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Ad-Hoc Query

2024.70 Mechanisms for verifying actual residence in allocated asylum accommodation

European Migration Network
Ad-hoc query

February, 2025

AD-HOC QUERY ON 2024.70 MECHANISMS FOR VERIFYING ACTUAL RESIDENCE IN ALLOCATED ASYLUM ACCOMMODATION

REQUESTED BY EMN NCP IRELAND ON 5 DECEMBER 2024

COMPILATION PRODUCED ON 16 FEBRUARY 2025

Exported for: Wider Dissemination

Responses from: EMN NCP Austria, EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Cyprus, EMN NCP Czech Republic, EMN NCP Estonia, EMN NCP Finland, EMN NCP France, EMN NCP Germany, EMN NCP Greece, EMN NCP Hungary, EMN NCP Ireland, EMN NCP Latvia, EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Malta, EMN NCP Netherlands, EMN NCP Poland, EMN NCP Serbia, EMN NCP Slovakia, EMN NCP Slovenia, EMN NCP Spain, EMN NCP Sweden, EMN NCP Ukraine **(25 in total)**

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN National Contact Points (NCPs) in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN Country.

BACKGROUND INFORMATION

Article 7 of the Recast Reception Conditions Directive allows Member States to provide material reception conditions subject to the actual residence (e.g. physical presence and use of the accommodation) of applicants in the accommodation to which they have been allocated. The Directive also allows Member States to put in place mechanisms for the purpose of verifying that applicants are actually residing in the accommodation allocated to them.

Ireland's International Protection Accommodation Service (IPAS), which manages the provision of accommodation for asylum applicants, has been under pressure since asylum applicants increased significantly in 2022 due to the arrival of displaced persons from the Russian invasion of Ukraine, which continue increasing in 2024.

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As a result, IPAS has been unable to offer accommodation to some applicants since December 2023, providing an increased allowance instead of accommodation.

In light of this, IPAS introduced a new absence policy to ensure the efficient use of beds within accommodation centres. Under this policy, a resident is deemed to have abandoned their place of accommodation when they are absent without prior authorisation for 7 consecutive days, or for more than 10 days in any 4-week period. This makes it increasingly important to be able to accurately assess absences from IPAS accommodation. Ireland is therefore launching an Ad Hoc Query to understand how other countries manage this.

Instructions:

- Use style 'Normal' for all body text.
- Shortly describe the context explaining the rationale for raising this AHQ. No longer than 1/3 of a page.
- In case there is a need to clarify a term, please refer to the [EMN Glossary](#) for the preferred definition to ensure consistency in responses.
- Clarify the budgetary value of the AHQ (1 AHQ = 6 questions).
- Do not use tables.

WE WOULD LIKE TO ASK THE FOLLOWING QUESTIONS:


We would very much appreciate your responses by **16 January 2025**.

1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.
2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.
3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?

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4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?
5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.
6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?


RESPONSES

		Wider Dissemination?	
	EMN NCP Austria	Yes	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes, there is such a system in Austria. It should be noted that the system of basic care in Austria follows the principle of shared responsibility between the federal government and the provinces. It is essentially based on on-site checks in organized federal care facilities and the passing on of information about absences by accommodation providers in provincial accommodation, but also through surveys carried out by the Federal Ministry of the Interior as part of aliens police checks relevant to basic care. In the course of these checks, surveys are carried out on the need for assistance of foreigners for basic care and attendance is also checked (https://www.emn.at/wp-content/uploads/2024/05/emn-studie-2023-die-anwendung-der-richtlinie-uber-vorubergehenden-schutz-in-osterreich.pdf, p. 11).</p> <p>---</p> <p>Source: Ministry of the Interior</p>

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			<p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>An important part of this is the registration via the Central Register of Residents to track the whereabouts of the person concerned. According to Art. 2 of the Registration Act 1991, every person who moves into or gives up accommodation in Austria is obliged to register or deregister with the authorities during certain periods. If the person concerned is permanently absent, they will be deregistered from the Central Register of Residents and released from basic care due to the lack of requirements.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>n/i</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>n/i</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p>
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			<p>n/i --- Source: Ministry of the Interior</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>n/i --- Source: Ministry of the Interior</p>
	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes.</p> <p>In Belgium, Fedasil (the Federal Agency for the Reception of Asylum Seekers) manages the reception network. This network consists of both collective reception centres, operated by Fedasil or reception partners, and local reception initiatives (individual reception structures), organised by local municipalities (Public Welfare Centres) and NGOs.</p> <p>After the application for international protection is registered with the Immigration Office, Fedasil assigns a reception place to the applicant. Generally, applicants are placed in a collective center. Individual accommodations are reserved mainly for vulnerable individuals, applicants from countries with a high protection rate, and those who have recently been granted refugee status or subsidiary protection. Applicants also have the option to decline the assigned reception place. If they choose this, they must</p>


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			<p>provide their private address to the authorities. However, those who opt for this choice are only entitled to medical assistance.</p> <p>Since the end of 2021, due to the saturation of the reception network, single men no longer receive immediate accommodation after the registration and must instead register on a waiting list.</p> <p>In collective reception centres, the methods used to verify that applicants are actually residing in the accommodation may vary depending on the centre or the reception partner. Generally, verification involves residents showing or scanning their badges when arriving or leaving, signing in upon departure, or handing over their badge when entering or exiting the centre.</p> <p>In local reception initiatives, social workers from the partner organisations managing the local reception initiatives (NGOs or Public Welfare Centres) are required to conduct weekly home visits as part of their monitoring responsibilities.</p> <p>If residents are going to be absent, they must notify the centre or the local reception initiative.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>In collective reception centres, the rules regarding reporting absence are outlined in the House Rules, which are signed by all residents at the beginning of their stay. The rules specify that: After three nights away from the centre without prior information, residents may be unregistered and therefore lose their place. If a resident is absent for more than 10 nights within a 30-day period, they may be unregistered and lose their place (even with prior information).</p> <p>In local reception initiatives (ILA), these rules are outlined in the House Rules, which all residents sign at the beginning of their stay. The rules specify that social workers from the ILA conduct weekly home visits. If the resident is absent without prior authorisation, the social worker will leave a notice of visit. After the third notice (with the time between visits determined at the discretion of the ILA), and preferably after attempting</p>
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			<p>to contact the resident by phone, a final notice will be left. This notice will warn the resident that failure to contact the ILA may result in deregistration.</p> <p>Due to the saturation of the reception network and the limited availability of places, the centres and ILA have minimal flexibility to make exceptions.</p> <p>There are specific guidelines for the disappearance of unaccompanied minors (Prévenir les disparitions de Mena Fedasil).</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>Yes.</p> <p>Article 46 of the Reception Act (https://www.ejustice.just.fgov.be/cgi_loi/article.pl?language=fr&lg_txt=f&type=&sort=&numac_search=&cn_search=2007011252&caller=SUM&&view_numac=2007011252n) stipulates that residents of reception structures can turn to the director or the person in charge of the reception structure in case of complaints about the living conditions in the reception structure or the application of the House Rules. Since 2018, four complaints have been filed by residents regarding the rules on presence and absence within the reception structure. These complaints were declared unfounded and did not result in any further legal proceedings.</p> <p>Filing a complaint has no suspensive effect. If the complaint of the applicants against the decision to unregister because of the absence is declared unfounded, the residents can reintegrate the network if they make a request at the Arrival Centre.</p> <p>Due to the saturation of the reception network, single men are not immediately assigned a reception place in Belgium and must join a waiting list. Single men who were previously assigned a place, but either left after residing there or never resided there, must also register on the waiting list.</p>
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			<p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>No. In general, there is no difference in policy, at least not in terms of internal guidelines of Fedasil. However, the centres have some autonomy and may apply greater flexibility in making exceptions for more vulnerable profiles, such as single women with children.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No. So far, no specific complaints have been made regarding the monitoring of residents' absences or presences at the structure through badging or sign-in systems.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>NA</p>
	<p>EMN NCP Bulgaria</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes. One of the responsibilities of the State Agency for Refugees (SAR) is to accommodate asylum seekers in one of the registration-and-reception centres of SAR. If the foreigner has the means to satisfy his basic living needs, he may obtain a permit for accommodation at his own expense at an address of his choice. In the registration-and-reception centres of the State Agency for Refugees, the entry-exit regime is carried out by security companies, based on a contract with SAR. They monitor the daily presence of each applicant for international protection.</p>


