



Milan Chovanec
Minister of the
Interior

Prague, xxth October, 2015
Ref. No: MV-153034-2/OAM-2015
Pages: 1

Distinguished Ms. Šabatová, Public Defender of Rights,

Thank you very much for your letter of October 13th on the visit to the Bělá-Jezová detention facility and for your suggestions in respect of so called detention facilities in our country.

As to the situation in the so called detention centres, it is necessary to note, that due to the international situation and the influx of refugees to the neighbouring countries in the past months, the centres have been operating in an emergency regime. Due to the development of migration on the territory of our country as well as the numbers of refugees detained, situation in the detention centres was rather extraordinary. In centres operating in an emergency regime, we were forced to introduce changes or temporarily limit the detention standards. I am, however, convinced that conditions were always humane. Moreover, we managed to quickly open other centres and we can now place foreign nationals to more facilities thus offering housing and services which best respond to the needs of individual refugee groups.

Below, please find my comments to individual points and comments raised in your letter.

Entry of the public defender of rights and other relevant officials carrying necessary technical equipment to the facility:

On Wednesday, 14th October, 2015, the Director of the Headquarters of the Foreign Police issued an order to the Police to allow for your and your staff's entry to the premises of the detention facility and the reception centre. You are therefore allowed to bring with you the electronic and recording equipment, such as cameras, mobile phones, tablets or notebooks, which you need for your work.

Medical examinations and accessibility of medical services:

From the information available to me, there is sufficient access to the health care, its quality is high and measures taken by the medical facility of the Ministry of the Interior are adequate. We arrange for health care and treatment of clients and, in case of need, we also facilitate transport to the medical facility. The security staff always promptly refers the detainees' demand for medical care to the management of the facility. They don't assess the medical condition of the clients and their need for treatment.

We've been working hard on better availability of interpreters for the purposes of medical examinations. The current system is functional, but nevertheless, we have been looking for ways of improving it. Due to the fact that the clients speak a number of languages and we can hardly predict which languages will be needed, the optimal solution may take some time. In the Bělá - Jezová detention facility intended for families with children, we plan to provide for an on-site paediatrician.

Families with children:

The situation of children is, of course, specific, especially in respect of the fact that children themselves deserve special protection and care. I think, however, that we cannot perform a diametrically different assessment of those foreigners who arrive here illegally on their own and those, who arrive illegally accompanied by a child. We cannot decide that we won't apprehend an adult just for the fact that they are accompanied by a child. Moreover, the foreign national, as the legal guardian of the child, bears responsibility for the child's situation. I do not cast any doubts over the difficult situation of people who were forced to leave their home countries. If these people wish to apply for international protection in this country, their families and children will be placed in a standard admission centre and subsequently moved to a residential centre with a completely different regime. This, however, applies to almost none of these foreign nationals, because most of them are in a position of illegal aliens. Of course, children themselves are not recognized as detainees.

Nevertheless, we have adopted, and we shall continue doing so, appropriate measures to create more comfortable conditions for foreigners accompanied by children. On the other hand, we cannot compromise safety of our facilities and avoid presence of security guards and the Police in charge of protecting public order as well as law and order in the facilities themselves.

Children, like adults, have suitable seasonal clothing and shoes available to them all the time. Clothing is provided in cooperation with non-governmental organizations and charities. To gather necessary equipment, we make use of various collections. In the near future, we plan to open children's playrooms and various play elements will be placed outside the buildings, too.

We provide adequate and specific hygiene items and food for the children. Children get snacks and parents of infants receive special baby food. In the classroom and at the baby centre, we provide additional food. We always respect the need of the family to be together and try to provide, if situation permits, reasonable level of privacy. We have been criticized by you for asking parents to wake their sleeping children up during regular headcount. I assure you that we don't do that.

Even though our opinions may differ, I very much appreciate your suggestions of changes in the system and I assure you that I've analysed them profoundly. The Ministry of the Interior is, by law, supervising these facilities and, from the relevant information available to me, I conclude that this supervision has not failed as claimed. In the past months, situation was objectively exceptional and even regular inspections could not prevent some restrictions in the facility. The need to place more people in the centres above the standard capacity necessarily meant a temporary limitation of the clients' comfort. We regularly supervise this facility and will do so in relation to the newly opened facilities, too.

