

Book review

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In “Human and Dignified?”, the authors highlight the problems of criminalising the deportation of refugees. They explore migrants’ experiences of living in Sweden under the threat of deportation or forced return. The aim of the book is to examine the Swedish deportation process from the perspective of those experiencing it. The authors wish to initiate a conversation about the issues of human rights and deportation as well as the challenges and possibilities involved in making the process “human and dignified”. The topic of the book is currently of great importance in Sweden as many of the asylum seekers in the country are going to be deported. In 2015, Sweden received around 163,000 asylum seekers, among them approximately 34,000 unaccompanied minors. Over the past year, the Swedish legal framework for accepting refugees has shifted from being the most generous in the EU to that of applying the minimum standard of the EU. This means that family reunion has been made more difficult, permanent permission to stay has been replaced by a temporary permit, and the capacity of detention centres has increased.

The book starts with a description of the European Union’s strategy for maintaining international migration and a detailed discussion about how this is transposed into Swedish law. Further, the authors discuss characteristics of the deportation process/system in Sweden and the history of the Swedish detention system. They stress the importance of the civil authority having the main responsibility for forced return, and that

detention centres in Sweden are not outsourced to private for-profit companies, a route taken by several Western countries with disastrous results for migrants.

One of the book’s assets is that it includes a detailed description of the legal framework of EU and Swedish detention policy, regulations governing returns, European return directives, and the Aliens Act. Discussing the Swedish detention policy, the authors sometimes surprisingly make clear statements supporting the authorities’ specific actions, for example, the much criticised Rättssäkerhet och Effektiv Verktställighetsarbete (REVA) project funded by the European Return Fund. The authors consider the critic of this project to be unjust and take the view that the media plays a major role in spreading misconceptions about the project. The REVA was heavily publicly criticised as it included checking people’s identity in public, for example, whilst travelling on the underground.

The book is based on a project co-funded by Malmö University and the European Return Fund. The project was conducted with the involvement of various organisations involved in the deportation system such as: Migration Agency, police, local branches of the Red Cross and academics in the field. Some NGOs specialising in supporting failed asylum seekers did not want to participate in, or collaborate with, the project due to ethical reasons, primarily because of the funder, the European Return Fund.

Migrants’ experiences of the deportation system are explored using in depth interviews with 26 persons. Most of the informants were men (20) and most (23) were at risk of deportation. Some of them were detained, some were living in hiding, and others were in asylum centres or with friends. Their interviews gave a multifaceted and complex picture of their experiences of the deportation process presented as chaired themes. One important theme was the participants’ feelings of frustration, anger, and injustice after having interacted with the deportation authorities.

Another theme was the participants’ feeling of being “in a limbo situation”. This refers to

Human and Dignified? Migrants’ Experiences of Living in a “State of Deportability” in Sweden

having no legal option to stay in Sweden and having strong negative feelings about returning to their country of origin. This was especially the case for stateless participants and those from countries not willing to accept their return. For them, the “limbo” situation could continue for years. The migrants felt that they had lost control of their lives, that they were wasting their lives away. Many displayed symptoms of mental ill-health, such as depression, suicide attempts, frustration, and apathy. The migrants felt unjustly treated like criminals. The authors describe a great diversity in migrants’ access to resources and social support.

The book ends with a discussion about the detention of migrants and human rights. The authors make the point that migrants, at the time of deportation, often have a low level of psychosocial well-being, and this makes it difficult to understand the deportation process. They argue that detention and control should be used in a very careful and transparent manner in order to protect the human rights of migrants. The authors formulate questions concerning what they call human and dignified deportation, and whether it would be possible to achieve in practice. They suggest that any deportation is characterised by an asymmetrical power relationship and argue for a “good-enough” system but without giving a clear suggestions as to how to improve the situation for migrants in a deportation situation.

Katrine Camilleri, the Director of Jesuit Refugee Service in Malta, contributes with an afterword. This chapter is a strong voice for

humanitarian aspects and concludes that there is a European trend to implement policies of criminalisation and exclusion to deal with irregular migrants and a tendency to severely limit the rights of the so-called “undeportable deportables”. She refers to human rights law that makes it clear that liberty is a fundamental right and that deprivation of liberty is an extreme measure. It should be the exception and not the rule. This means that laws concerning migration-related issues must contain adequate and effective safeguards against arbitrary detention. Further, she argues that detention must be prescribed by law and protected from arbitrariness. She describes the case of an undeportable, stateless Palestinian man who spent six years in detention in Malta.

In “Human and Dignified?”, the authors raise an important discussion about the detention of migrants who are subject to forced return. The book includes several perspectives including the migrants’ own voice. For those further interested in the effect of detention on migrant health and well-being, I would like to recommend the dissertation of Soorej Jose Puthoopparambil from Uppsala University “Life in Immigration Detention Centers: an exploration of health of immigrant detainees in Sweden and three other EU member states” (2016).

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