

Fundamental rights of refugees in accommodation

Fundamental rights

The fundamental rights of residents, such as the inviolability of the home (Article 13 of the Basic Law (GG)), protection of marriage and family (Article 6 of the Basic Law (GG)) and general freedom to practice (Article 2 (1) of the Basic Law (GG)) may not be violated by the operators of or employees in the accommodation. Also statutes, house rules and the like cannot and must not restrict fundamental rights.

In principle, the following are permitted:


- Searching private premises with warrants (through the police)
- Hygiene checks of the rooms in case of risk of infection (only government agencies)
- Entering the rooms in case of danger
- Visiting arrangements for the accommodation
- Video surveillance of the entrance area

You can find support here:

Refugee Council of Lower Saxony

 <https://www.nds-fluerat.org/>

 nds@nds-fluerat.org

 0511 - 98 24 60 30

Further information on the topic: <https://bit.ly/3NrbVEI>

The following is prohibited for employees at the accommodation:

To search the private living areas of residents

- To enter them without permission or if there is no specific danger
- To inspect them (also to see if anyone is present)

When visiting

- To check identity documents or bags
- To impose general visiting bans or only limited visiting hours
- To issue bans on entering the accommodation when there is no specific danger or significant disturbance

Residents' mail

- To open, read or register it
- To hand over mail only at restricted times



Video surveillance in

- stairs, elevators
- or indoor areas
- recreation rooms
- Living rooms



To inform the absence from the home without a specific reason to

- Police
- Social welfare office or immigration office
- Mail
- Regular attendance checks or obligation to sign out
- General ban on smoking or alcohol
- Prohibiting the purchase of newspapers and the Internet
- Prohibit personal furniture or electrical appliances in general