



**HUMAN RIGHTS AND  
EQUALITY INSTITUTION  
OF TÜRKİYE**

# **THE REPORT ON THE VISIT TO REMOVAL CENTER IN KAYSERİ**

**Report No:**

**2022/07**

Accepted unanimously as per the Human Rights and Equality Board of Türkiye's resolution no. 2022/136 of 01.03.2022.

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## **ABBREVIATIONS**

- UN** : United Nations
- GÖÇNET** : Immigration Record System
- OPCAT** : United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- PCR** : Polymerase Chain Reaction
- HREIT** : Human Rights and Equality Institution of Türkiye
- NPM** : National Preventive Mechanism
- YTS** : Foreign Terrorist Fighter
- YUKK** : Law on Foreigners and International Protection

## 1. INTRODUCTION

1. The Human Rights and Equality Institution of Türkiye (HREIT) was established as per Law no.6701 in order to protect and promote human rights based on human dignity, guarantee the right of individuals to be treated equally, prevent discrimination in the enjoyment of legally recognized rights and freedoms, operate in line with these principles, and effectively fight against torture and cruel treatment.
2. Türkiye signed Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) on 14 September 2005. The objective of the Protocol as per article 1 of OPCAT, which took effect following its approval in 2011 and became binding on Türkiye, is: *"to establish a system in which independent international and national bodies pay regular visits to places where people are deprived of their liberty in order to prevent torture and other cruel, inhuman or degrading treatment or punishment."*
3. As per subparagraph 9/1-1 of Law no.6701, acting as a National Preventive Mechanism (NPM) is included in the assignments of the Institution pursuant to the provisions of OPCAT. As per subparagraph 2/1-k of the Law, NPM refers to *"the system established to make regular visits to places where persons are deprived of their liberty pursuant to the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment"*.
4. Subparagraph 1-j of Article 9 of Law No. 6701 says the Institution has the duty to carry out regular visits, with or without notice, to the places where persons deprived of their liberty or placed under protection are located. Accordingly, visiting removal centers is included in the scope of duty and jurisdiction of HREIT.
5. Removal centers are one of the places where persons are deprived of their liberty or placed under protection, and they are primarily based on Law no. 6458 on Foreigners and International Protection (YUKK). As per article 58 titled Removal centers of YUKK, *"(1) Foreigners who are placed under administrative detention shall be accommodated in removal centers."*

- (2) *Removal centers shall be operated by the Ministry. The Ministry may sign protocols to delegate operation of the centers to public institutions and organizations, Turkish Red Crescent Society, or associations working for public interest with expertise in the area of migration. (3) Procedures and principles related to the establishment, management, operation, transfer and supervision of removal centers, and proceedings related to the transfer of foreigners for deportation to removal centers shall be determined by a regulation."*
6. As per subparagraph 3/1-ç of the "Regulation on the Establishment, Management, Operation and Supervision of Reception and Accommodation Centers and Removal Centers", which took effect following its publication on Official Gazette no.28980 of 22 April 2014, a removal center refers to "*a center established to accommodate and control foreigners under administrative detention, which is directly operated or caused to be operated after signing protocols with public institutions and organizations, Turkish Red Crescent Society, or associations working for public interest with expertise in the area of migration."*
7. Within the framework of the aforementioned, a visit was made to Removal Center in Kayseri on 11.08.2021, and the visit delegation comprised... The visit was made by observing hygiene-mask-distance rules, taking account of the “do no harm principle” due to the COVID- 19 pandemic.
8. This report includes findings, observations and complaints obtained as a result of a visit to Removal Center in Kayseri<sup>1</sup> on 11.08.2021, conducted upon the resolution no. 2021/16 of the Human Rights and Equality Board of Türkiye's meeting no.147 of 09.02.2021 and the Presidency approval dated 09.08.2021 as well as findings and suggestions about following up of the recommendations made as a result of the first visit conducted on 15.08.2018.

## **2. GENERAL INFORMATION**

### **2.1. GENERAL INFORMATION ABOUT THE CENTER**

#### **2.1.1. General Information about Physical Structure of the Center**

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<sup>1</sup> hereinafter referred to as the Center.

