

Detention Centers for Irregular Migrants are administrative centers subjected to the rule of law. They are not prisons and must not function as such.

If you are in one of such centers or somebody you know is there, it is because:

- You or that person did not have the documents required for a legal stay in the state (irregular/illegal stay)
- An expulsion expedient has been opened by the police
- A judge has declared that you or the person you know must stay at a detention center while the expulsion procedure concludes
- Therefore:
 - a lawyer has assisted you or that person and knows the legal situation. It is of vital importance that you keep in touch with that person.
 - if your lawyer is in a different city, make sure you keep in touch with them and inform local NGOs of your situation
- The conclusion of the procedure may be expulsion of the country or cancelation of the expedient.
- While in the detention center you are entitled to rights

This guide has been created by the Human Rights Clinic of the School of law (Universitat de València) in cooperation with Plataforma pel Tancament dels Cíes

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Short guide for a better protection of your RIGHTS while in a CIE



Detention Center
for
irregular migrants

At ur arrival

- ✓ You must be informed about your legal situation, the rights that assist you and the organization of the center.
- ✓ Any complaint or requests concerning your situation should be written and sent to the Judge: Jutjat d'instrucció n.3 in València.
- ✓ The staff at the center should provide efficient assistance regarding the conditions of your stay.

While in the CIE

- ✓ Your life, health and physical integrity, as well as your dignity and privacy, must be respected
- ✓ You cannot be subject to degrading treatment.
- ✓ You are entitled to medical and social care within the facility.
- ✓ The center must meet standard physical and hygienic conditions.

Right to family life

- ✓ The center has to facilitate the reunion of families when possible
- ✓ You have the right to have your children with you (under 18)
- ✓ The report of the office of the Public prosecutor is required for both cases of family life.
- ✓ Your family and friends can visit you

Communication rights

- ✓ You are entitled to legal aid, free in case you can't cover your expenses.
- ✓ You are entitled to assistance of counsel, and to communicate privately with them, even beyond the center's visiting hours, if needed.
- ✓ You are entitled to communicate with your consulate.
- ✓ You have the right to be assisted by an interpreter
- ✓ You can ask for asylum, by contacting UNHCR. You will receive legal assistance during the asylum procedure.
- ✓ You can be in touch with human rights NGOs

End of stay

- ✓ You can stay a maximum of 60 days at the center. Once the process or conditions that allowed your stay are completed you must be released immediately.
- ✓ You cannot be replaced in a CIES unless a new expulsion procedure has been initiated

We strongly recommend you to:

- ✓ Keep in touch with your lawyer: They know what your situation is and how to protect your rights.
- ✓ Ask for information about the different legal aids you can actually receive. Contact the foreigner's section at the Lawyers' Bar Association.
- ✓ NGOs can help you and inform you, but there are plenty of things you can do yourself
- ✓ ANY need you may find unmet at the center, any right that is not satisfied; any demand that you may have that you consider legitimate in what concerns special leaves, you can/must communicate it to the Jutge d'instrucció n.3 with a simple letter.