead guard personnel and shall be subordinate directly to Head of the Center.
- 5.4. Duty officer of the Center shall take following actions before starting his/her duty:
  - 5.4.1. to learn perfectly functions, established signals and types of activities under these signals;
  - 5.4.2. to check staffing of the guard personnel and how they know professional functions;
  - 5.4.3. to pay attention that guard personnel wears uniform designated for them;
  - 5.4.4. to inform guard personnel about certain professional functions to be performed during the duty and to give relevant instructions;
  - 5.4.5. to check as it is required number of foreigners voluntarily placed into and detained in the Center;
  - 5.4.6. to check on a list the relevant state of property, communications, special devices, including fire fighting equipment and to require from previous duty officer to eliminate the flaws detected;
  - 5.4.7. to take over personally duty from previous duty officer at appointed time;
  - 5.4.8. to see Head of the Center together with previous duty officer in order to receive instructions after handing off and taking over duty;
- 5.5. Duty officer of the Center shall implement following activities during his/her duty:
  - 5.5.1. to supervise on permanent basis activities of guard personnel and their compliance with House Regulations;
  - 5.5.2. to arrange roosting time of guard personnel in turn and at a stated time;
  - 5.5.3. to have a rest at night, at a stated time;
  - 5.5.4. to supervise that foreigners who were taken (came) for voluntary placing into and detaining in the Center are admitted as well as relevant records in this regard are made;
  - 5.5.5. to supervise that notes made in documents of foreigners who were taken (came) for voluntary placing into and detaining in the Center are examined and availability of items listed in protocol on personal search are checked;
  - 5.5.6. to supervise that foreigners voluntarily placed and detained comply with House Regulations and rules of conduct established in the Center;
  - 5.5.7. to record appeals addressed to Head of the Center and arrange revision of these appeals by relevant officers after reporting to Head of the Center about it;
  - 5.5.8. to allow and create conditions for voluntarily foreigners placed and detained to meet with visitors in visiting rooms or to make phone calls with the consent of Head of the Center;
  - 5.5.9. to check on a list and in conformity with daily schedule a number of foreigners placed into and detained in the Center voluntarily;
  - 5.5.10. to make records on foreigners who left the Center under permits, returned to the Center in time as well as on those ones who were late or did not return to the Center at all and to report to Head of the Center about it;

5.5.11. to arrange duty for escorting and guarding detained foreigners out of the Center (to appoint head of duty officer on escort if number of such officers is two or more than two) and supervise strictly that the work is performed;

5.5.12. to instruct duty officer on escort and to receive his/her report upon returning to the Center;

5.5.13. to meet officials, representatives of other authorities and organizations visiting the Center, to report to Head of the Center about visitors and accompany them in the territory of the Center;

5.5.14. to supervise that buildings and facilities located in the territory of the Center are guarded and its safety is ensured;

5.5.15. to supervise that foreigners placed and detained voluntarily and staff of the Center use state property according to its intended purpose and take care of it;

5.5.16. to call an alert, to inform Head of the Center and other officers, to take immediate actions for evacuation of foreigners voluntarily placed into and detained in the Center, special devices, technical equipment and property and for prevention of accident in case of natural disaster or fire in or close to the Center;

5.5.17. to report to Head of the Center about foreigners who argue with staff of the Center, resist physically or take coercive actions, violate established internal rules and disturb the silence and to take required actions;

5.5.18. to report immediately to Head of the Center about detected attempts of detained foreigners to escape or cases of preparation to such wrongdoings and to take required actions for preventing it;

5.5.19. to take immediate actions for elimination of all defects and shortcomings that have emerged before handing off duty and to hand off duty to another officer without any shortcoming.