9. The Center was built on 16 January 2015. Subsequent repairs performed on the building were as follows:
- In lighting of the building, the bulbs were switched to Led Projectors.
  - Broken parts in the floors where the foreigners reside were repaired and painted.
  - LNG tank in the building was dismantled and the system was switched to gas heating system.
  - Camera system and fences of garden walls were renewed.
10. The common areas available to the foreigners in the center include the infirmary, dining hall, TV room, gym, canteen, play room and courtyard.

## 2.12. General Information about the staff of the Center

11. Distribution of the staff working in the center by duty and sex is as follows:

*Table 1: Table about Personnel Details*

<b>POSITION</b>	<b>MALE</b>	<b>FEMALE</b>
Deputy Manager of the Center	1	-
Provincial Immigration Specialist	4	2
Deputy Provincial Immigration Specialist	2	1
Officer	1	-
Social Worker	-	3
Psychologist	-	1
Food Engineer	-	1
Technical Staff	5	-
Permanent Worker (Office Personnel)	-	1
Interpreter	3	-
Doctor	1	-
Teacher (Officer temporarily assigned from public education center)	-	1
Permanent Worker (Security Personnel)	65	12
Permanent Worker (Cleaning personnel)	23	3
Driver (Temporary Personnel)	2	-
<b>TOTAL</b>	<b>107</b>	<b>25</b>
<b>GRAND TOTAL</b>	<b>132</b>	

12. The external security of the center is provided by the gendarmerie, and internal security by the security personnel of the Center.
13. It was stated by the Center Administration that the translators speak Persian, Urdu and Arabic.
14. The Center Administration stated that outsourcing method is used for occupational health and safety, maintenance, repair, periodic maintenance, purchase of food service, plane tickets and technical service at the Center.
15. The Center Administration reported to our delegation that a minimum 18 expert personnel are required to provide service to 750 people at the full capacity of the Center, that a total of 23 Provincial Migration Experts/Assistant Experts are employed in the Provincial Directorate of Migration in Kayseri, that 9 of 23 experts/expert assistants are employed in the Center therefore the number of experts/assistant experts is insufficient.

## **2.2. FOREIGNERS IN THE CENTER**

16. The Administration stated that the number of foreigners staying in the Center may vary according to irregular migration movements, that there are 886 foreigners in the Center as of the date of the visit, that foreigners from Afghanistan and Pakistan had been recently sent to the Center, and that the majority of those transferred are single and male.
17. The Central Administration stated that there are foreigners of 11 different nationalities in the Center (Afghanistan, Germany, Iraq, Iran, Kazakhstan, Kyrgyzstan, Uzbekistan, Pakistan, Russia, Syria, Tajikistan).
18. The Central Administration stated that the average residence time of foreigners in the Center is 25-26 days, excluding those suspected of being Foreign Terrorist Fighter<sup>2</sup> (YTS).
19. It was stated that there are 5 visually impaired foreigners, that there are 9 children in total, including a girl and 8 boys, and that there are no unaccompanied children in the Center.

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<sup>2</sup> The United Nations Security Council Resolution no. 2178 on Foreign Terrorist Fighters defines foreign terrorist fighters as “*individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, including in connection with armed conflict.*”

20. In case that a foreign child is understood to be unaccompanied, necessary actions are taken by contacting the Provincial Directorate of Family and Social Services.
21. It was stated that there are 13 female foreigners in the center, that there are no pregnant or breastfeeding women in the center, that there are 2 foreigners over the age of 65.

### 3. FINDINGS, OBSERVATIONS AND INTERVIEWS

#### 3.1. FINDINGS AND OBSERVATIONS AS A FOLLOW UP OF THE PREVIOUS VISIT

22. A visit to the Removal Center in Kayseri was organized by our institution on 15.08.2018. Observations and recommendations regarding the visit were disclosed to the public with the report<sup>3</sup> no. 2018/14 of 15.08.2018.
23. Detailed information on the implementation of the recommendations given in the said visit report is given in the table below.

Table 2: Recommendation Follow-up Chart

Recommen- dations	Control of Recommen- dations	Remarks
40x40 cm windows on the ground floor make it difficult to ventilate so such windows should be modified in such a way as to enable sufficient ventilation, <sup>4</sup>	X	During the follow-up visit, it was observed that such windows haven't been modified.