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			<p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>Foreigners, accommodated in a registration-and-reception centre, have the right to entry and exit the centre freely every day, but they must be in the centre from 22:00 in summer time and from 20:00 in winter time. Room checks are carried out by staff and guards in the centres. If a foreigner is absent for a number of days, he is considered to have left the centre.</p> <p>When the foreigner is not found twice at this authorised address or at another address specified by him, the procedure for granting international protection is terminated.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>Asylum seekers have the right to accommodation until the international protection procedure has resulted in a final decision. In case an asylum seeker returns, he will be accommodated in a registration-and-reception centre of the State Agency for Refugees.</p> <p>According to the Law on Asylum and Refugees accommodation in the centres is carried out on the base of an order of the director of the respective centre. The decision of the director may be appealed within 7 days from the date of service to the administrative court at the current address on the foreigner's registration card.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>No.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p>
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			<p>No.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes. All seekers of international protection, upon arrival, are given electronic key cards which they use for registration whenever they enter or leave the Centre. If a key cards is not being used in some time (inactive), additional room checks are conducted by the officials within the center together with security officials.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>If a seeker of international is not present in the center for a number of days (no key card activity) he is considered absconded.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p>


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			<p>The procedure to approve international protection shall be discontinued if the applicant leaves his/her place of residence for longer than 2 days without the consent of the Reception Centre. If he/she comes back and expresses the intention to apply for international protection, he/she is accommodated again.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>The policy regarding discontinuation of the procedure does not vary.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No, because all is regulated according to all GDPR considerations.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>The digital system of the Asylum Service (CASS) provides information on the applicant's place of residence, either this is an Accommodation Center or private accommodation. This information is submitted on the system by the competent officer of the Asylum Service. The applicant is obliged by the Law to inform the authorities concerning his/her last place of residence, providing a relevant contract or utility bill.</p>


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			<p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>If the Asylum Service sends a letter to the applicant's last reported address for matters pertaining to his/her claim (eg invitation for interview) and the applicant is not located at this address, then it is presumed that the applicant has abandoned the facility. If the applicant resides in an accommodation center, the Asylum Service is informed by the Center's administration that the applicant has not reported himself/herself at the Accommodation center (eg for the last couple of days) and he is presumed absconded.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>N/A</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>Yes, if an applicant receives protection status, the Asylum Service no longer deals with the applicant. The applicant has to keep the Migration Department informed of his whereabouts since the Migration Department is in charge of issuing the relevant permits</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No</p>
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			<p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes. Every applicant has his/her own reception centre (RC) for accommodation. All reception centres have their own security guard who monitor the entry/exit system.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>In the Czech system, all applicants can leave the RC for 24 hours without obligation to provide new address of stay. He/she is obliged to provide his/her address of residence if he/she wants to abandon the RC for a period between 24 hours and 15 days. It is the asylum authority (not reception authority) which can allow him/her to leave for more than 15 days. If he/she exceeds 24 hours outside of the centre (or within the announced/allowed period), it is considered as “arbitrary abandonment”.</p> <p>Anyway, the bed in the RC is considered as free immediately in the situation of “arbitrary abandonment” or in a moment when the applicant announces/is allowed to leave the RC for more than 3 days.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>There is no appeal mechanism, because it is applicant’s decision to leave the RC and he/she knows all its</p>

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			<p>consequences. He/she always has the right to the accommodation in the RC, but can be accommodated in another room or in another RC (the reception authority is entitled to place asylum seeker wherever it decides).</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>De iure no. De facto sometimes.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
	 EMN NCP Estonia	Yes	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes, according to national legislations applicants who are referred to reception centre (by asylum authority) are required to stay in the center during the nighttime (22:00 – 6:00). According to the house rules (established by a regulation of the minister in charge of the policy sector) in the reception facility the</p>

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			<p>residents are obliged to “check in” every night between 21:00-22:00 at the security post. If the applicant fails to do so, it is considered that they have absconded, and asylum authority is notified.</p> <p>When temporary facilities for accommodating UA refugees were used, the use of room key cards was checked, however in certain cases it appeared that key cards were being handed over to friends to make sure that the card is being used.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>According to national legislation applicants can apply for permission to stay away from the centre during the night time on following grounds: 1) for medical care 2) to join family members needing medical care 3) on the basis of application from legally residing resident in Estonia 4) on the basis of a reasoned application of an applicant in which his or her contact data and address of the stay are noted. For points 3 and 4 permission shall be granted for up to three twenty-four-hour periods. In a reasoned case the accommodation centre may decide to extend the permission for up to three twenty-four-hour period. The requests have to be submitted at least 72 hours prior to planned absence.</p> <p>If the applicant has not requested absence from the facility, but fail to check in in the evening, the room assigned to the person is checked. If we see that the person has left together with personal belongings, it is presumed that the applicant has abandoned the facility. Should the personal belongings be present, but we are not able to get hold of the person, it is presumed that the person has abandoned the facility. In case of applicants, the asylum authority is informed immediately.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>Yes, the person has the possibility to challenge the assessment, but also provide explanation why he/she violated the house rules.</p>
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			<p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>There are no variations, apart from the fact that according to the current legislation the applicant is taken in again, however those with status would be referred to local municipality. It is important to note that there have not been such cases for persons with status in Estonia.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
+	EMN NCP Finland	No	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Currently there are no such specific or official system in place, but other more-like proxy-systems and measures are in use that aims also to monitor if applicant is still actually residing in reception centre or more broadly, is still actual client in reception system.</p> <p>These other systems and measures are for example instruction to clients that they have to report if they are residing and away outside reception centre, instructions to reception centers how to handle these situations,</p>

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			<p>watchful monitoring in a daily life in centers if some client is missing and measures related to possible applying reception allowance and payment of reception allowance. There is also instruction what reception centres should if someone is missing/absconded or there are signs that someone is not still actually in reception system.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>If a temporary protection client intends to be away from Finland for an extended period of time, the reception centre may assign their accommodation place to another client. The guidelines state that the client relationship ends following a two-week absence. Broadly, same kind of procedure applies to international protection clients.</p> <p>Guidelines states that if there suspicion that client have abandoned reception center permanently (has left the center, do not come back, client can not be reached via phone), situation is to be investigated/assessed and if so necessary measures will be done. This might lead to situation where client relationship is ended.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>No. For some cases, person might get a reception centre place from another center.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>No.</p>
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			<p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p>
	<p>EMN NCP France</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>YES</p> <p>In application of Article L552-5 of the Code of the entry and residence of foreign nationals and the right of asylum (Code de l'entrée et du séjour des étrangers et du droit d'asile ,CESEDA), legal entities responsible for managing accommodation for asylum seekers are required to declare to the French Office of Immigration and Integration (Office français de l'immigration et de l'intégration ,OFII), within the framework of automated data processing, the places available in the accommodation. The manager of the reception centre for asylum seekers must inform the OFII and the Prefect immediately of any case of unjustified and prolonged absence or abandonment of the reception centre by an asylum seeker.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>In application of article R551-21 of the CESEDA, an asylum seeker is considered to have left their accommodation if they are absent for more than a week without valid justification.</p>