It is also not true that the contact between the foreigners and the public authorities is facilitated by security agencies. If necessary, the relevant authorities communicate directly with the foreigners concerned in the presence of an interpreter. Furthermore, I'd like to refer you to my previous statements regarding the increased number of social workers.

To comment on your summarised proposals at the end of your report, let me say the following:

1. The detainees' rights in our facilities are protected in accordance with the current legislation. We have established a working mechanism for the detainees to submit their complaints and requests which are received and handed by the head of the facility, respectively the Ministry of the Interior. We have entered into negotiations with the Ministry of Labour and Social Affairs to help optimize conditions for families with children. We have also consulted with the Masaryk University on provision of leisure activities and other services. We guarantee all clients appropriate seasonal clothing, hygienic supplies and the possibility to do laundry. We provide food, including vegetarian meals and a pork-free diet. If necessary, we can provide the diet recommended by the doctor. Clients have access

to payphones, legal advice and other services. On week days, in the Bělá - Jezová detention centre we offer services of an interpreter into Arabic, which is the most commonly used language among the foreigners there.

2. I assure you, that there are no people currently housed either in the gym or in the part F containers.
3. Currently, we have three fully operable facilities – see below. The Bělá – Jezová is the best one for families with children. As I’ve noted above, we have taken measures to improve conditions of families with children.
4. Twice a week, we provide free of charge legal advice in the Bělá - Jezová detention centre and the Vyšní Lhoty detention centre. We assume that the newly opened facility in Drahonice will start providing legal advice within two weeks.
5. At the moment, I do not see it efficient to intervene in the currently established system of internal security of the facilities. I am afraid that replacement of the security agency staff by employees of the Management of the Refugee Facilities would be, in the near future, neither economical, nor feasible.
6. In the part of the facility under the light regime, there are no members of the Police normally in sight. Next week, we are planning to reduce the number of policemen in the Bělá – Jezová facility. In the past, we had to deploy properly equipped policemen to the facility for there was an exceptional situation there we had to solve.
7. For me, it is a priority to provide interpreting during medical examinations and entrance examinations. We have interpreting secured in the facilities, both on the phone for emergency situations as well as on-site. In addition to the permanently present interpreter into Arabic, we also provide interpretation to the Punjab language, Kurdish, Urdu, and Persian. We have contractual suppliers of other languages available upon need.
8. We have increased the number of social workers. In the Bělá - Jezová facility, we now have 6 leisure time instructors and 8 social workers. To better inform clients on conditions and services available in the facility, we plan to improve the current system of information boards, including improved language part.
9. In family reunification aspects, we have established cooperation with the Czech Red Cross and the UNHCR. Furthermore, this issue has also been addressed by the Police and the Ministry of the Interior.
10. We provide clothes and footwear appropriate for the season. Families with children are not housed in containers. I assume that men will move out of the containers in late November. In order to improve conditions in the Bělá - Jezová facility, we plan to refurbish its Part D and move the men currently housed in containers to these reconstructed premises by the end of November.
11. As to the payments for the stay in the facility, I would refer you to my previous statement of 1st October.
12. We provide the employees with sufficient professional and other training. Should an employee indicated a need of psychological support or other intervention programs, I'm ready to provide for it.

At the moment, we operate three detention facilities for foreign nationals (each of them having a specific aim):

Detention facility (ZZC) Bělá – Jezová: capacity 270 people, emergency capacity 700 people. The facility is primarily intended for families with children and other vulnerable groups. We have separate buildings there to perform health checks of new arrivals and their separate lodgings.

Detention facility (ZZC) Vyšní Lhoty: capacity 340 people, emergency capacity of 640 people. The facility is intended for adult men.

Detention facility (ZZC) Drahonice: capacity 240 people. The facility is intended for adult men.

On 15th October, 2015 there were 270 people in the Bělá - Jezová detention centre, 192 people in the Vyšní Lhoty detention centre and 82 people in the Drahonice detention centre. There we people housed in neither the gym nor tents.

Thank you again for your comments. I hope you will find my reaction relevant.

With regards

Milan Chovanec
(signed electronically)

Distinguished
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