<sup>3</sup> Human Rights and Equality Institution of Türkiye, A Visit to Kayseri Removal Center (Report No: 2018/14), November 2018, ([https://www.tihek.gov.tr/upload/file\\_editor/2019/02/1551179762.pdf](https://www.tihek.gov.tr/upload/file_editor/2019/02/1551179762.pdf)).

<sup>4</sup> UN Nelson Mandela Rules Article 13: All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.

Article 14: In all places where prisoners are required to live or work: (a) The windows shall be large enough to enable the prisoners to read or work by natural light and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation.

Recommendations	Control of Recommendations	Remarks
Acts and transactions performed in the health service under the services provided should be followed up and entered in detail into a health record book in such a way as to enable transparency,	✓	During the visit, it was observed that the health record book in the health service has been regularly maintained in a detailed manner.
The meal menu should be shared with the foreigners in advance,	✓	The Center Administration was seen to observe the recommendation.
Facilities such as a computer room or a gym should be provided to the foreigners within the bounds of possibility,	✓	It was observed that such activities are performed in the Center in a limited manner under the COVID-19 pandemic conditions.
The number of security staff should be increased within the bounds of possibility, <sup>5</sup>	X	It was observed that there is no development about the recommendation as of the visit date. The Center Administration stated that the number of security staff is insufficient too.

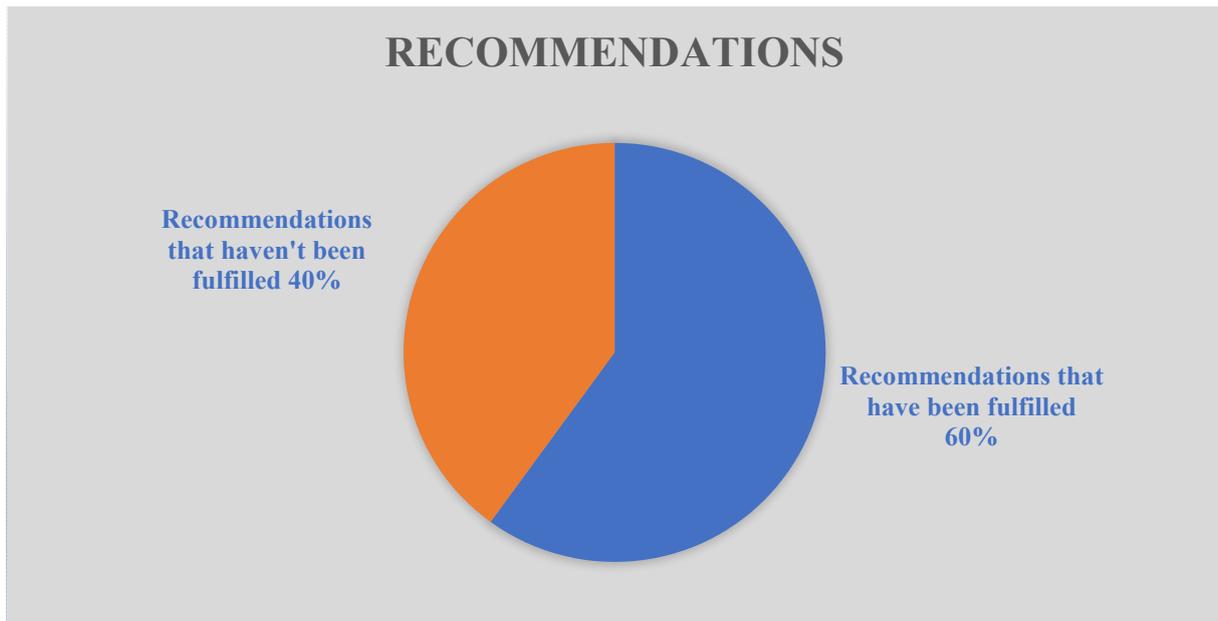
24. It was determined that the rate of fulfillment of the recommendations given in the previous visit was 60%. There are no recommendations that have been partially fulfilled.

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(b) Artificial lighting adequate enough to enable the prisoners to read or work without harming their eyesight shall be provided.

<sup>5</sup> European Prison Rules Article 18: (...) Accommodation of all prisoners shall be in conditions with the least restrictive security arrangements compatible with the risk of their escaping or harming themselves or others.