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			<p>By signing a residence contract with the manager of the reception centre for asylum seekers, accommodated asylum seekers undertake to inform the manager of any absence of more than 24 hours (with the exception of absences related to summonses to appear before the French Office for the Protection of Refugees and Stateless Persons – OFPRA or the National Court for the Right of Asylum – CNDA) or to give valid reasons for any absence of more than one week.</p> <p>Unjustified and prolonged absence constitutes abandonment of the accommodation and will result in the withdrawal of the material reception conditions and the deposit of personal belongings.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>YES</p> <p>Residents have several ways of contesting the decision to withdraw their material reception conditions:</p> <ol style="list-style-type: none">1. Make observations within 15 days of notification: After receiving these observations, the OFII may decide to maintain the material reception conditions or confirm that they have been withdrawn. If the decision to withdraw the material reception conditions is upheld, an appeal may be lodged with the Administrative Court, either urgently (summary proceedings) or on the merits.2. Challenge the decision before the Administrative Court in summary proceedings (suspension) or in summary proceedings (liberty) to suspend or halt application of the decision as a matter of urgency.3. Litigate before the Administrative Court within seven days of notification of the decision (article L.555-1 of the CESEDA referring to article L.921-1 of the CESEDA).4. Submitting an application for reinstatement or establishment of material reception conditions: This application may be motivated by the absence of a previous appeal (due to lack of adequate information) or by a change in situation, such as a new vulnerability. This application may result in a favourable decision by the OFII to reinstate the material reception conditions, or in a new refusal.
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			<p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>Reasons must be given for suspending or withdrawing material reception conditions, and they can only be decided after the specific situation of the asylum seeker has been examined and he or she has been given the opportunity to present his or her observations. This assessment is based on three criteria defined by a decision of the Council of State (2nd-7th chambers combined) dated 31 July 2019: the vulnerability of the person, their reception needs (particularly for families or people with disabilities), and compliance with their obligations to the asylum authorities.</p> <p>The decree of 5 July 2024 amending the system for refusing or terminating material reception conditions, amends article D551-18 of the CESEDA, stipulating that the decision to terminate material reception conditions when the asylum seeker leaves the accommodation in which they have been staying may only be taken in exceptional cases and must take into account not only the person's vulnerability but also their "particular situation".</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>NO</p> <p>Pursuant to Article L552-6 of the CESEDA, the automated processing of data relating to the capacity of accommodation facilities, the use of this capacity and the persons accommodated therein is designed, implemented and managed by the OFII under the conditions provided for by the GDPR and by national law no. 78-17 of 6 January 1978 relating to information technology, files and freedoms.</p> <p>A Council of State (Conseil d'État) decree, issued after consultation with the French Data Protection Authority (Commission nationale de l'informatique et des libertés , CNIL), defines the information that the OFII must transmit to the integrated reception and orientation service for the application of article L. 552-11 of the CESEDA. The decree also specifies how long the information recorded is to be kept, the conditions</p>
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			<p>for updating it, the categories of persons authorised to access it, the terms and conditions of their authorisation and, where applicable, the terms and conditions enabling the persons concerned to exercise their right of access (Article L552-7 of the CESEDA).</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
	<p>EMN NCP Germany</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>In Germany, accommodating applicants for international protection falls into the responsibility of the federal states and local governments and, thus, results in varying approaches and solutions in terms of verifying the usage of the allocated accommodation.</p> <p>In general, the presence of the applicants is checked on a daily basis, either by electronic entry/exit systems or on-site staff or a combination of both. In most federal states there are two types of checks in place: the first is at the entrance to the building or access point to the site, usually with some form of electronic system (e.g. key card, barcode), and the second check is inside the accommodation, usually by staff checking that the person and/or the personal belongings are in the allocated accommodation. Some federal states require applicants to report daily in person e.g. to security service, social services or administrative staff on site. Details vary due to the mix of state-run facilities and those run by private providers. The latter are bound by the tender specifications, which often provide some leeway in how to implement the checks.</p> <p>In addition, some federal states explicitly do not use the data from the entry/exit system but rely solely on checks by staff, who may take into account statements from other persons, e.g. neighbours, roommates, in addition to the personal inspection of the allocated accommodation.</p>

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			<p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>The details vary between the federal states. In some, the accommodation is considered available if the applicant is simply assumed to have left the accommodation permanently. If the applicant returns, he or she will be allocated new accommodation. Other measures may be additionally applied, e.g. notifying other relevant local, state or federal authorities or changing the address in registers, incl. the central foreigner's register, to 'unknown'. Some states have implemented time limits, ranging from one to three weeks, after which the accommodation is considered abandoned if the applicant has not reported to the accommodation centre.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>No. If the applicant returns to the accommodation centre and requests accommodation, it will be provided. As the determination of abandonment does not constitute an administrative act, no appeal mechanism is foreseen.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>No. Only additional measures, such as informing other relevant authorities, may vary.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p>
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			<p>No. There is no knowledge of challenges or complaints related to the GDPR. Some federal states reported that they have developed technical access solutions, in cooperation with independent experts, to ensure the GDPR compliance.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>n/a</p>
	<p>EMN NCP Greece</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>The Greek legislation (Code of Laws 4939/2022, GG A' 111/10.6.2022) stipulates that asylum seekers are responsible for complying with the requirement to inform the authorities in case they change their address. Failure to comply with this requirement may result in the restriction or withdrawal of material reception conditions, as outlined in Article 61, which incorporates Article 20 of the recast Reception Conditions Directive (RCD). This is further confirmed in Article 83 of the Code of Laws, which states: "Applicants are required to promptly inform the competent Reception Authorities of their residential or accommodation address and other contact details, as well as of any changes to the aforementioned information."</p> <p>The General Regulation on the operation of Controlled Reception Facilities (Ministerial Decision No 23/13532, GG B' 5272/30.11.2020) foresees, in its Article 13, that third-country nationals or stateless persons residing in the facilities are subject to a regime of free movement. They enjoy the right to enter and exit the facility during the hours specified in the internal regulations, and they move freely within pre-designated areas to ensure the smooth operation of the facility. Upon entry and exit, residents may be subject to available and appropriate technical control measures, such as an electronic entry-exit card system for residents.</p>

