



Information for asylum seekers in camps¹ in Berlin

*What is the job of the camps' management, the administrative staff and the security staff?
What are the legal rights of the residents (refugees)?*

1. What are the camp management's and the admin staff's tasks?

The **managers** are to organize all residential matters in the hostel, nothing else. They are not your "boss".

Social workers are employed as part of the admin staff. They are paid to assist you with all social issues and problems - if you wish.

Social workers are supposed to help you, e.g. if you need anything in addition to your benefit payments such as

- clothing, household goods and furniture,
- if you want to put in an application for a flat,
- if you want to enrol your kids in a day care center, in a school and in an after school care centre,
- if you need help to make a doctor's appointment, or
- if you need the addresses of counseling institutions for asylum seekers or free German courses, etc.

2. Do the camp manger, other camp/hostel staff or security staff have any impact on your asylum application?

No. Neither the staff nor the security personnel have anything to do with your asylum procedure. **ONLY** the BAMF - Federal Office for Migration and Refugees (in Spandau) decides about your asylum application. If the BAMF rejects your application, you have only an extremely short period of time to take legal action (court) against that decision. If your asylum application is rejected, you should therefore immediately contact a lawyer specialising in asylum law, or - at least – contact an asylum counseling center!

Nobody else but the BAMF or the courts decide on your asylum application! For their decision it does not matter, what the staff and the security personnel in the camp/hostel know and think about you.

¹ synonymous for: refugee hostel, refugee camp, refugee residence hall, refugee camp/hostel

3. What are the duties and powers of the security personnel?

The security personnel (the guards) is auxiliary personnel. They are only responsible to care for the safety of the residents - especially on weekends and at night. Sometimes the security personnel also help handing out food or distributing donations.

Important: The security personnel have no influence whatsoever on your asylum procedure or on your right of residence in Germany!

4. Does the camp/hostel staff decide on how much money you get?

No. It is solely the 'Sozialamt' (social services department) at LaGeSo in Turmstraße or at your district social services office that decides about your benefit payments. How much money you get depends on the 'German Social Welfare Law for Asylum Seekers'. After three months at the latest you are not only able to claim pocket money for personal use, but also sufficient cash to supply yourself with food, clothing, toiletries, etc.

If you have a 'Duldung' (suspension of deportation) and the Aliens Registration Authorities accuse you of doing too little for your own deportation, it may happen that the social services department reduces your benefit payments. In this case you should immediately contact an advice center for asylum seekers, as there is often a good chance to defend yourself against the reduction. The camp managers, the social workers or the security staff have nothing to do with the decision of any reduction.

5. Does the camp staff decide whether you get a flat?

The social workers are paid to help you, e.g. if you want to make an application for a flat. It is not the camp/hostel staff that decides whether or not you get an apartment, but the social services office or the landlord.

Ask the social workers in the camp/hostel, to assist you to find accommodation!

6. Do the camp/hostel managers decide, whether or not you get a 1-Euro-Job?

The managers can organize 1-euro jobs in the camp/hostel. But they are obliged to distribute them in a fair way among all camp/hostel residents. These jobs are paid by the social service office. This income is in addition to your benefit payments. 1-euro jobs may also be had outside the camp/hostel. Enquire about this at the social services, and it is best to apply in writing if you are interested in a 1-Euro-Job.

7. Which rules for accommodation must the camp/hostel managers abide by?

The managers are responsible for your accommodation. In doing this, they have to fulfil their contracts with the LaGeSo and the LaGeSo "Quality Requirements" for accommodation". The text of these LaGeSo quality requirements is attached to this document. It says there for example that,

- the sanitary facilities (toilets, showers, etc.) must be cleaned at least (!) once daily by the cleaning staff;
- every two weeks freshly cleaned linen is to be handed out;
- every week freshly cleaned towels are to be handed out;
- for every 15 residents at least one shower must be available ;
- for every 10 residents at least one toilet must be available ;

- for every 10 residents at least one stove with 4 hotplates and one sink must be available;
- every room must be lockable. You should have your own room key;
- the rooms should have a minimum of 6 square metres living space per grown-up person, for children below 6 years of age there should be at least 4 square metres available. Single rooms should have at least 9 square metres. The amount of square metres for every room must be indicated next to the door.

The camp management / social workers decide which room you get and with whom you have to share. Couples and families are to be accommodated together; not more than one family is to be accommodated in one room.

8. May anyone open your mail?

No, only if you consent to it. If your mail is opened without your permission, this is a criminal offense according to German law. In that case you can report that to the police. You should enquire daily at the office to see if mail has arrived for you.

9. May camp/hostel staff enter your room without your permission?

No. If you are in the room, staff must knock and wait until you give your permission for them to enter. If you are not there and something needs to be repaired, you must be informed beforehand. Only in an urgent emergency, such as fire, someone may enter your room without your prior permission.

10. Do you have to give notice if you are not in the camp/hostel for several days?

If you will be away from the camp/hostel for more than one day, you should let the staff know; otherwise your current hostel place may be allocated to someone else from the third day that you are away.

11. May someone check your cabinet or cupboard and search your belongings?

This may only be done by the police if they have a search warrant. If you share a room with other individuals, you have the right to a lockable cabinet.

12. Is CCTV allowed (surveillance of the camp/hostel with video cameras)?

CCTV surveillance inside the building (corridors etc.) is not permitted. Video surveillance of outdoor areas is only allowed in special security conditions (e.g. when there is danger of attacks by right-wing radicals). If there were no such incidents, recorded video-footage must be deleted within a few days. Video recordings may not be used to check on the presence of the residents.

13. Is the camp/hostel staff allowed to prohibit somebody from visiting you?

No, you have the right to receive visitors at the camp/hostel. The visitor/s may not stay overnight and they have to register with the security staff (gatekeeper). The security staff may check the visitors ID card, but they are not allowed to hold the ID for the duration of the visit. The management and the social workers have no right to be present when somebody visits you.

14. May any camp/hostel staff demand money from you?

The use of washers, dryers, showers and kitchens in the hostel, as well as counseling services by the social workers same as the food, toiletries and cleaning products handed out at the hostel are free of charge for you. Even if you or your children break something accidentally, the management may not demand any cash payments from you.

15. Help in medical emergencies

If you believe that you need an ambulance (operated by the fire brigade) or an emergency doctor because of an acute medical emergency, the security staff or the camp personnel must make this call for you **in any case**. If they do not do so, they are liable to prosecution. The security staff or the camp personnel are in no position to decide about the medical necessity of the call!

16. What can you do if the camp/hostel managers, employees or security personnel violate your rights?

You do not have to put up with management, hostel staff or security personnel violating your rights. We recommend that you contact a counseling centre for asylum seekers. You find the addresses in the attachment to this text.

Refugee Council Berlin, July 2014

(The above text is from a handout of the Brandenburg Refugee Council. It was supplemented and adapted to the situation in Berlin by the Berlin Refugee Council)