

'Clarifications Of Identity' And Trade Of 'Return Documents'

Unite Against Corrupt Deportation Trade

By Gerit Boekbinder

In order to maintain their control regime over borders and migration, the states of the EU depend on the collaboration of governments and public authorities in the migrants' countries of origin and in transit countries. Without their collaboration they would not be able to deport people who made it to Europe. After all, as is generally known, a deportation is not possible unless there is a state that is willing to 'take back' the deported person. And therefore the states that conduct deportations need travelling documents giving migrants the right to enter the target country.

Many migrants and refugees first do not provide any identification paper after arriving in an EU country – sometimes because they never had one or lost it, sometimes because they know only too well that public authorities would only use it to deport them. So European deportation institutions have to acquire passports or substitutes (so-called 'travelling certificates' or 'laissez passer') later. They get these documents from embassies or government officials of the migrants' (alleged) countries of origin. For large amounts of money these authorities confirm the (alleged) origin and identity of the persons concerned and issue travelling documents. The documents are then given directly to the immigration department or the border police so that the deportations can be carried out.

In order to speed up the 'clarification of identity' and the acquisition of 'return documents' and exert stronger pressure on the persons concerned, public authorities use corrupt practices and various types of force and repression. Due to the neocolonial distribution of power, but also due to their own financial interests, many governments and authorities of African countries are only too willing to support the states of the EU in their deportation practices, even though for many Africans the payments they receive from migrants are an essential economic resource. We as an international network fighting for global freedom of movement and defending the rights of migrants are obliged to act against this foul collaboration and create pressure on the African as well as the European side.

The following descriptions refer mainly to experiences in Germany. In order to assess similar practices elsewhere in Europe, reports and research from activists in other European countries would be helpful.

The Repressive, Arbitrary, Corrupt And Racist Practice Of Deportation Hearings
Based on the so-called 'obligation to co-operate', German alien departments try to force refugees and migrants to provide documents. They use sanctions like psychological terror, working prohibitions or shorter periods of toleration, and they play with people's fear of being illegalised and deported. In order to speed up 'clarifications of identity' and acquisitions of documents, and to destroy migrants' practices of resistance and refusal, those proceedings were carried out more and more often by "Zentrale Rueckfuehrungsstellen" (central retraction authorities) and "Zentrale Auslaenderbehoerden" (central immigration departments), which means they became more and more centralised.

In addition to this, Germany's Bundespolizei (federal police) provides administrative assistance, e.g. facilitating the acquisition of identification papers for the African countries of Mauretania, the Gambia, Senegal, Guinea-Bissau, Sierra Leone, Liberia, Togo, Benin, Nigeria, Mali, Sudan, Uganda and Burundi. The refugees concerned are often forced to attend central mass hearings

in embassies, occasionally conducted by dubious government delegations, which do not necessarily have any clear evidence that they are even entitled to issue travelling documents. The attending migrants are usually left in the dark about the purpose of the hearing.

Refugees are frequently forced by the police to attend the hearings, and sometimes they are detained for days without a legal reason. Authorities and government delegations use arbitrary criteria to decide whom they regard as one of their citizens and who will receive a return document, judging by factors like one's shape of face or dialect. This reflects the deeply racist idea of an intrinsic connection between people's national identity and their outlooks and ethnic category. Such forms of identification are incontestable in German courts since the confirmation of identity is officially an administrative act of the respective country – even though its purpose is to enforce German immigration law. However, German deportation bureaucrats do not care where they deport people, just as long as there is any country that will 'take back' the deported person.

There were people from Sierra Leone who found themselves in Nigeria and a Jamaican who ended up at a West African airport. The embassies and government delegations make good money: there are many cases documented in court files in which German authorities paid sums of €250 to €2,000 for the issuance of a travelling document. This leads to a corrupt trade of travelling documents to the disadvantage of all the migrants and refugees it makes possible to deport.