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			<p>Permission to stay overnight outside the facility is granted following a relevant application to the administration office and upon justification. Leaving the facility on the resident's own initiative, especially without prior notification to the administration, may result in the restriction or withdrawal of material reception conditions in accordance with Article 61 of the Law 4939/2022. For temporary absences or residence outside the facility, residents are required to always submit a relevant request to the facility's Director (Article 17 of the General Regulation).</p> <p>According to the Reception and Identification Service (RIS), which is the responsible authority for monitoring the actual accommodation of asylum seekers in designated reception facilities, a verification system is in place to monitor whether applicants actually reside in their allocated accommodation. Monitoring of presence of those residing in Reception and Identification Service (RIS) Facilities is carried out mainly through regular population checks by competent staff. The collection of data from those activities are used, among other purposes, for compiling demographic reports on monthly, weekly and daily basis. Monthly population censuses are carried out once per month via door-to-door checks, by competent staff. Records linked to the entry to and exit from RIS Facilities, as well as cases of authorized temporary absence, are also used to supplement the door-to-door checks.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>In accordance with Article 61 of Law 4939/2022, unjustified overnight stays outside the facility for more than five (5) days, except for exceptional reasons (e.g., hospitalization) or compelling protection needs, may result in the restriction or withdrawal of material reception conditions. Similarly, unjustified failure to find a resident during two consecutive regular census-verification processes may lead to the termination of the accommodation and of the provided material reception conditions (Article 13 of the General Regulation on the Operation of Controlled Reception Facilities).</p> <p>According to the contribution by RIS, two standard operating procedures (SOPs) regarding this issue are implemented by RIS, one related to the abandonment of an accommodation place and one to temporary absence.</p>
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			<p>In general, if an applicant is absent during the monthly population verification or fails to return by the declared date, following his/her temporary absence, the competent Unit of the Facility takes the following steps, after having verified that there is no previous communication from the part of the resident and/or no exceptional reasons justifying his/her (prolonged) absence: visit to the resident's housing unit; attempt to contact them via their registered phone number; post of notice (duly translated) at the official notice board and other places of the accommodation facility calling him/her to declare his/her presence at the competent Unit of the Facility within five days; contact the applicant's cohabitants.</p> <p>Five days after the above-mentioned actions, the competent personnel of the Facility visit again the housing unit of the absent person and in case he/she is still absent without exceptional reasons to justify this, a document is issued verifying the abandonment of the accommodation facility by the applicant of international protection.</p> <p>If the applicant returns having the status of asylum seeker, his/her application to be accommodated will be in principle accepted. In parallel, the Facility's Director further evaluates potential protection grounds, such as a health condition, vulnerability, safety and security reasons, and reasons for the absence (both if the absence was unauthorized, or if the absence was authorized but lasted longer than the period initially planned) or abandonment, such as force majeure or other exceptional reasons. Following the evaluation, the applicant is re-accommodated in the same or another Facility, according to the available capacity, and provided with material reception conditions.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>According to the contribution by RIS, failure to find the person who is considered to have abandoned the Facility results in their deletion from the Facility's register. It should be highlighted that, although there is no appeal procedure, the deletion from the register should not be regarded as a sanction in the sense that there are guarantees prior to proceeding to the measure of deletion and in any case the persons may submit a new request to be accommodated, which will be accepted should they meet the necessary requirement regarding their legal status, that is being an asylum seeker.</p> <p>However, in accordance with Article 61 of Law 4939/2022, in case of issuance of a decision that restricts or</p>
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			<p>terminates the provision of reception conditions, the affected applicants have the right to file an appeal before the administrative courts [in accordance with the Code of Administrative Procedure (Law 2717/1999, A' 97)].</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>According to the contribution by RIS, should the former resident returns to the Facility and requests to be accommodated, the Facility's Director will evaluate a number of factors, including the person's legal status. If the person continues to be an asylum seeker, accommodation in one of the RIS Facilities shall be provided. It should be noted, however, that even if the person does not have the necessary legal status, his or her special reception needs will be assessed by the competent medical and psychosocial support unit that operates in all RIS Facilities and RIS —exercising its discretion— may provide accommodation on exceptional grounds.</p> <p>The above should be distinguished from Regulation violation cases, where any decision by the administration imposed as a sanction may be appealed before the courts.</p> <p>Finally, decisions for reduction or withdrawal of material reception conditions are taken individually, objectively and impartially and the individual circumstances of the applicants are taken into account, especially when it comes to vulnerable applicants. (Article 61 (5) of the Law 4939/2022).</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>N/A</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p>
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	EMN NCP Hungary	Yes	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes, by National Directorate-General for Aliens Policing's (NDGAP) Asylum Information System, as well as the entry and exit information technology system of the reception facilities.</p> <p>The number, frequency and type of assessments vary depending on the set type of accommodation of the asylum seeker.</p> <p>Pursuant to Section 48 of Act LXXX of 2007 on Asylum (hereinafter referred to as Act LXXX of 2007), upon the asylum seeker's request, the asylum authority shall allocate a private place of accommodation as the place of accommodation or, if the conditions are met, as the designated place of stay, or, in the absence of such a place, a reception centre, community shelter, other place of accommodation under contract or the administrative area of a specific county, unless the person concerned is legally residing in Hungary and does not request to be accommodated in a reception centre. The place of accommodation shall be allocated to the asylum seeker by the asylum authority, where (s)he shall be obliged to reside on a habitual basis and to comply with the relevant rules of conduct.</p> <p>Pursuant to Section 5 (1) of Act LXXX of 2007, upon his/her request, a person seeking recognition in need shall be entitled to accommodation in a reception centre by the Hungarian Asylum Authority for the duration of the asylum procedure, which (s)he may use for a further 30 days if (s)he is recognised as a refugee or a beneficiary of subsidiary protection by the asylum authority. In case accommodation provision is facilitated in a reception centre, the applicant shall leave from his/her place of accommodation with permission. The duration of the absence of an asylum seeker living in a reception centre who has been permitted to leave from the reception centre as per the above or of a refugee or a beneficiary of subsidiary protection living in a reception centre who has given written notification of his/her absence is monitored by the social</p>

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			<p>services of the reception centre on the basis of the data of the entry and exit information technology system, which is monitored on a daily basis.</p> <p>An asylum seeker may leave from the reception centre for more than 24 hours only in highly justified cases and only with the permission of the authority. No permission is required to attend administrative or judicial proceedings.</p> <p>At the request of the asylum authority, the Units for Aliens Policing Controls of the National Directorate-General for Aliens Policing conduct on-site inspections at private accommodations chosen by asylum seekers (at relatives, friends, hotel, hostel, etc.) regularly, but at least once a year. In justified cases, the asylum authority may also request an inspection on an ad hoc basis, if doubts or new information arise regarding the stay of asylum seekers. The number of ad hoc inspections is not subject to legal restrictions, it is determined by necessity.</p> <p>During the inspections, 2 commissioned police officers working at the organisational units of the regional directorates of NDGAP conducting the inspections record if the person is found staying at the declared address and the interview of the persons involved in the case in a report in order to obtain both the legal basis and real information, which is signed by both the client and the inspector, and provided with stamp. A copy of the report will be handed over or sent to the person inspected.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>The rules are not at 'policy' level, instead the applicant is subject to a mandatory obligation provided for by law to cooperate throughout the entire asylum procedure. This includes the obligation to communicate personal data and any changes thereto to the authority, to reside in the accommodation allocated by the asylum authority, complying with the rules on staying in the place of accommodation.</p> <p>In case of applicants living at a reception centre, the social service of the reception centre monitors whether the applicant is away for longer than the permitted period of absence or has left for an unknown location, and whether the refugee or beneficiary of subsidiary protection is away for longer than the declared period</p>
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			<p>of absence or has left for an unknown location.</p> <p>If there is a suspicion (whether based on any information officially brought to the attention of the case officer, a report from a partner authority, a report from a private individual, or based on any other credible information) that the applicant has left his/her private accommodation, (s)he will receive a summons to appear before the asylum authority, make a statement, and report his/her real place of residence at the asylum authority's Client Service.</p> <p>If (s)he does not comply with the above, the asylum authority will contact the territorially competent Unit for Aliens Policing Controls so that the asylum authority can ascertain, as a result of an on-site inspection conducted by its commissioned police officers, whether the applicant left his/her private accommodation temporarily or permanently. If proved, the asylum authority will decide as prescribed by law.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>The applicant may challenge the record of the interview in person, the information on rights and obligations and the on-site visit during the official inspection for legal remedy separately; the findings contained therein may be challenged by challenging the decision for legal remedy.</p> <p>According to Section 66(2)(d) of Act LXXX of 2007, the asylum authority shall decide on the basis of the information available to it or terminate the procedure if the applicant has left the designated place of accommodation or residence without permission for a period of more than 48 hours, for an unknown location and failed to submit an appropriate explanation for his/her absence.</p> <p>The termination resolution shall not be subject to an administrative procedure, but for a period of 9 months following the communication of the termination resolution, the person concerned may request the continuation of the procedure terminated in person once.</p> <p>A negative decision is subject to judicial review in all cases. If the applicant cannot be summoned from his/her place of accommodation or has left for an unknown location, the court shall reject the statement of claim in accordance with Section 68(3) of Act LXXX of 2007. If a date of the interview has already been set, the court shall terminate the procedure on the same grounds in accordance with the provisions of Section</p>
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			<p>68(3a) of Act LXXX of 2007. This shall also apply if the applicant is otherwise represented by a legal representative.</p> <p>In case of a private accommodation, the asylum authority will take measures in order to ensure availability, which will take the form of an order specifying the frequency of the asylum seeker's obligation to appear, the time and method of each check-ins and the legal consequences of failure to comply with the conditions laid down, which shall lead to the termination of the asylum procedure ultimately.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>Yes, it does. When making a decision to restrict or withdraw the material reception conditions under Section 30 of Act LXXX of 2007, the asylum authority must take into account the individual situation of the person applying for recognition, in particular with regard to persons with special needs. It is a safeguarding requirement that the restriction or withdrawal must be proportionate to the breach committed. However, it is important to underline that, in case of a person accommodated in a reception centre, the absence exceeding the period of permitted leave cannot be used to restrict or withdraw accommodation and care in a reception centre which is a material reception condition.</p> <p>The material reception conditions provided for the applicant may be restricted or, in exceptional and duly justified cases, withdrawn if the person applying for recognition has left the private accommodation approved to him/her for an unknown location and fifteen days have elapsed since his/her leave or fails to comply with an obligation related to the asylum procedure (e.g., being available as required by an order issued by the asylum authority).</p> <p>However, there are also sanctions which are independent of the individual situation or the vulnerability of the applicant. As a sanction, the asylum authority may allocate another place of accommodation to the applicant if (s)he seriously violates the rules of conduct or demonstrates serious violence at the designated accommodation.</p> <p>This does not apply to unaccompanied minors, who may change the accommodation allocated to them only in exceptional cases and only in the best interests of the respective minor (in accordance with Section 33(6) of Government Decree No. 301/2007 (of 9 November 2007) on the Implementation of Act LXXX of 2007).</p>
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			<p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
	<p>EMN NCP Ireland</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>YES . IPAS relies on the accommodation centre management visually confirming each resident's presence daily and noting it on a register. This register is sent to IPAS at the end of every week. This has led to difficulties in some centres, particularly the largest ones, with accurately assessing every resident's presence.</p> <p>IPAS require a resident's presence in their centre to be recorded daily. However, action is only taken if the resident is found to be in breach of the IPAS absence policy which allows residents occasional absences without their bed being deemed abandoned.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>Under IPAS policy, a resident is deemed to have abandoned their place of accommodation when they are</p>