Figure 1: Percentage of Fulfillment of Recommendations



### 3.2. MATERIAL CONDITIONS

#### 3.2.1. Organization Capacity

25. The capacity of the center is 750 people. The Administration stated that there are 886 foreigners in the Center as of the date of the visit.
26. It was stated by the Center Administration that there are a total of 750 beds in the Center, with 3 bunk beds and 6 beds in each room.
27. The Administration reported that there are 3 rooms allocated for people with disabilities in the Center. In addition, it was observed that there are ramps and elevators in the Center for the people with physical disabilities.

#### 3.2.2. Heating and Ventilation

28. It was observed that the material condition of the Center, which was built on 16 January 2015, is at a good level and that the corridor and common areas of the Center are bright, spacious and sufficiently wide.
29. Gas central heating is available in the Center.

### **3.1.1. Access to Water**

30. The Center Administration stated that there is a 24-hour hot water facility in the Center. No complaint was made in this regard by the foreigners staying in the center.
31. The Center Administration reported to our Delegation that 500 ml of water is given to foreigners per meal in the dining hall, that foreigners can meet their water needs from the water dispensers on the floors<sup>6</sup>.

### **3.1.2. Hygiene Conditions**

32. It was stated that the cleaning of the center is done by the Cleaning Unit on a daily basis, that the rooms of the families and foreigners who don't want the Cleaning Unit to enter their rooms are not entered, and that cleaning materials are provided to them for them to do their own cleaning.
33. It was learned that foreigners who come to the center for the first time are asked to have a PCR test and that foreigners are quarantined for fourteen days as a precaution.
34. The administration stated that they give masks to foreigners and personnel free of charge.
35. It was stated that in the event of a COVID-19 case, the contact tracing teams working in Kocasinan District health institutions come to the Center to collect samples, and that if deemed necessary, treatment is initiated and isolation is ensured. As a result of the observations and examinations, such processes were seen to be performed on a routine basis. Foreigners in the center didn't make any complaints about this to our Delegation.

## **3.2. FINDINGS, OBSERVATIONS AND INTERVIEWS ABOUT ATTITUDES, BEHAVIORS AND SERVICES REGARDING FOREIGN NATIONALS**

### **3.2.1. Admission and Placement in the Center**

36. The Center Administration reported that information of foreigners brought in by police forces together with their documentation is entered in GöçNet<sup>7</sup> database,

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<sup>6</sup> (A healthy average person needs 1500-2000 mL/day of potable water (8- 10 glasses), 1000 mL/day of water with foods and drinks, 260 mL/day of water generated as a result of metabolism to meet his daily water requirement.([https://hsgm.saglik.gov.tr/tr/beslenmehareket\\_haberler/yeterli-su-ve-sivi-tuketiminin-onemi.html](https://hsgm.saglik.gov.tr/tr/beslenmehareket_haberler/yeterli-su-ve-sivi-tuketiminin-onemi.html)).

<sup>7</sup> It's a migration system project developed for the electronic management of foreigners' information on acts and transactions related to their entry into, stay in, exit from Türkiye, deportation, entry bans, international protection, temporary protection and protection of victims of human trafficking.

that foreigner files are examined as applicable to evaluate whether s/he will be deported or not, that identity information such as name and surname, nationality, birth date, mother's-father's name and biometric data are obtained at the time of their first entry into the Center.

37. The administration stated that the foreigners brought to the Center are first passed through the X-Ray device by the security personnel and then body searches are made with the detector.

38. It was learned that valuable belongings of individuals are kept in the Center's depository room upon their admission to the Center.

39. It was stated that a report of assault- violence and a report on the findings of COVID-19 are requested from every foreigner admitted to the Center, and that they aren't admitted to the Center without these reports.

40. In addition, it was stated that after the first admission, foreign national guests are asked by the specialist with the Preliminary Evaluation Form whether they have any health problem or not, that necessary administrative actions are taken in accordance with their disease status, if any.

41. It was stated that clothing aid is provided to foreigners according to their needs in the center, that slippers and shoes are provided in case of need, that other personal needs are also provided by the Center when necessary.

42. It was stated that care is exercised on issues such as sex and disability during placements of foreigners in their rooms. During observations and examinations made by our Delegation, it was observed that these issues are complied with.

