



Report of an exchange programme in Sweden

Dineke Huising
October 2nd – 13th 2006

Document

History

Version	Date	Author	remarks
1	19-10-2006	Dineke Huising	

Checked by

Function	Name	Date	Signature

Accepted by

Function	Name	Date	Signature

Final version mailed to ENARO-Secretariat: 23 maart 2007

Date: 19-10-2006

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General Data of the exchange

- Activity; **Information about the Repatriation issue in the ENARO Network.**
- Receiving country and organisation: **Sweden, Migrationsverket.**
- Places and Dates; **Alvesta, Malmo, Vaxjo, Lessebo and Urkelljunga (Sweden, october 2nd - 13th-).**

Summary

Information about the Swedish procedures of application, reception, detention and repatriation of asylum-seekers.

Schedule

- *Monday October 2nd*; arrival at Alvesta, lunch and welcome meeting at Alvesta Migrationsverket.
- *Tuesday October 3rd*; Application Unit in Malmo, applying-procedure with Kristina Romdhani, and Administrative Procedure Act with Klas Ohlsson.
- *Wednesday October 4th*; Reception Unit in Alvesta, Handling Officer (case manager) Mikael Eriksson and a visit at the Minors Camp in Lessebo, meeting with Katarina Olander.
- *Thursday October 5th*; Reception Unit in Alvesta, with Handling Officers Mikael Eriksson and Tapani Kautto. Discussing cases and sharing experiences.
- *Friday October 6th*; Power Point Presentation at the Reception Unit in Alvesta for the present Staff and in the afternoon Barn-o ungdom Vaxjo, Minors Office, a meeting with Jane Magnerot followed by a meeting at the Migrationsverket for apply on a regular permit; authorization for temporary stay, with Andes Hogberg, also in Vaxjo.
- *Monday October 9th*; Reception Unit in Alvesta meeting with Handling Officer Tapani Kautto and in the afternoon with Soren Tholerus, Accommodation Officer. Discussing cases, sharing experiences and receiving information.
- *Tuesday October 10th*; report, in the afternoon a meeting with the Swedish Aliens Police at Alvesta.
- *Wednesday October 11th*; meeting with Karima Abou-Ghabal, a Decision Making Officer, Rexhep Hajrizi, Handling Officer/Coordinator and Lars Weinhausen, Analyst Officer at the Transit Division in Malmo.
- *Thursday October 12th*; meeting at the Detention Unit in Urkelljunga with the Unit Manager Anna Eriksson. In the afternoon a Power Point Presentation for all the staff in the Detention Unit.

- *Friday October 13th*; closing meeting and lunch with the staff and the supervisor, report and leaving for home.

<u>Malmö</u>	Application Unit
<u>Malmö</u>	Asylum Unit / Transit Division
<u>Alvesta</u>	Reception Unit
<u>Vaxjö</u>	Office for Appliance for authorization for temporary stay
<u>Vaxjö</u>	Office for Children and Youth
<u>Lessebo</u>	Reception Unit Minors
<u>Urskelljunga</u>	Detention Unit

Important to know before reading

There is the *new Alien Law 2005* since the first of April this year, which seems to be in favour of the asylum-seeker, but it is too soon to draw definitive conclusions yet. It's a fact that it has great impact on the asylum seekers and the cases as well as on the Migration Board (Migrationsverket).

A *new Minister of Alien affairs* (Tobias Billström) has been chosen on October the 6th, he is a conservative politician. The effect will be shown in future.

Evaluation; conclusion and recommendations for the future;

The experience of learning something about the application –, reception -, detention- and repatriation system for asylum seekers of another country has been very interesting, because it broadens my view on this collective, gives new tools to solve similar problems, allows to find solutions to improve our system and every day's work. It gives a more holistic view of the work we do with asylum seekers in the Netherlands and in other countries.

Swedish people are already used to the idea of dealing with a multi-cultural society, of being neighbours, of playing with each other's children or attending classes where there are different nationalities, so the minors are very well accepted in a town like Lessebo.