5.6. Duty officer of the Center shall be prohibited to:

5.6.1. leave duty station without permission if there is no service need for it;

5.6.2. leave foreigners placed and detained voluntarily unsupervised;

5.6.3. hold conversations or to enter into relations on out-of-office issues with foreigners placed and detained voluntarily and with visitors;

5.6.4. accept letters, food, any item from outsiders and pass it to addressee;

5.6.5. show disrespect to religious convictions, ethnic beliefs and national feelings of foreigners placed and detained voluntarily and to take actions degrading them;

5.6.6. allow foreigners placed voluntarily as well as staff of the Center to carry out and bring to the Center alcohol, narcotic drugs and items prohibited for keeping under point 4.7 of these Guidelines;

5.6.7. give opportunity to or create conditions for foreigners placed and detained voluntarily to meet with outsiders or to make phone calls without the consent of Head of the Center;

5.6.8. allow foreigners placed voluntarily to receive their personal visitors in rooms not intended for this purpose;

5.6.9. allow foreigners placed voluntarily to approach areas (guarded building where foreigners are taken into custody) without relevant permission if it is prohibited by Head of the Center;

5.6.10. allow smoking out of designated places.

5.7. Duty officer on checkpoint shall supervise persons entering the territory of the Center, taking out from or bringing any property to the Center as well as ensure that the territory of the Center is guarded.

5.8. Duty officer on checkpoint shall be subordinate to duty officer of the Center.

5.9. Duty officer on checkpoint shall take following actions before starting his/her duty:

5.9.1. to learn perfectly functions, established signals and types of activities under these signals;

5.9.2. to take over on a list the documents and means of transport;



- 5.9.3. to check personally on a list the relevant state of property, communications, special devices, including fire fighting equipment, fences, locks and availability of keys;
- 5.9.4. to require from previous duty officer to eliminate the flaws detected;
- 5.9.5. to take over duty from previous duty officer personally and at appointed time;
- 5.9.6. to make records on starting his/her duty in relevant log book (Appendix #14) after reporting to duty officer of the Center about readiness to duty.

5.10. Duty officer on checkpoint shall implement following activities during his/her duty:

- 5.10.1. to allow persons to enter/exit the Center under their identity documents;
- 5.10.2. to allow vehicles to enter/exit the Center with head of transport and under the waybills (approved by Head of the Center);
- 5.10.3. to allow any property to be taken out from and brought to the Center only with the consent of Head of the Center;
- 5.10.4. to make records on foreigners who were taken (came) for voluntary placing into and detaining in the Center;
- 5.10.5. to examine notes made in documents of foreigners who entered, were placed into and detained in the Center voluntarily and check availability of items listed in protocol on personal search;
- 5.10.6. to make records on foreigners who left the Center under permits, returned to the Center in time as well as on those ones who were late or did not return to the Center at all and to report to duty officer of the Center about it;
- 5.10.7. to prohibit foreigners placed voluntarily to bring to and keep in living rooms foods and meals that have expired and unfit with hygiene rules;
- 5.10.8. to arrange guarding of the Center by using visual surveillance system and special communication devices that are operational 24 hours per day;
- 5.10.9. to supervise the state of facilities located in the territory of the Center, visual surveillance cameras installed at fence, lighting, communication and fire fighting devices;
- 5.10.10. to report to duty officer of the Center about defects or breakage of visual surveillance systems, to take preliminary actions to restore these systems and to make records about it in relevant log book (Appendix #14);
- 5.10.11. to treat kindly, carefully and courteously with all persons who apply to the Center;
- 5.10.12. to admit persons who intend to meet with foreigners placed and detained voluntarily to visiting rooms only at fixed time and with the consent of Head of the Center;
- 5.10.13. to take actions for preventing attempts of outsiders to enter the Center by force or without permission and to report immediately to Head of the Center about such event;
- 5.10.14. to perform duties specified in special instructions in case of emergency, to inform thoroughly duty officer of the Center about event that has happened;
- 5.10.15. to supervise that staff of the Center and foreigners placed into and detained in the Center voluntarily comply with daily schedule;
- 5.10.16. to report to duty officer of the Center about all events happening at checkpoint;
- 5.10.17. to maintain cleanness (order) at checkpoint;
- 5.10.18. to interact with guard team of the Center within his/her competence;
- 5.10.19. to make records in relevant log book (Appendix #14) on compliance with daily schedule, detected shortcomings, violation of rules as well as about number of foreigners placed into and detained in the Center voluntarily during the duty.