### **3.2.2. Attitude of Management and Staff**

43. None of the foreigners in the center complained to our Delegation about prevention of torture and cruel treatment in the Center.

44. The Center Administration stated that the transactions are conducted in accordance with the provisions of the Regulation on the Establishment, Management, Operation and Supervision of Reception and Accommodation Centers and Removal Centers, that foreigners are taken to care rooms<sup>8</sup> to apply penalty procedures under the administrative sanctions.

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<sup>8</sup> Care room is an expression used to refer to soft/padded/isolation rooms where a person is kept for him to calm down and not to cause harm to himself or others.

45. It was stated that there're 2 care rooms in the center, that the time a foreigner is kept in the room is minimum 15 minutes up to a value that varies according to the calming down of the foreigner and that 26 people had been taken to these rooms over the last one year. No problem was identified on this matter during the observations, interviews and inspections and no one complained about this subject to our Delegation.
46. The Center Administration stated that no escape or riot occurred in the Center until the date of the visit, that in such situations, plans are made to ensure that Center's security personnel and police forces intervene in a balanced manner.
47. It was stated that there was a judicial case in the form of damage to public property in 2021. It was seen necessary judicial and administrative procedures for the judicial case were performed.
48. The Center Administration stated that foreigners can convey their requests and complaints through petitions, that there was no problem in general in responding to petitions since there are sufficient number and variety of translators in the Center, though response time for the petitions may vary depending on the workload. During individual interviews with foreigners in the Center, no one complained about the petitions to our Delegation.
49. It was stated that the Center Administration didn't implement any measures alternative to administrative detention in article 57/A of YUKK.<sup>9</sup>
50. The Administration stated that in-service training curriculum of the Center personnel includes subjects such as protection of public property and savings measures, confidentiality, Civil Servants Law No. 657, history, correspondence-filing, law, national security.
51. It was reported that the center personnel received training on inspection and documentation of torture and cruel treatment and candidate civil servant training.

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<sup>9</sup> This practice was found to be compliant with human rights and appreciated in the Report on Protection and Promotion of Human Rights for 2019, published by our Institution.  
[https://www.tihek.gov.tr/upload/file\\_editor/2020/12/1608249600.pdf](https://www.tihek.gov.tr/upload/file_editor/2020/12/1608249600.pdf) (E.T: 17.01.2022)

### **3.1.1. Communication with the Outside World**

52. It was stated by the Central Administration that there are 20 pay phones in the Center, that foreigners can get their phone cards from the canteen for a fee, and that the phone cards are provided free of charge for the foreigners without means to buy a phone card.
53. It was stated that foreigners suspected to be a YTS can use the phone 3 days a week, while other foreigners can use it every day.
54. It was reported that visitors began to be accepted to the Center as of 1 July 2021, that there is a visitor room where foreigners staying in the Center can meet their visitors, that currently, they are only allowed to meet their next of kin.
55. It was observed that there're rooms suitable for a meeting with a counsel, that in such rooms foreigners can talk to their counsels by phone in two individual sections separated by glass, that there's no problem with privacy and isolation in such rooms.
56. The Center Administration told our Delegation that foreigners in the Center were able to meet their counsels upon their request, that 220 counsel meetings were made in 2020, that 45 legal aid interviews were conducted according to the 2020 records
57. During the interviews with the foreigners in the center, the foreigners stated that sufficient legal support isn't provided and that they aren't provided with necessary information on this matter.

### **3.1.2. Educational, Social, Cultural, Vocational and Sportive Activities**

58. The Center Administration stated that social activities are performed less frequently than normal times due to the pandemic, that foreigners are allowed to have fresh air for 3 hours in total, including half an hour after each meal in the morning, at noon and in the evening and another half an hour 3 times a day.
59. The psychologist and social worker working in the center stated that events are organized by psycho -social support unit on private days, national and religious holidays, that various activities are also performed in cooperation with the Turkish Red Crescent.