The greatest difference I noticed was the fact that the Migration Board (Migrationsverket) offered reception as well as handling of the asylum case. In the Netherlands we have several organisations for these tasks, the Immigration and Naturalisation Services for the appliance and handling the cases and COA (Central Agency for the reception of asylum seekers) who offers reception during the (asylum) procedure. Both countries cooperate closely with the Aliens Police. *Another great difference* is the fact that people don't live in camps, as they mostly do in Holland, they live in ordinary houses rented by the Migration Board.

The Migration Board officers or the Aliens Police regularly accompanies people towards their native country.

Information more specific;

Appliance

When someone applies for asylum (there are 3 towns in which they can do so; Stockholm, Malmo and Goteborg), they are registered, a photo and fingerprints are taken and they are put into a hotel for a few days. This is quit expensive. When it appears not to be a Dublin case, they are transferred to a normal flat or apartment. There they stay during the procedure. No transfer to a Repatriation Centre after a negative decision and no transfer to a Return Centre (as we have in the Dutch Repatriation Project).

Right after the appliance one gets a lawyer if the case seems to become perennial. If it looks like a permit will be given no lawyer will be appointed. The lawyer takes over the case and speaks for the person, sometimes even during the first interview.

Reception

At the Reception Unit officers receive the people on appointment, there is no security and the working office is also the place where they receive their appointments. Information is given about daily life in Sweden and the rules and regulations.

People get an amount of SEK. 50, - per prescription for medicines, in the Netherlands this is arranged within the social insurance system, no bills and no amounts are given.

If one does not show up for an appointment fee will be given of SEK. 24, -- or SEK.19, --. In the Dutch new reception system this ratification is also included, but not yet carried out completely.

Transit

At the Transit Unit they try to make people aware of the fact that the procedure is really at the end. They make efforts to obtain necessary documents and they press people to leave the country. If there is a reason to believe that the decision should be overlooked than so is done by the analyst in the team.

Handling Officers regularly accompany the people to the embassy to be sure they get there. If possible the communication is done by an officer in the person's native language.

There is a very close contact with all the Swedish Embassies in the relevant countries.

The Swedish opinion is that 40 % of the meaning of a message within a conversation gets lost by using an interpreter by telephone. So they prefer an officer who speaks the language fluently in order to achieve their goals.

Detention

One can be detained or placed under supervision in accordance with the Aliens Act. There are special locked facilities under the supervision of the Migration Board. But; neither children nor

their parents or guardians may be taken into detention that isolates them from each other. Children and their parents or guardians can be detained together if there is a legal reason for doing so, for a maximum detention period of 72 hours.

As much as possible, detention facilities resemble the accommodation centres provided by the Migration Board. Thus, activities, outdoor exercise and visiting privileges are available at the detention facilities.

Minors

Minors live in apartments, f.i. a group of 12 with guidance from several adults, within the role of a parent. The responsibilities for their job has been recently given from the Migration Board to the municipality, the asylum case though is still in hands of the Migration Board and they are economically responsible. There is also a guardian who is legally responsible as a parent. In the past help has been accepted from the I.O.M. but lately there hasn't, and it is not clear why. According to minors; their case/appeal will be handled at the Migration Court within a few weeks, because of their age.

Regarding the case

It is remarkable that *the story of the asylum-seeker does not have to be proven totally, more /also important is whether the Migration Board officer believes his/her story.* In The Netherlands you have to be able to prove your story on paper to the Immigration and Naturalisation Services. It seems that the policy nowadays is; if the Migration Board decides to give a temporary or permanent residence permit, all kinds of costs will end up lower, f.i. medical-, integration-, or psychiatric costs.

Since the new law the Aliens Appeal Board became the Migration Court. Cases are more transparent and an Administrative Procedure Act Officer represents the Migration Board. So both parties stand in Court. It seems to be the case that this is in favour of the asylum seeker because more residence permits have been given since.

During the Temporary Law (October 2005 – April 2006) approximately 60 % of the asylum seekers was given residence permit.

Cases are divided in country groups, not regarding (old or new) laws.

Regarding the asylum seeker

The human rights for children are much more considered than they seem to be in The Netherlands. This can have great impact on the cases. In the end it can make the difference between repatriation or permit for families with children.

And; in case of repatriation it is allowed families with children to keep under remand prison only for 72 hours and this rule is very strict and (almost) never infringed.

In Holland this situation sometimes occur and the problem has not been solved yet, sometimes the Court overrules the decision of the Immigration and Naturalisation Services.