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			<p>absent without prior authorisation for 7 consecutive days, or for more than 10 days in any 4-week period. They therefore lose their entitlement to the allocated IPAS accommodation. If they are still an applicant, they can reapply for accommodation, and will join the current waiting list. If they already have status, they lose the entitlement to IPAS accommodation.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>A resident can dispute the absence assessment by contacting IPAS. IPAS will then reconfirm the assessment with centre management and make a decision on a case-by-case basis.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>YES</p> <p>As applicants are entitled to reception conditions under the Reception Conditions Directive and transposing legislation, applicants who have breached the absences policy are entitled to reapply for IPAS accommodation. If an applicant is vulnerable, they are prioritised for accommodation upon reapplication. For beneficiaries of international protection ("people with status"), breaches of the absence policy mean that they lose entitlement to IPAS accommodation as they are entitled to mainstream supports. If an applicant is vulnerable, they are prioritised for accommodation upon reapplication.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>YES. C.A. & anor -v- Minister for Justice and Equality & ors – 2014 case challenged the requirement for residents to sign-in everyday at the centre's reception to verify their presence. Ruled</p>
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			<p>unlawful as there should be less intrusive ways to verify residents' presence. It should be noted that the legislative basis for providing accommodation for international protection applicants was different at the time compared with current day, Ireland had not yet opted into the Directive 2013/33/EU laying down standards for the reception of applicants for international protection (recast)at the time.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>Weekly bed registers are sent by IPAS centre managers confirming presence in accommodation.</p>
	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes.</p> <p>If an asylum seeker does not have sufficient resources to ensure living arrangements conforming to his or her health condition and his or her residence during the asylum procedure, he or she shall be accommodated at the accommodation centre for asylum seekers.</p> <p>While living in the accomodation centre, asylum seeker receives a certain financial allowance, material support, medical support and support from a social worker. Representatives of the Centre's administration make daily check at 23:00 and count each person registered in the centre.</p> <p>Asylum seeker can notify representatives of the centre on his/her absence, indicating the exact address and contact telephone number. In this case person can spend outside the accomodation centre for up to 5 days.</p> <p>If there was no notification and asylum seeker has not registered with their fingerprint in the accomodation center's access control system for more than 48 hours and has not written an appropriate application for absence, the Center's administration informs the appropriate bodies of the Ministry of Internal Affairs that the specific person has left the Center without warning.</p>

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			<p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>The access-control system for entering the territory of the Center, registers the movement of each adult person in and out of the territory. If the person has left and is not found in the Center during daily check (approximately 23:00) for the next 2 evenings (or 48 hours), the Center administration will notify the relevant structures of the Ministry of the Interior. The person's asylum procedure is suspended.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>Yes. A person's asylum procedure may be resumed from the day the person has returned. Person should ask Office of Citizenship and Migration Affairs to renew asylum procedure.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>No.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No.</p>
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			<p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/a</p>
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes.</p> <p>The main facility for accommodating asylum applicants is the Refugee Reception Center (as of 1 January 2025, the Center is called the Reception and Integration Agency).</p> <p>According to Order No. A1-200, 2022-03-21, Regarding the Temporary Accommodation Conditions and Procedure for Asylum Seekers and Foreigners at the Refugee Reception Center and the Procedure for Temporary Departure, third-country nationals residing in the Refugee Reception Center who wish to leave must obtain written permission from the center director under specific circumstances. Unaccompanied minors are required to seek permission if planning to leave for more than 24 hours, while asylum seekers must do so for absences exceeding 48 hours. Asylum recipients need authorization for departures longer than 72 hours.</p> <p>Third-country nationals who are not granted the right to freely move within the territory of the Republic of Lithuania must obtain permission from the Refugee Reception Center director to temporarily leave the center, submitting a formal request at least four hours prior to departure, except in cases of urgent medical care. For unaccompanied minors, this request is submitted by a legal representative or designated staff member. The director evaluates the request, considering the need, risks, and the necessity of accompaniment, issuing a written decision specifying the terms and duration of the leave. Aggressive individuals or those with prior unauthorized absences may require a police escort. During the leave, third-country nationals must carry valid identification and a temporary leave card. Minors must be accompanied by a parent, legal representative, staff member, or volunteer, who is responsible for their safety. All</p>

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			<p>departures and returns are recorded in a registry, with information shared with public security authorities as needed.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>If a third-country national fails to return to the Refugee Reception Center within the permitted timeframe specified in their temporary leave approval, or if they are absent without prior authorization for a prolonged period, it may be presumed that they have abandoned the facility.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>In principle, yes. According to Article 14 of the Law on Public Administration of the Republic of Lithuania, a person has the right to appeal an administrative decision, action, inaction, or delay by submitting the appeal to the same public administration entity, a higher-ranking entity, or another competent body within one month from the delivery, publication, or awareness of the decision, action, or delay.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>No, although each case is dealt with individually</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p>
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			<p>No</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
	<p>EMN NCP Luxembourg</p>	<p align="center">Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>YES. In Luxembourg, there are security agents stationed in most accommodation facilities. These agents are responsible for monitoring and documenting the entries and exits of the applicants. Attendance records are reviewed monthly to track absences. The compiled data is then submitted to the relevant authorities for further examination. Based on this review, and depending on the justification provided for absences, applicants for international protection (AIPs) may lose their place in the facilities. AIPs are allowed 5 nights of absence per month, while beneficiaries of international protection are granted up to 30 nights of absence per year. Some centers also have electronic key cards.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>Unauthorized absences exceeding 5 nights result in the categorization of the AIP having disappeared. Consequently, the allocated bed is redefined as available and can be allocated to another AIP. In case the person shows up again, he must report again to the First Reception Centre (CPA - Centre de Primo Accueil) and restart the reception process from the beginning. Residents are regularly informed of their entitlement to 5 nights of absence per month, as stated in the internal regulations (Règlement d'ordre intérieur - ROI).</p>