60. It was stated that there is a Turkish Teacher, a Handicrafts Teacher and a Preschool Teacher assigned by the Public Education Center in the center, that various activities are carried out by the teachers with foreigners.
61. It was observed that Basic Skills Class, Training Class, Cinema Hall, Gym and Computer Room are actively used in the center.
62. It was learned that there is a Turkish language course in the center and that Turkish language is taught 5 days a week.
63. It was observed that there is a library in the center with books from different languages, that foreigners can read books in the library and take them to their rooms any time.
64. It was stated that an imam appointed by the Provincial Mufti comes to the Center on Fridays.
65. It was observed that there is a playground with enough equipment for children in the center, that the playground is suitable for children.
66. It was understood that the center has a pre-school class with necessary materials for children in the center, that a pre-school teacher has been appointed by the Public Education Center. It was observed that the educational environment is decent.
67. It was observed that the classrooms used for the education of children are highly equipped and there are enough games, including puzzles, chess, checkers, etc. for children in the classrooms.

### **3.1.3. Health Measures and Measures against COVID-19 Pandemic**

68. It was stated by the Center Administration that the first response to emergency health cases is usually started upon detection of such case by the security guard on the floors or once foreigners report having a health problem, that the first intervention in the Center is carried out by the Center's doctor, and that the process of referral to the hospital by ambulance is initiated if needed.
69. It was stated that health care is provided at the infirmary level in the center, that if deemed necessary by the Center's doctor, referrals are made to the upper health institutions accompanied by the vehicles and security personnel of the Center, that in the absence of the Center's doctor, 112 Emergency Call Center is contacted within knowledge and coordination of Provincial Immigration Expert or Deputy Experts and Security Chief to perform referral to the respective organizations or hospitals.

70. It was stated that 95 covid cases have been seen since the date of the first case in Türkiye until the date of the visit, that no foreigners were taken to ICU due to the pandemic or no foreigner died of the pandemic. The Center's doctor stated that 2 foreigners had COVID-19 in the Center as of the date of the visit.
71. It was stated by the Center Administration that the measures and rules stipulated by the Ministry of Health under the pandemic were conveyed to foreigners through translators.

#### **3.1.4. Security**

72. The Administration stated that a total of 78 security guards work at the Center, that 17 or 18 security guards are assigned in each shift, and that this number is insufficient and there should be a minimum of 25 or 26 security guards in each shift to ensure effective security. The Administration stated that 12 or 13 gendarmerie personnel serve in order to ensure external security in the Center and that this number should also be increased.
73. It was stated that roll call is performed in the center by security personnel on the floor at 23.00 every day, that routine searches are carried out by the security personnel accompanied by the gendarmerie once a month, and that instant searches are carried out when needed.
74. It was observed that there are emergency exit doors, shelters and gathering sites for emergency situations.
75. It was seen that there is a fire alarm system and a fire escape in the center. The Center Administration told our Delegation that the fire system in the Center doesn't work actively.
76. It was observed that there's a camera system installed in the center so that there are no blind spots and private areas cannot be seen, that the camera system is operational with 320 cameras, that an officer is regularly assigned to work in the camera recording room.

It was stated by the administration that the records are kept for 6 months and that there are auxiliary electric power systems against power cuts.

### **3.1.5. Nutrition**

77. It was observed that there're 3 dining halls providing meal service to foreigners in the center, that there's a dining hall for the Center's personnel which isn't actively used.
78. The food engineer working in the Center stated that meal needs of foreigners in the Center are provided by the Center in the form of 3 meals (Breakfast, Lunch and Dinner) as a fixed menu by mobile meal system<sup>10</sup>, that meal needs of foreigners with a special condition can be met with a maximum of 6 courses per day based on a report "Documenting Patient's Condition".
79. It was seen that all meals are individually sampled and the samples are kept for a certain amount of time.
80. It was seen that the dining hall is generally clean and hygienic.
81. It was seen that there's a canteen operated on certain days of the week, that given the canteen product list and price list, product variety is adequate and prices are reasonable. It was observed that the products available in the canteen include drinks, tobacco and tobacco products, clothing and cleaning products, grocery products, chocolate and snack group products as well as wet and dry wipes, toothbrush and toothpaste as hygiene items, sanitary pad, depilatory cream and wax strips for female foreigners.
82. It was observed that the Center Administration provides nutrition services to foreigners with COVID-19 on patient floors, that the company providing the meal service provides service in accordance with the precautions that must be taken by food sector to provide service under COVID-19 measures<sup>11</sup> issued by the Ministry of Health (such as disposable spoons, forks, food container, water in a plastic bottle and a piece of bread in a closed bag).