Provisional Ruling

A provisional ruling is depended on the article in the law whether is will be granted or not.

Authorization for temporary stay

Remarkable difference; a family with small children does not have to go back to its country of origin for an authorization for temporary stay, they can ask for it in Sweden. This is also the case for a pregnant woman.

There is no need of an income requirement or place to live in case of an alien partner.

A foreigner does not have to pass an exam in his home country for the language, like the Dutch law requires.

Similarities

There are several similarities within reception and handling the case, for instance;

- There are officers for the daily affairs, similar to our accommodation managers, there is a technical staff and there are handling officers like our case-managers.
- People are responsible for their own place, f.i. to keep it clean.
- They get a daily allowance for living. (SEK 71, -- for a single, SEK 61, -- each person when they are a couple, and a child gets SEK 51, --).
- Learning the language is obligatory, until the first negative decision, after that the lessons are no longer possible.
- People are frustrated about the fact lessons are no longer offered after the first negative decision.
- Sweden knows “no fault criteria “.
- Sweden knows “urgent humanitarian grounds”.
- Sweden knows a final period of time in which persons who have exhausted all legal remedies to stay, should pack/arrange everything -documents- and leave (regularly within two weeks).
- People can be put in detention by the authorities in order to make sure they remain available, and also if there are reasons to believe they go in hiding.

Abashments

- Sometimes it takes months before the first interview has been taken place.
- Sometimes a photo and fingerprint has not been taken yet before transferring to the reception.
- Sometimes the father is kept in prison at the end of the procedure with view to leave while the mother and the children are free. Quite often they become “Destination Unknown”.
- Ex-asylum seekers sometimes cannot be transferred back to the country of origin by lack of (original) legal (travel) documents.
- They have the possibility to become; Destination Unknown.

Remarkable method(s)

In case of lack of identity-papers, while the person's nationality is obvious (also written in the decision or it appears by language-analysis), regularly two Migration Board Officers accompany the person on transfer. They travel all the way along with him/her and try to convince the Border Police of concerned country to accept their citizen(s). So their skills of talking and convincing will be the Laissez Passer to the country. This method has been proven to be very successful! (And expensive...)

During my interviews in Sweden some officers mentioned that money was involved, but this was denied by the Swedish Aliens Police and the officers from the Transit Division.

They explained though that money was needed before the transfer took place because of costs of administrative kind in the native country.

Success depends very much on good cooperation with the Swedish Embassy in the countries. There is also a close contact with UNMIK, United Nations Mission in Kosovo for repatriating people.

We can conclude that it is of great importance that there is a good contact and/or an agreement with the governments of all the relevant countries.

Under the New Law, the people working in the Transit Division (which is a part of the Asylum Unit) feel more involved with their job, although the way of working is not noteworthy different. This has to do with the fact that the Aliens Appeal Board recently changed into the Migration Court. An Administrator presents the Board in the asylum-case.

Malmö is a city, which is financially completely responsible for their inhabitants, included asylum seekers. As there are many of them, due to a recruiting effect because of family-ties, they do not offer houses to the Migration Board for asylum seekers.

Recommendations

- Start a discussion on possibilities to improve contacts between relevant organisations and embassies in order to obtain documents more quickly.
- Start a discussion on possibilities to accompany ex-asylum seekers to the border of their country of origin even without sufficient papers.
- Invite the Swedish Migration Board and the Swedish Aliens Police to explain their way of working because they seem to be quiet successful in “talking people over the border”.
- Investigate if it is pragmatic and significant to use more of the language skills of personnel in order to obtain goals.
- Investigate if it would be an improvement to work with one organisation regarding handling cases and offering reception.

Final Conclusion

- A visit worthwhile because of the exchange of knowledge and understanding. As European cooperation in asylum cases is going to be more and more present we know each other and use our skills to improve our handlings.
- One organisation for handling cases and offering reception is pragmatic because of short communication-lines.
- The fact that every handling-officer has a certain region or country under his/her responsibility improves the quality of work.

- The new law will result in more permits so the society has to act on it.
- Last but not least; the fact that we have to work with the law, with people, with systems and administrations does not deny that we have to use our heart as well as our brains.

IT ALL COMES DOWN TO PEOPLE!!!

Dineke Huising.