5.11. Duty officer on checkpoint shall be prohibited to:

- 5.11.1. leave duty station without permission if there is no service need for it;
- 5.11.2. hold conversations or to enter into relations on out-of-office issues with foreigners placed and detained voluntarily and with visitors;
- 5.11.3. accept letters, food, any item from outsiders and pass it to addressee;
- 5.11.4. show disrespect to religious convictions, ethnic beliefs and national feelings of foreigners voluntarily placed and detained and to take actions degrading them;

5.11.5. allow foreigners placed voluntarily as well as staff of the Center to carry out and bring to the Center alcohol, narcotic drugs and items prohibited for keeping under point 4.7 of these Guidelines;

5.11.6. give opportunity to or create conditions for foreigners placed and detained voluntarily to meet with outsiders or to make phone calls without the consent of Head of the Center;

5.11.7. allow smoking out of designated places.

5.12. Duty officer on guarding shall be appointed to ensure maintaining internal order by foreigners placed into and detained in the Center voluntarily.

5.13. Duty officer on guarding shall be subordinate to duty officer of the Center.

5.14. Duty officer on guarding shall take following actions before starting his/her duty:

5.14.1. to learn perfectly functions, established signals and types of activities under these signals;

5.14.2. to accept on a list the relevant documents;

5.14.3. to check on a list the relevant state of property, communications, special devices, including fire fighting equipment;

5.14.4. to check number of foreigners placed into and detained in the Center voluntarily and order of their voluntary placing and detaining;

5.14.5. to require from previous duty officer to eliminate the flaws detected;

5.14.6. to take over duty from previous duty officer personally and at appointed time;

5.14.7. to make records on starting his/her duty in relevant log book (Appendix #14) after reporting to duty officer of the Center about readiness to duty.

5.15. Duty officer on guarding shall implement following activities during his/her duty:

5.15.1. to make records in relevant log books (Appendices #16 and 17) on foreigners who were taken (came) for voluntary placing into and detaining in the Center;

5.15.2. to supervise that foreigners voluntarily placed and detained comply with House Regulations established in the Center;

5.15.3. to supervise foreigners placed voluntarily to stand aside prohibited areas (guarded building where foreigners are taken into custody, etc.) in the territory of the Center;

5.15.4. to supervise that foreigners voluntarily placed and detained keep their living rooms always clean and tidy, take care of state property, follow health and safety as well as fire safety rules, comply with sanitary and hygiene standards in living rooms and in the territory of the Center and treat staff of the Center and each other with courtesy;

5.15.5. to prohibit foreigners placed voluntarily to repair their living rooms and to change places of objects and home appliances without permission, to prevent such cases and to report to duty officer of the Center about it;

5.15.6. to make records on foreigners who left the Center under permits, returned to the Center in time as well as on those ones who were late or did not return to the Center at all and to report to duty officer of the Center about it;

5.15.7. to prevent decidedly cases when foreigners keep or manufacture items forbidden under point 4.7 of these Guidelines and play cards, gamble, exchange room objects between themselves or sell them and to report to duty officer of the Center about situation emerged in connection with these cases;

5.15.8. to check on a list and in conformity with daily schedule a number of foreigners voluntarily placed into and detained in the Center and to report to duty officer of the Center about results of checking;

5.15.9. to supervise that foreigners voluntarily placed into and detained in the Center comply with daily schedule, to take immediate actions in connection with any violation and to report to duty officer of the Center about it;

5.15.10. to ensure that foreigners voluntarily placed and detained are provided with meal thrice per day and to supervise this procedure;

5.15.11. to check living rooms of foreigners detained and voluntarily placed with participation of one of foreigners who live in the room concerned (if it does not endanger his/her life and health);

5.15.12. to keep rooms of foreigners voluntarily placed and detained under surveillance;

5.15.13. to use visual surveillance system and special communication devices that are operational 24 hours per day;

5.15.14. to supervise that foreigners voluntarily placed and detained are provided free of charge with personal hygiene items (toilet paper, detergent, shampoo, soap, toothpaste (toothbrush), shaving set, cream, baby soap (cream, powder), paper napkins, etc.) and weekly changed bed linens;

5.15.15. to arrange that foreigners voluntarily placed and detained have bath within periods of time prescribed in the Guidelines.

