

Information Sheet for Detainees - English

You have been arrested by the police. This information sheet is supposed to inform you about your rights and to help you assessing your situation realistically.

The police officers have to tell you, **why you have been arrested** and what you are charged with. You have to be expeditiously taken to the Federal Office for Immigration and Asylum (hereinafter BFA) (except the reason for your arrest ceased to exist earlier and you are being released).

1. Duration of detention

You have been arrested pursuant to the **BFA Procedural Act**. The duration of your detention depends on the reason for your arrest:

If you are detained due to an arrest order, you must be released within **72 hours** after arrest.

In **all other cases** of an arrest pursuant to the BFA Procedural Act you must be released within **48 hours** after arrest.

2. Notification of a relative or another person of trust and of legal counsel

You are entitled to notify a person of your trust (such as a relative, a friend or your probation officer) of your arrest. Moreover, you are entitled to notify legal counsel of your arrest and may appoint such legal counsel at any time to represent you. In principle, you can call this person yourself. But in certain cases this must be done by a police officer. If you don't own a telephone, you may use a police telephone for such notification.

The police have to tell you whether legal stand-by service is available. You have to bear the cost of legal counsel yourself, for that matter.

If you are not yet 18 years of age, the police will notify a legal representative, a person with parental authority (parent) or a representative of the youth welfare authority.

If you so wish, the police will notify the consulate of your home country of your arrest. With some countries there is an agreement that such notification must be made anyway.

3. Medical care

You are entitled to receive medical care. You will be examined by a medical doctor. A physician of your choice may be present during the examination, if you pay for such service and if the examination is not delayed in any considerable manner.

If you are in urgent need of medication (e.g. because you are a diabetic), please tell the police immediately.

4. Legal protection

If you have been arrested pursuant to the BFA Procedural Act, you may raise a written complaint against your arrest. Pursuant to Section 22a BFA Procedural Act, such complaint must be directed to the Federal Administrative Court.

If you wish to raise a complaint, you must indicate that you have been arrested by order of the Federal Office for Immigration and Asylum, when such arrest occurred, and why you think you should not have been arrested. You may raise such complaint, regardless of whether you have been already released or are still in detention.

Please note that such complaint must be written in German language!