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			<p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>Applicants who wish to be absent for more than 5 nights must submit a prior request to their assigned social worker. Each request is evaluated on a case-by-case basis to determine approval or denial. If an applicant loses their place due to prolonged absence and later returns, they are generally referred back to the CPA. Applicants still undergoing international protection procedures can re-enter the initial reception system without requiring a formal appeal. However, beneficiaries of international protection who lost their place cannot re-enter the accommodations for AIP, highlighting the importance of confirming each absence before declaring an individual as having abandoned their place.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>Consideration is given to vulnerabilities or urgent situations, which may warrant additional nights of absence. However, once a place in an accommodation structure is lost, it is typically reassigned to another AIP, making re-entry impossible. AIPs must restart the process at the CPA. If social workers determine that a person's absence raises concerns (e.g., suspected vulnerability), the police may be contacted to investigate. Decisions regarding extremely vulnerable individuals are carefully evaluated before declaring them as missing.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>YES.</p>
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			<p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>The National Reception Office (ONA – Office national de l'accueil) carefully regulates access to the lists of housed AIP by defining who is authorized to view or handle this information and specifying which details can be communicated. Upon arrival at the accommodation facility, residents receive an information notice outlining their rights and obligations regarding data collection and usage. A similar information notice is publicly available on the administration's website to ensure transparency. Furthermore, the National Reception Office regularly reviews and enhances its mechanisms through consultations and exchanges with relevant stakeholders, including administrative partners, other ministries, and internal teams, to address any legal or procedural challenges effectively.</p>
<p>♦  EMN NCP Malta</p>		<p>No</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes. In all centers, there are designated Registration Days when beneficiaries sign with the Administration to receive their per-diem allowance. For those who are employed, registration is scheduled on weekends to ensure they maintain their accommodation in the centers. Additionally, center staff conduct routine checks of the beneficiaries' cabins and rooms to confirm their residency. Vulnerable beneficiaries and unaccompanied minors (UMAs) are checked daily. If anyone fails to return to the center, they are reported as missing to the police.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>If a beneficiary (not vulnerable) fails to return to the centre within a specified timeframe (15 days) without</p>

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			<p>prior notice or valid justification or repeated failure to sign in without a valid reason, it may be presumed they left the centre.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>Yes they can file a complaint mechanism. This was developed to ensure to guarantee that beneficiaries of AWAS are enabled to express their dissatisfaction and grievance, and for AWAS to receive the complaints in a timely manner, to efficiently address the admissible ones, while ensuring a response is provided to the complainant. Consideration is also given for special reception needs including unaccompanied minors.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>Vulnerable beneficiaries and unaccompanied minors are checked daily and if they are not found or fail to return to the centre and cannot be contacted, this is treated as an urgent case and reported immediately to the police as a missing person.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p>
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	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes. All residents aged 18 or older at a COA location, including permit holders, must comply with the in-house registration every week. This in-house registration is intended to be able to assess whether the resident is still staying at the location and whether the benefits provided are still lawful to the resident. The in-house registration takes place on the basis of the directive: Rva 2005. This is also included in the house rules.</p> <p>We distinguish three 'reporting processes':</p> <ol style="list-style-type: none"> 1. COA in-house registration for all COA residents aged 18 and older, including permit holders. The in-house registration also applies to unaccompanied minor residents (amv). 2. AVIM reporting obligation for all asylum seekers from the age of 12 - excluding permit holders - and for those who have exhausted all legal remedies. 3. Request for continuation of Rva benefits, only for permit holders. In common parlance, all reporting processes are referred to as 'duty to report'. <p>Until 2006, COA and AVIM (Department of Alien Police, Identification and Human Trafficking) each took care of the in-house registration and reporting obligation separately. From the perspective of efficiency and to reduce the administrative burden for both residents and staff as much as possible, COA has since taken care of both its own in-house registration and the implementation of the reporting obligation for the AVIM.</p> <p>Residents therefore only have to physically report once a week to the COA for the 'combined reporting obligation'. Registration of reporting obligations and in-house registration takes place in the computer system IBIS. A COA employee enters the residents' details in the system and manually reports the in-house registration. Because the execution of the in-house registration for unaccompanied minors differs from the in-house registration for regular asylum seekers, two separate functionalities have been built into IBIS. The reporting obligation and in-house registration for regular childcare is done via the Reporting Requirement functionality, for amv, the In-House Registration functionality applies</p>
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			<p>A resident can obtain an exemption from the AVIM reporting obligation or COA in-home registration. Exemption is only permitted in specific circumstances and must be done in advance and can be requested from the location manager. Unaccompanied minors can be granted an exemption from in-home registration based on: the same exemption criteria that apply to the AVIM reporting obligation. In addition, unaccompanied minors also receive an exemption for weekend leave, visits to friends or family, vacation leave or leisure activities.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>If a resident does not comply with the reporting obligation, various measures can be taken possible. In extreme cases, the stay in the residency will be terminated and the payments stopped.</p> <ul style="list-style-type: none">- In the event of a first (unauthorized) failure to report, a resident will receive a written warning;- Failure to report two consecutive times will result in immediate deregistration. <p>The following procedure applies after failure to report for two consecutive times(for both asylum seeker and permit holder):</p> <ul style="list-style-type: none">- The COA employee investigates whether the resident is still staying on location through a room check together with the AVIM. If the resident is not found during a room search, this will lead to deregistration of the resident. After detection, the AVIM will issue a notice of departure (M100). The shelter and financial benefits will stop immediately.- If the investigation shows that the resident is still staying at the location, then the Legal Affairs department of COA (JZ) must be contacted. JZ can assess whether an eviction procedure should be initiated. If the resident does not leave the living space, JZ will be consulted and COA will hire a lawyer to file an eviction notice with the civil court to ask the judge. A bailiff then carries out the judgment and the actual proceedings
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			<p>evacuation (possibly with the help of the police).</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>If an asylum seekers wants to make use of COA reception again after their reception has been terminated they have to go to the registration centre in Ter Apel to submit a new asylum application. A permit holder cannot re-apply at the registration centre in Ter Apel. They must apply to the municipality for housing instead.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>Unaccompanied minors must report twice a day for in-home registration, including at weekends and on public holidays. Usually at the start of the day and with dinner. This frequency is necessary due to an increased risk of human trafficking or smuggling and being able to identify possible disappearances at an early stage.</p> <p>Residents of a shelter location (restricted location or family location for those who exhausted all legal remedies) report daily for in-house registration, with the exception of weekends and public holidays.</p> <p>Residents of a restricted location (HTL) are subject to a stricter reporting obligation: twice a day, 7 days per week.</p> <ul style="list-style-type: none">• The AVIM reporting obligation does not apply to permit holders. They only register for the continuation of Rva benefits (3).• Children aged 12 to 18 are generally exempt from the reporting obligation in connection with compulsory education and the importance of uninterrupted school attendance. In consultation with AVIM, it can be
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			<p>decided in individual cases that a resident aged 12 or over must report (for example in the event of misconduct, criminal behavior or other compelling reasons).</p> <ul style="list-style-type: none">• Unaccompanied minors are subject to the AVIM reporting obligation, although this is not carried out everywhere. This is because the in-house registration for this group within the COA is carried out by the unaccompanied minors team.• For residents who are (officially) administratively placed, the following agreements apply with regard to the weekly reporting obligation:<ul style="list-style-type: none">- The reporting obligation is largely done via video calling;- Periodic physical reporting is required (at least once a month);- The location manager may, if there is reasonable cause to do so, require a resident to report (fully) physically to the linked location.- The administratively placed persons are linked to the nearest location at both the COA and the AVIM and the person's file is also transferred to that COA location and the associated AVIM region. Residents who are administratively placed in a healthcare institution, etc., are exempt from the reporting obligation. [1] <p>[1] All information is provided by the Central Agency for the Reception of Asylum Seekers.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A.</p>
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	EMN NCP Poland	Yes	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>1. The verification system is carried out using tools such as:</p> <ul style="list-style-type: none"> a. daily rounds of the center area carried out by the center staff and visual confirmation of the presence of each resident b. control of meal collection, i.e. supervision of the dispensing of meals in the center by providing the administrator's staff with up-to-date lists of persons entitled to meals and checking the list of attendance of foreigners during meal collection on an ongoing basis; and in accordance with "The physical protection instructions of the center for foreigners chapter II, point 5 and chapter III point. 6" viz: c. all entrances and exits of residents of the center shall be chronologically recorded by security officers working 24/7, in the book of Records of Entrances and Exits d. every time foreigners leave the premises of the center, they are obliged to leave an ID card (document with a photo, data of the foreigner and room number) to the center's security officer in accordance with the "Rules and Regulations of stay in the center for foreigners paragraph 12 point". <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>2. Pursuant to "Article 77. of the Act of June 13, 2003 on granting protection to foreigners on the territory of the Republic of Poland", in the event that a foreigner receiving social assistance in a center stays outside the center for more than 2 days, the provision of such assistance is suspended by law until his return. In such a situation, the foreigner is removed from the list of residents and deprived of social assistance.</p>
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			<p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>3. In the event that the foreigner returns, he is required to report to one of the reception centers to resume welfare benefits and is again directed to a residence center. The resumption of social benefits is the only prerequisite for re-housing the foreigner in the centre.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>NO. Applicants have breached the absences policy are entitled to reapply for accommodation. All foreigners regardless of their characteristics have the same right to accommodation upon reapplication.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>NO</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
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 EMN NCP Serbia	Yes	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes.</p> <p>In the Republic of Serbia all asylum seekers are accommodated in collective housing, i.e., asylum centers. During the admission in the center, asylum seeker receives card that serve for the access to different services in the center (e.g., food, NFI, medical check, etc.). This is also a tool for checking daily presence of beneficiaries of the center. All data are collected and protected in line with the Law on protection of Personal Data by the Commissariat for Refugees and Migration that is responsible reception authority.</p> <p>If the asylum seeker obtain permission from the Asylum Office to live in private accommodation with own resources, he/she is obliged to return center card. The checking of residence of asylum seekers in private accommodation is under Police competences in line with legislation regulating rights and obligations of foreigners.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>The Law on Asylum and Temporary Protection stipulates obligation to formally inform Asylum Office about any changes of address. In line with this obligation, Commissariat consider that asylum seeker has abandoned facility if he/she is absent for three days without previous announcement to the center's management.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>If a beneficiary of the center considers that his/her presence records have not been properly maintained, he/she can submit complain directly to the canter's manager or via dedicated e-mail to the Commissariat's</p>
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			<p>central office. Upon receipt of a complaint, each complaint is recorded and handled in accordance with the procedures.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>In line with the obligation to provide special guarantees to the vulnerable categories of asylum seekers, individual assessment is mandatory for each case that have some of vulnerabilities prescribed by the Law on Asylum and Temporary Protection. This also applies to situations when the reasons for an absence from the center for more than three days without prior notice is being considered for the purpose of assessing request for re-accommodation.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p>

