

Government of the Republic of Armenia

Decision

19 November 2009

1440-N

On establishing the procedure for placing asylum seekers in the temporary reception center and providing them with means of subsistence

In accordance with Part 1 of Article 24 of the RA Law on Refugees and Asylum, the Government of the Republic of Armenia decides:

1. To establish the procedure for placing asylum seekers in the temporary reception center and providing them with means of subsistence, pursuant to the Annex.
2. This Decision shall enter into force on the tenth day following the official promulgation.

Prime Minister of the Republic of Armenia
T. Sargsyan

17 December 2009
Yerevan

PROCEDURE
for placing asylum seekers in the temporary reception center and providing
them with means of subsistence

1. The present procedure determines relations pertinent to the placement in the temporary reception center (hereinafter referred to as the “Center”) and provision of means of subsistence to asylum seekers in the Republic of Armenia.
2. “The Reception Center” state non-trade organization established by the Governmental Decision # 407-N from 3 April 2003 is the center for temporary accommodation of asylum seekers.
3. Asylum seekers shall be placed in the Center by the state designated body of the RA Government on migration issues (hereinafter referred to as the “Designated Body”).
4. Expenditures related to the placement of asylum seekers in the Center and provision of means of subsistence to them shall be made from the budget planned for its maintenance.
5. Asylum seekers and members of their families are placed in the Center if they asked about it in their asylum application or if they submitted a separate application about it. Asylum seekers can also reside in other places at their own expenses.
6. The Designated Body shall issue a referral based on the application from asylum seekers on placing them in the Center. The form of the referral shall be established by the order of the head of the Designated Body.
7. The referral is issued when a free room is available in the Center. Asylum seekers who received the referral shall be placed in the Center immediately.
8. Together with asylum seekers, members of their families shall also be placed in the Center.
9. Asylum seekers shall reside in the Center until a final decision is made on their claim (including the completion of the process of appealing against the decision on rejecting asylum application).
10. When placing in the Center, the number of family members of asylum seeker, their sex, age and other conditions shall be taken into consideration.
 - 10.1. In cases when the asylum seeker is an unaccompanied or separated child, he/she shall be placed in the Center in a prioritized manner. When placing the child in the Center, the management of the Center shall take into account the child’s best interests, as well as consult with his/her representative. (Added pursuant to Decision 1268-N of 15.12.16)
 - 10.2. If the age of the unaccompanied or separated asylum seeking child is uncertain and he/she does not possess any identity document, but there are substantial grounds that he/she is under 18, then the age of the child shall be defined in line with the procedure established by the Decision 18-N of the Government of the Republic of Armenia of 20 January 2011. (Added pursuant to Decision 1268-N of 15.12.16)
11. Persons of different sex belonging to different families shall not be placed in the same room.
12. If the asylum seeker is absent from his/her room in the Center for seven consecutive days for invalid reason, the administration of the Center shall inform about that the Designated Body, and the latter shall recognize invalid the written document issued to asylum seeker. Invalid

Unofficial Translation

are considered reasons when asylum seeker does not present founded reasons for being absent from the room to the administration of the Center.

- 12.1. In case of violation of the disciplinary rules of the Center, the asylum seeker receives a written warning by the Director about the consequences. In case the disciplinary rules are violated two or more times, the referral issued to the asylum seeker, based on the Director's proposal, is declared null and void by the Designated Body. (Added pursuant to Decision 1268-N of 15.12.16)
- 12.2. The asylum seeker shall be notified about the annulment of the referral within 3 working days. The asylum seekers shall vacate the occupied room within 3 days after receiving the notification on the annulment of the referral. (Added pursuant to Decision 1268-N of 15.12.16)
13. If asylum seeker is recognized a refugee, s/he should vacate the room occupied by him/her in the Center after receiving the decision.
14. If the claim of asylum seeker is rejected and s/he does not appeal the rejection decision through court or administrative procedure, s/he can continue residing in the Center up to 30 days after receiving the decision.
15. If the claim of asylum seeker is rejected and s/he appeals the rejection decision through administrative procedure, the asylum seeker, as well as members of his/her family can continue residing in the Center until a decision is made on examination of the administrative complaint.
16. If the claim of asylum seeker is rejected and s/he appeals the rejection decision through court, the asylum seeker, as well as members of his/her family can continue residing in the Center until the court decision enters into force.
17. Refugees whose asylum claims were rejected may continue to reside in the Center until they leave the territory of the Republic of Armenia, if they have a written permission from the Designated Body.
18. The administration of the Center shall keep a registry book on asylum seekers placed in the Center which contains the following information on asylum seeker and members of his/her family: first name, last name and father's name, date of birth, citizenship, registration number of the referral for his/her placement in the Center, date of issue of the referral, date of arrival in the Center, date and number of decision made by the Designated Body on the asylum claim, date of leaving the Center, and other required data. The form of the registry book shall be established by the order of the head of the Designated Body. The Designated Body shall inform the administration of the Center in writing about the decision made on the asylum claim.
19. The administration of the Center shall provide asylum seekers placed in the Center with means of subsistence, namely food (three times a day), linen, items for personal hygiene, and, if necessary, clothes and shoes.
20. Asylum seekers shall be provided with means of subsistence in the Center until a final decision is made on their asylum claim (including the completion of the process of appealing against the rejection decision).
21. The quantity of daily food and linen provided to asylum seekers placed in the Center is calculated in accordance with the minimal criteria fixed in Appendix 2 and 4 of the Governmental Decision #730-N of 31 May 2007 "On approval of the minimal criteria for social services provided to elderly and disabled people."
22. Each asylum seeker placed in the Center is provided with items of personal hygiene on a monthly basis in the following quantities:

Unofficial Translation

- 1) hand soap – 100 g
 - 2) laundry powder - 250 g
 - 3) laundry soap – 200 g
 - 4) tooth paste – 60 g
 - 5) tooth brush – 1 piece (one time)
 - 6) kleenex – 1 box
 - 7) toilet paper – 1 roll
23. On the application of the needy asylum seekers they and their family members may be provided with one-time assistance in the form of clothes and shoes on the basis of the Director’s proposal made to the Designated Body and the approval of the Designated Body. The expenditures made for this purpose should not exceed 25,000 Armenian drams for each asylum seeker.
24. The means of subsistence for asylum seekers placed in the Center can also be provided within the framework of programs implemented by international organizations and NGOs.

(Annex supplemented pursuant to Decision 1268-N of 15.12.16)

MINISTER-CHIEF
OF STAFF OF THE GOVERNMENT
OF THE REPUBLIC OF ARMENIA

D. SARGSYAN