Cases of Deportation Hearings in Germany Conducted by Embassies or Delegations of African Governments:

Nigeria: During the last years there were numerous cases of deportation hearings in Nigerian embassies, e.g. in Munich, Dortmund, Karlsruhe and Halberstadt. Usually Nigerians from all over Germany were summoned or forced to appear. For a period of time the town of the hearing changed on a monthly basis. Frequently people from other African countries were summoned as well so they could also be 'identified' as Nigerians and deported to Nigeria. A good bargain for the embassy: German authorities pay €250 per 'identification' and another €250 per issued 'travelling certificate'.

Guinea: Between 2005 and 2007 a dubious delegation of Guinean government officials, apparently acting behind the back of the Guinean embassy, travelled through Germany conducting mass hearings. It had to be stopped after protests from Guinean opponents. However, the corrupt trade of travelling documents continued. There were several cases between 2007 and 2009 in which Guinean representatives received €2,000 and even €2,500 (!) for a substitute identification paper, paid, for example, by the Ausländerbehörden (immigration departments) of Bremen and Cuxhaven and the Zentrale Ausländerbehörde (central immigration department) of Braunschweig.

Cameroon: The Zentrale Ausländerbehörde (central immigration department) of Cologne organises deportation hearings with the embassy of Cameroon twice a year, usually in March and November. Cameroonians from all over Germany are summoned to Cologne for this humiliating procedure, frequently forced by the police.

Sierra Leone: There have been several deportation hearings (e.g. in Hamburg and Munich) conducted by a delegation from Sierra Leone, whose identity, field of function and authorisation is completely unclear. It has also turned out that in Autumn 2008 an official of the Bundespolizei (federal police), acting on behalf of the Stadtamt (local government office) of Bremen travelled to Freetown, Sierra Leone to hand over money for so-called Emergency Travelling Certificates (ETCs). The administrative court of Bremen stated that "during deportations to Sierra Leone

basic legal principles were ignored“ and that in several court hearings there had been “irregularities“ that “might be the result of bribing“. In Sierra Leone there were investigations against the senior immigration official Kholifa Koroma, who was accused of embezzling money from deportation hearings in Germany and other European countries. In spite of those events, further Sierra Leone hearings are scheduled.

The Gambia: In Winter 2008 and Spring 2009 a delegation from the Gambia travelled through Sweden, Austria, Switzerland, Germany and probably Spain, conducting 'identifications' and issuing travelling documents. As far as is known, they were not members of the Gambian embassy, but (allegedly) government officials, who had travelled to Europe directly from the Gambia.

Togo: As early as 1999 there was a large-scale deportation hearing with the Togolese embassy on the grounds of a refugee camp in Munich. The initiative of Togolese exile groups, who strongly criticised Germany's cooperation with authorities from the state that had persecuted them, led to a successful boycott of the hearing. However, there have been more hearings for Togo during the past years, e.g. in Hamburg; all in all, the embassy is willing to organise documents to help German deportation authorities.

Benin: The embassy of Benin conducted several deportation hearings during the last years, too. An hearing in Berlin that was to take place on August 26th, 2010 was cancelled after strong protests against the imminent summoning of exile politician, Caravan activist and refugee speaker Salomon Watchoutchou.

Mali: According to the answer to an enquiry by German left-wing party Die Linke to the Bundestag (Federal Parliament), in 2006 the Bundespolizei (federal police) acting on behalf of the federal states invited a delegation from Mali to conduct hearings of allegedly Malian persons who were legally obliged to leave the country. This is contradictory to Mali's claim to practise an open migration policy and to support the interests of Malian migrants abroad.

Liberia: A 'hearing for the clarification of identity of Liberian nationals' conducted by a Liberian delegation took place in Hanover on January 22nd, 2009.

'Clarifications of Identity' and Document Acquisition in the Context of the International Migration Regime

Deportation hearings are a profitable business for corrupt members of embassies and governments. However, apart from those financial gains there is another important reason for them to collaborate in deportations: the fact that migrants' countries of origin are often economically dependent on EU countries, which force them to 'take back' their (alleged) citizens. As early as 2002 the European Council demanded “that any future cooperation, association or equivalent agreement which the European Union or the European Community concludes with any country should include a clause on joint management of migration flows and on compulsory readmission in the event of illegal immigration. ... Insufficient cooperation by a country could hamper the establishment of closer relations between that country and the Union” (see: http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/72638.pdf; p.36).