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			<p>Yes. The presence of applicants is checked every morning on weekdays, by direct control.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>If the applicant is not in his room/within the facility in the morning and does not have a pass for that day it is assumed that he has left the establishment. If it is found that the applicant has left the facility arbitrarily, this fact is recorded in the internal information system, and at the same time the form on arbitrary abandonment of the facility is filled in. If the applicant does not appear within 8 days, he or she is removed from the registry of the facility. If a first-instance decision on asylum has not yet been issued, the procedure will be discontinued after that time. Even if the applicant returns to the facility after the expiry of this period, it is not possible to include him back in the registry, as he loses the status of an asylum seeker by stopping the procedure. If the applicant does not appear within 8 days after his or her arbitrary departure, but is in the second-instance proceedings, he or she will also be removed from the registry, but if he or she comes to the facility after being removed, he or she may be included back in the registry, as the proceedings are not discontinued in the second-instance proceedings.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>No.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>No.</p>
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			<p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>NA</p>
	<p>EMN NCP Slovenia</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>As per the International Protection Act and Regulation on the House Rules of the Asylum Home, authorized officials of the office, based on the list of daily presence of accommodated persons, which is maintained by the security service, check the presence of the accommodated persons daily. Furthermore, every applicant must show applicant's card for international protection to security service when entering/leaving the accommodation (every time).</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>Article 50 of the International Protection Act states that if it is evident from the official records of the competent authority that the applicant has voluntarily left the asylum center or its branch and has not returned to the asylum center or its branch within three days of leaving, the application for international protection is considered withdrawn. Furthermore, all activities regarding the applicant are</p>

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			<p>abandoned/finished.</p> <p>If the applicant has been permitted to relocate to a private accommodation as per Article 83 of the International protection Act, and the applicant voluntarily leaves their private residence or another institution where they are accommodated, the landlord or the head of the institution shall immediately inform the Office for the support and integration of migrants (Article 83 (6) of the International Protection Act). If the applicant has not returned to the address of relocation referred to in Article 83 of International Protection Act within three days of notification to the Office by the landlord or the head of the institution, the application will be considered withdrawn as per Article 50 (2) (4) of the International Protection Act.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>According to the Regulation on the House Rules of the Asylum Home, one of the obligations of accommodated persons is to submit the applicant's card to the security service, upon arrival to the asylum center.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>No.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No.</p>
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			<p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
	<p>EMN NCP Spain</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes. We have a system in place to verify that the persons who participate in the system actually reside in the accommodation assigned to them. This system includes several control strategies to ensure this.</p> <ul style="list-style-type: none"> - Before entering the reception resources, the people to whom they have been assigned must sign a participation commitment and internal rules and regulations. These documents establish the obligation to stay in the reception resource, as well as the need to the need to notify and request prior authorisation in the event of not staying overnight in the centres. They are also informed of the consequences of not complying with these rules. - If the person is absent for more than 24 hours from the reception resource, it is compulsory that he/she request prior authorisation and sign an 'excused absence' document explaining the reason for the departure and overnight stay outside the resource. - Daily home visits are made by a social educator. These visits allow to check the presence of the residents in their accommodation, as well as to provide support and guidance in case they need it. During these visits, the social educator can also assess the resident's environment and detect possible additional needs. - In addition, the compliance with the planned itinerary is monitored for each person participating in the international protection reception system. This includes the attendance of training classes. This includes attendance of training and language classes, which are essential for their integration and adaptation. Attendance at these classes is recorded, and any absences are investigated in order to ensure that there are no problems preventing participation or abandonment of the host placement. - In some large centres where there is a reception service, the check-in and check-out of people is