5.15.16. to ensure that foreigners taken into custody have daily 3(three)-hour walk;

5.15.17. to interact with guard team of the Center within his/her competence;

5.15.18. to report to duty officer of the Center about foreigners who argue with staff of the Center, resist physically or take coercive actions, violate established internal rules and disturb the silence and to take required actions;

5.15.19. to report immediately to duty officer of the Center about detected attempts of detained foreigners to escape or cases of preparation to such wrongdoings and to take required action for preventing it by applying physical force and special devices;

5.15.20. to prevent attempts of detained foreigners to commit suicide or inflict self-injury and to report about it to duty officer of the Center;

5.15.21. to make records in relevant log book (Appendix #15) while coming off duty on compliance with daily schedule, shortcomings emerged, violation of rules, as well as on number of foreigners placed into and detained in the Center.

5.16. Duty officer on guarding shall be prohibited to:

5.16.1. leave duty station without permission if there is no service need for it;

5.16.2. hold conversations or to enter into relations on out-of-office issues with foreigners placed and detained voluntarily;

5.16.3. show disrespect to religious convictions, ethnic beliefs and national feelings of foreigners placed and detained voluntarily and to take actions degrading them;

5.16.4. leave foreigners placed and detained voluntarily out of permanent supervision;

5.16.5. allow foreigners placed voluntarily to receive their personal guests out of designated rooms;

5.16.6. allow foreigners placed voluntarily to approach areas (guarded building where foreigners are taken into custody) without relevant permission if it is prohibited by Head of the Center;

5.16.7. give opportunity to or create conditions for foreigners placed and detained voluntarily to meet with outsiders or to make phone calls without the consent of Head of the Center;

5.16.8. allow smoking out of designated places.

5.17. Duty officer on escort shall be appointed to escort and guard detained foreigners out of the Center, including in treatment-prophylactic institutions and on their routes and shall be subordinate directly to duty officer of the Center.

5.18. The number of duty officers on escort shall be defined as one officer per two detained foreigners.

5.19. If two or more escort officers (including driver) are involved in escorting and guarding detained foreigners one of them shall lead escorting procedure.

5.20. Duty officers on escort shall be appointed by duty officer of the Center.

5.21. Duty officer of the Center shall instruct detained foreigners on rules of their conduct out of the Center and on their routes.

5.22. Duty officer shall have permanent communication with duty officers on escort who escort detained foreigners out of the Center and on their routes.

5.23. Duty officer on escort shall report immediately to duty officer of the Center about detected attempts of detained foreigners to escape or cases of preparation to such wrongdoings and shall take required action for preventing it by applying physical force and special devices.

5.24. Duty officer on escort shall prevent attempts of detained foreigner to commit suicide or inflict self-injury.

5.25. Duty officer on escort shall report to duty officer of the Center about any need for detained foreigner to stay in medical institution and shall give to management of medical institution concerned documents (identity document, Service (or court) decision on detention, travel documents and other required documents) that relate to foreigner in question.

5.26. Duty officer of the Center shall ensure that detained officer who stays in medical institution shall be under daily supervision and shall be returned to the Center in time.

5.27. Duty officer shall immediately report to Head of the Center about detained foreigner who leaves medical institution without permission.

5.28. Duty officer on escort shall be prohibited to:

5.28.1. leave duty station without permission if there is no service need for it;

5.28.2. leave detained foreigner out of permanent supervision;

5.28.3. hold conversations or to enter into relations on out-of-office issues with detained foreigners;

5.28.4. accept letters, food, any object from outsiders and pass it;

5.28.5. give opportunity to or create conditions for escorted persons to meet with outsiders or to make phone calls;

5.28.6. turn aside from established route;

5.28.7. stop a vehicle and have a break;

5.28.8. allow escorted person to leave a vehicle.

## **6. Liability for violation of these Guidelines**

6.1. Persons found guilty in violation of these Guidelines shall incur a liability as it is provided for by legislation.