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<sup>10</sup> Mobile food system can be defined as preparing the products in the facility called the central kitchen, i.e., the factory where mass meals are produced, and transporting the prepared products to the dining hall of the consumer.

<sup>11</sup> Scientific Advisory Board Recommendations notified by the Ministry of Health's letter no. 13588366-149-E.1407 of 27/08/2020 ( <https://cte.adalet.gov.tr/Home/SayfaDetay/kovid-19-pandemi-surecinde-ceza-infaz-kurumlari-iii18022021065928>)

## **4. EVALUATION AND RECOMMENDATIONS**

### **4.1. EVALUATION**

83. The activities conducted by HREIT under national preventive mechanism duty are based on the principle of cooperation in line with a positive communication with the visited institutions. The Center Administration provided the delegation with access to all sections without delay, took the necessary measures to enable private interviews with the foreigners, and provided access to the necessary information and documentation. In this context, our visiting delegation welcomed the cooperative attitude of the Center Administration and its personnel during the visit.
84. It was observed that apart from the deficiencies identified and recommendations given below, Removal Center in Kayseri has a positive quality in terms of existing material conditions, social opportunities and prisoner-administrative relations.

### **4.2. RECOMMENDATIONS**

#### **4.2.1. Recommendations to the Governorate of Kayseri**

85. The Center Administration stated that they never applied alternative measures included in article 57<sup>12</sup> of YUKK. To the extent appropriate in this regard, alternative measures stated in the relevant provision should also be implemented,

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<sup>12</sup> Obligations alternative to administrativedetention ARTICLE 57/A- (Annex:6/12/2019-7196/article 78)

(1) The following obligations alternative to administrative detention may be imposed on the foreigners referred to in paragraph two of article 57 or foreigners whose administrative detention has been terminated:

- a) Residence in a designated address
- b) Giving notice
- c) Family- based removal
- ç) Removal consultancy
- d) Working on a voluntary basis in services for public interest
- e) Guarantee
- f) Electronic monitoring

(2) If one or more obligations in the first paragraph is/are imposed on the foreigner, this period shall not exceed twenty-four months.

(3) One or more obligations referred to in paragraph one of this article must be imposed on foreigners who are covered by paragraph two of article 57 and who are not placed under administrative detention.

(4) That a foreigner is subjected to obligations alternative to administrative detention is notified to the foreigner himself or his legal representative or counsel with its grounds. If a foreigner on whom obligations alternative to administrative detention are imposed isn't represented by a counsel, the foreigner himself or his legal representative are notified of the result of the decision, means and periods of opposition.

#### **4.2.2. Recommendations to the Center's Administration**

86. The firefighting system in the center should be activated,
87. As identified during the first visit, 40x40 cm windows on the ground floor make it difficult to ventilate so such windows should be modified in such a way as to enable sufficient ventilation,

#### **4.2.3. Recommendations to Presidency of Immigration Administration**

88. In both visits, it was observed that the number of security personnel is insufficient. In order to provide more effective security services at the center, the number of security personnel should be increased

#### **4.2.4. Recommendations to Provincial Gendarmerie Command in Kayseri**

89. The Central Administration stated that the number of Gendarmerie personnel responsible for providing external security is insufficient. In order to ensure external security more effectively, the number of Gendarmerie personnel working in the Center should be increased,

#### **4.2.5. Recommendations to Presidency of Bar Association in Kayseri**

90. Foreigners in the center complained to our Delegation that they cannot receive effective legal support. Accordingly, foreigners should be contacted and legal support should be provided in line with their needs.

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(5) A foreigner subjected to electronic monitoring obligation or his legal representative or counsel may apply to the magistrate against such decision. The application doesn't stop the administrative obligation to which the foreigner is subjected. The magistrate concludes the investigation within five days. Decision of the magistrate is conclusive.

(6) Foreigners who don't comply with alternative obligations to administrative detention may be placed under administrative detention.

(7) In the event that a guarantee obligation is imposed on the foreigner and the foreigner doesn't leave Türkiye within the guarantee period, without prejudice to force majeure and the court process, the guarantee will be recorded as revenue to the Treasury.

(8) The procedures and principles related to the implementation of this article are set out by the Ministry.