German Authorities 'innovative' in Identification and Deportation Practices Using EU Money
The EU co-finances 'confirmations of identity' and document acquisitions through the 'European Return Fund', which was founded in 2007. For the period until 2013 this fund has a budget of € 676 m, which it uses to finance common efforts to 'return' migrants. Among other things it is to

support especially 'innovative' measures of the individual states, e.g. in retraction agreements, deportation operations and "projects for testing new working methods intended to speed up the issuance of identification papers for repatriates in cooperation with consulates and immigration authorities of third party countries."

The German Federal Police received € 1.9 m for the pilot project 'Identification and Retraction' from this fund. As a part of this project, between 2008 and 2009 delegations from several African countries, e.g. the Gambia, Ghana, Liberia, Sierra Leone, Egypt and the Ivory Coast, were invited to Germany to 'identify' refugees. Some of those delegations of deportation helpers travelled to several European countries successively. The EU border protection agency Frontex, coordinator of Europe-wide anti-refugee measures, was included in the project as well. The intended end of the 'Identification and Retraction' project was to organise mass deportations of people who had been identified in the relevant hearings. Another 'innovative' form of acquiring travelling documents for deportations is to issue 'EU return papers' produced by German authorities. Those EU travelling certificates were used, for example, to deport refugees from Hamburg to Benin and Burkina Faso, which was made possible through connections between employees of Hamburg's Auslaenderbehoerde (immigration department) and airport officials in Cotonou and Ouagadougou.

Resistance Is Worthwhile

In spite of enormous logistic and financial efforts, authorities' attempts to issue travelling documents for refugees so they can be deported often fail. Many refugees fight grimly or defy control despite all the threats and sanctions the authorities use. Mass hearings for the acquisition of return documents have often caused angry protest actions by refugee communities and their supporters. These protests encouraged many persons affected to refuse to attend deportation hearings. Occasionally deportation hearings were shut down or boycotted collectively.

For example, the mass hearings conducted by a Guinean government delegation that travelled through Germany in July and August 2007 were only attended by 112 people, even though between 400 and 450 had been summoned. Another refugee group committed civil disobedience by remaining silent in front of the embassy officials, thus refusing to have their identity and origin confirmed through oral questioning. Resistance against deportation hearings has proved worthwhile for many refugees: for the time being they could not be deported, and so they gained valuable time to look for ways of securing their stay.

International Solidarity Against Deportation Collaboration

An adequate answer to international deportation collaboration is possible only through resistance that crosses country and continent borders as well. A positive signal was given in the protests against the Guinean deportation hearings between 2005 and 2007: while in Germany refugees and anti-racist groups organised street protests and boycotts of the hearings, the opposition in Guinea managed to exert enough pressure on the government to force it to withdraw the dubious delegation that made money by issuing travelling documents for deportations in Europe. After that, the Guinean Foreign Office temporarily stopped "all missions for identification and deportation".

In Mali, groups like the "Association Malienne des Expulsés" (Association of Deported People of Mali, AME) have up to now succeeded in stopping the government from signing a retraction agreement with France. It would be a great step forward if in all the African countries the European migration regime tries to control social movements forced their governments and authorities not to issue any travelling documents for deportations and to refuse any form of

cooperation with EU states that negatively affects migrants. Not least, this would be an appropriate reaction to the way Europe monopolises a major share of global wealth and resources and at the same time makes the resources even more difficult to access for African states by organising deportations and shutting its borders.

Our demands:

- Stop the humiliating 'clarifications of identity'!
- Stop the corrupt trade of 'return documents'!
- No 'obligation to co-operate' in one's own deportation!
- Dismantle the 'European Return Fund'!
- No travelling documents for European deportation authorities!
- No collaboration in deportations and migration control!
- Freedom of movement and right of residence for everybody, everywhere!