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			<p>recorded, which enables precise control of their presence.</p> <ul style="list-style-type: none">- The social workers of the entities carry out regular interviews to assess the situation of the people under their care. These interviews not only help to identify needs, but also act as a preventive tool, as they allow professionals to detect possible signs of abandonment of the reception centres or resources.- Regular meetings with all residents are organised to help identify problems in the shelters and prevent unannounced abandonment by the people residing in the shelters. <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>In relation to the policy of considering the abandonment of the reception centre or resource by persons seeking international protection, there is a regulation that classifies as an offence and penalises the abandonment of reception resources without express authorisation. Order ISM/922/2023, of 6 July, which develops the disciplinary regime of the reception system in matters of international protection.</p> <p>Article 7. Serious infringements.</p> <ul style="list-style-type: none">b) Abandonment of the assigned place of residence for more than twenty-four hours and less than seventy-two hours or overnight stay outside the resource, without the express authorisation of the responsible staff. <p>Article 8. Very serious infringements.</p> <ul style="list-style-type: none">b) Abandonment of the assigned place of residence for more than seventy-two hours, without the express authorisation of the responsible personnel. <p>On the other hand, the system has documentation that the person must sign at the time of entry into the reception resource. This documentation clearly states that temporary or definite absence without justification is considered a criminal offence and carries a sanction. In the event that the absence extends for more than 72 hours without justification, it will be considered abandonment of the facility, which will trigger a disciplinary procedure that may result in a mandatory exit from the resource and the system. It is important to provide clear and accessible information about the consequences of non-compliance, ensuring that residents are aware of their rights and obligations.</p>
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			<p>Before declaring that a person has left the facility, attempts should be made to contact them, either through phone calls, emails or home visits, to ensure that there are no circumstances that would justify their absence.</p> <p>Finally, if the technical staff of the entity becomes aware that a person has left the centre without prior notice, a sign is placed on the centre's notice board. This poster informs the other residents that the person in question has not been at the centre since the corresponding date, and allows other colleagues, if they know the whereabouts of the absent person, to inform them and facilitate their return. It is important to note that this procedure respects the Data Protection Act, ensuring that no confidential data is shared that may violate the privacy and rights of the person. After 72 hours have elapsed since the notice was posted, the absence is considered official and the disciplinary procedure to declare the abandonment of the shelter resource is initiated.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>In the event that it is decided to begin disciplinary proceedings for abandonment of the foster care resource, from the date of notification of the agreement to initiate the proceedings, the person to whom the proceedings are addressed has a period of 10 working days in which to submit written allegations and present any documents and justifications he/she deems appropriate.</p> <p>Furthermore, in the decision of the disciplinary procedure in which the sanction is determined, it is informed that, as it does not put an end to administrative proceedings, an appeal may be lodged with the Secretary of State for Migration within a period of one month from the day following that of its notification, in accordance with the provisions of articles 121 and 122 of Law 39/2015, of 1 October, on the Common Administrative Procedure of Public Administrations, and without prejudice to any other appeal that may be lodged.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted</p>
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			<p>status)?</p> <p>Unjustified abandonment of a reception resource may result in the initiation of a disciplinary procedure and the imposition of a sanction that could result in definitive exclusion from the international protection reception system. However, in cases where the person is in a situation of vulnerability, such as those with mental health problems, such abandonment can be justified, allowing them to continue to receive support within the system.</p> <p>On the other hand, the legal status of people who are part of the reception system or who leave reception resources unjustifiably and without prior notice (being an applicant or beneficiary of the status) does not change the actions, procedures or consequences arising from this non-compliance.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>Spain has faced legal challenges related to the monitoring of unjustified leavers, particularly in the context of EU Regulation 2016/679 of 27 April. It is essential to comply with this regulatory framework, which is directly applicable, while ensuring that the data protection rights of users of reception system resources are always respected. This is particularly relevant given that these are vulnerable people, whose reasons for leaving the facilities may be unknown and varied. For this reason, the identification data of individuals are replaced by data that do not allow their clear and direct identification by third parties. An example of this is the use of a number assigned by the SIRIA software application, which ensures the protection of personal information and complies with the requirements of the European regulation. In this way, a balance between the need for traceability and the protection of the fundamental rights of these individuals can be ensured.</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>Personal identification data is replaced by data that does not allow clear and direct identification by third</p>
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			<p>parties. An example of this is the use of a number assigned by the SIRIA software application, which ensures the protection of personal information and complies with the requirements of the European regulation. In this way, a balance between the need for traceability and the protection of the fundamental rights of these individuals can be ensured.</p>
	<p>EMN NCP Sweden</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>Yes. Asylum seekers have the right to reside in accommodation centres, which is a collective term for housing provided by the Swedish Migration Agency. This accommodation includes various types, such as regular residential apartments, shared accommodations for multiple asylum seekers, corridor housing with or without meals, or, in some cases, temporary housing in institutions or care facilities. It is at the discretion of each accommodation centre to determine how they verify whether applicants are actually residing there. Typically, staff will knock on doors, speak with applicants, and check their presence. In smaller accommodations, this may occur daily, while in larger accommodations it may occur once a week. Another method of verifying residence is through meetings where applicants are invited to the reception unit. Starting March 1, new adjustments will be required, including the implementation of a more thorough housing verification system. Accordingly, new guidelines are planned to be developed by the Swedish Migration Agency in February 2025.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>If there are suspicions that an individual has absconded, the reception unit will first attempt to contact the person using an appropriate method, such as by phone, if a telephone number is available. If the individual is still suspected of absconding, the daily allowance will be withheld. If the individual does not make contact with the Swedish Migration Agency within two weeks of the decision being issued, they will be registered as</p>

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			<p>absconding. In cases where multiple indications suggest that an individual has absconded, the registration of absconding may, following a comprehensive assessment, occur before the two-week period has elapsed.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p> <p>Since this is a registration procedure and not a formal decision, it is not appealable.</p> <p>4. Does the policy vary depending on the applicants' characteristics (e.g. vulnerabilities, whether granted status)?</p> <p>The policy varies in cases where a child without a guardian has absconded. Additionally, the policy differs depending on whether the applicant is awaiting a decision or has already received an enforceable decision.</p> <p>5. Has your Member State faced legal challenges, including related to GDPR considerations, in relation to monitoring absences/residence? YES/NO.</p> <p>No</p> <p>6. If you answered yes to question 5, how did you adapt mechanisms/systems to respond to these challenges?</p> <p>N/A</p>
	<p>EMN NCP Ukraine</p>	<p>Yes</p>	<p>1. Do you have a system/systems for verifying that applicants are actually residing in accommodation allocated to them? YES/NO. If you answered YES, how and how often do you assess that applicants are</p>

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			<p>actually residing in accommodation allocated to them (e.g. sign-in system, key cards)? Please explain.</p> <p>YES.</p> <p>According to Article 13 of the Law of Ukraine “On Refugees and Persons in Need of Complementary or Temporary Protection” (hereinafter - the Law), a person in respect of whom a decision has been issued to process documents for the purpose of resolving the question of recognition as a refugee or a person in need of subsidiary protection has the right to stay with relatives, in a hotel, rent a dwelling or use accommodation provided in a temporary accommodation center for refugees.</p> <p>The administration conducts daily checks of the residence of persons placed in the temporary accommodation centre by visiting the living rooms.</p> <p>2. If you answered yes to question 1, what is your policy for considering/presuming that the international protection applicant has abandoned the facility? Please explain.</p> <p>On a daily basis, the administration of the temporary accommodation centres verifies the fact of residence. In accordance with the Regulation on temporary accommodation centres, approved by Order of the Ministry of Internal Affairs of Ukraine No. 503 dated 14.06.2018, registered with the Ministry of Justice of Ukraine on 05.10.2018 under No. 788/32240 (hereinafter - the Regulations), the right to use residential premises in a temporary accommodation centre is suspended if that person has been absent from the centre for more than three days without prior notification of its administration.</p> <p>According to the Regulation, the right to use a residential property in temporary accommodation centre may be lost if the person has been absent from there for more than fifteen days without notifying the administration.</p> <p>At the same time, the Regulation provides the possibility of restoring the right to use a residential premises in a temporary accommodation centre as well as re-accommodation there.</p> <p>3. If you answer yes to question 1, is there a possibility for the resident to challenge the assessment (i.e. an appeal mechanism)?</p>
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