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DENITSA PENCHEVA

SUPERVISOR: ÅSA BOHOLM

Irregular immigration and the European Union border control policies

Personal experiences of asylum seekers in the Trampoline House (Copenhagen, Denmark) with the EU border regimes and the Danish asylum system

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Abstract

The current qualitative research is focused on the irregular asylum immigration into the European Union (EU) within a context of securitization practices. The case study is the Trampoline House - a small NGO in Copenhagen, Denmark that aims to facilitate a wider public dialogue within the field of asylum immigration.

Adopting an ethnographic approach (in-depth interviews and participant observation, I tried to reveal the complexity of asylum migration in the light of restrictive immigration regimes and shed light on the shortcomings of the Danish asylum system that is considered among the fair ones in Europe. The asylum seekers' personal meaning-making process is of crucial importance, especially in the interdisciplinary field of international migration.

The thesis argues that because of the ongoing attempts to restrict the legal options for people fleeing conflict zones to seek international protection, labeling asylum seekers "illegal" contributes to their further criminalization and/or victimization. Therefore the term "irregular" was employed in the current research.

The Results section is organized into three thematic parts. In the first one, attention is paid to what Carling (2002) calls "the aspiration-ability" model, i.e. the desire to migrate and the ability to fulfill this wish. That includes, among others, choice and coercion in the decision-making process and financing and organizing "the trip" to Europe.

The second part reveals interesting details about informants' personal experiences with the EU border control regimes and their evaluation on the matter of the overall difficulty to enter EU.

The third part is focused on the ways asylum seekers are experiencing and evaluating the Danish asylum system. Interesting are the reflections of the informants on the question of staying underground.

Thesis concludes that the recent European immigration restriction policies have created a profitable international business for people smugglers and that the expensive surveillance technologies and better trained police officers at the external borders have little to no success in preventing people to enter the EU.

Key words: European Union – Asylum immigration – Border control policies - Securitization – Danish asylum system

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Introduction and relevance of the topic

European Union (hence so forth EU) is currently home of more than half a billion people and inevitably the debate about migration in general and asylum immigration in particular, is heated. In this paper I am employing the term "irregular" as I believe that "illegal" contributes to further marginalization and criminalization of asylum seekers. This could influence our understanding of issues like democracy, social inclusion/exclusion and human rights, among others. The issue becomes even more relevant in the context of the EU enlargement, the establishment of FRONTEX and the implementation of the Schengen agreements in terms of shared responsibilities.

Nowadays it is clear by default that sovereign nation states have the right to control their own borders and expel what they perceive undesirable. However, it was not until the beginning of the twentieth century when immigration controls were more systematically introduced in most of the European countries and the United States. It doesn't mean that before that there were no (mass) expulsions of undesirable populations, but attempts to prevent immigration the way we understand it today were largely unknown (Hayter 2004: 17).

Teresa Hayter further argues that the 1951 Geneva Convention on Refugees and its 1967 Protocol incorporated a restrictive right to asylum so it is left entirely on the will of the recipient states to decide who they will and who they will not grand refugee status (Ibid: 18). An important argument she makes is that immigration employees usually play the role of prosecution lawyers, trying to find discrepancies in people's stories, influenced more of quotas and targets than by considerations of justice and truth (see in Ibid: 18).

It should also be noticed that 9/11 was definitely not the "birthday of securitization practices". In Bigo's words: "…it would therefore be inaccurate to refer to 11 September 2001 as the critical juncture. Moves to step up security around immigration and the association of immigration with terrorism go back considerably further than that. However, the US decision of 13 September 2001 to give the President emergency powers plainly sped up these procedures

in Europe, and was grist to the mill of all those who were already calling for a proactive approach based on prevention, technological intelligence gathering and more intrusive and comprehensive surveillance" (Bigo 2009: 588). Indeed, Hayter also highlights the imposing of visa restrictions on "asylum sending countries", various fines to transport operators, increased security checks at foreign airports and significant improvement in surveillance technologies. Those will be elaborated further in the Results part but it is important to mention them here because they leave the impression that the "illegal" route usually remains the only option for people seeking international protection (see in Hayter 2004: 19).

Aim

The general aim is to put *'the human face'* to the migration processes (Favell, 2003: 702), while simultaneously addressing a complexity of factors including: choice and coercion, human smuggling, bribery, border control policies, human rights and democracy as they all intersect and influence each other.

More specifically, in order to achieve that, I am aiming to give the microphone to those persons who are mostly presented as numbers in different statistical data. Fighting illegal immigration is just one side of the problem – in the theoretical part and in the regulatory framework part attention will be paid to clarify this. But behind statistical data there are personal stories and that poses another major challenge: how to define "illegal", what does the terms encompass and is it correct after all?

Secondly, I am aiming to somewhat "test" the theoretical concepts I am employing here, and more specifically "securitization", since a common critique towards the Copenhagen School's securitization concept is that it is rarely backed up with empirics (Emmers in Collins 2010: 142).

Lastly, I would like to discuss the delimitations. One of my main objectives is to avoid both the victimization and criminalization of asylum seekers as I believe labeling could lead to a distorted research result. Further, the research is focused on the asylum seekers in the Trampoline House, Copenhagen. Therefore no generalizations of any scale should be made. I would like to emphasize that by no means I am evaluating the credibility of the information I got from the interviews. The role of networks regarding people smugglers but also concerning information exchange between the asylum seekers is explicitly mentioned in the Results part but not

thoroughly elaborated because of words limit. What I do hope my research will accomplish, is to present asylum seekers' personal meaning-making in the light of restrictive immigration regimes and, of course, to sparkle further discussions.

Research questions

The research questions were inspired by several factors. Firstly, by the meaning of borders in the context of EU and Schengen enlargement.

Secondly, I was interested in how a small NGO like Trampoline House is attempting on a micro level to promote democracy and solidarity.

Last but very important, my finalized research questions were to a large extent facilitated by the asylum seekers themselves. I was trying to give them the opportunity to share what they find problematic and what they think should be improved. I believe that this is an unbeatable argument for a consistent and up-to-date research focused on actual problems.

So the two main research questions are:

1) How did the asylum seekers experience the security practices at the European Union's borders?

   1.1 Related sub question concern the choice and ability to leave the home country. I will elaborate on the "aspiration-ability model" that Carling proposes for analyzing migration. It is relevant in a securitization context, as migration shall be analyzed in the light of restrictive immigration regimes (see in Carling 2002).

2) How do they experience the Danish asylum system?

   2.1 A possible related sub question is: in case they got rejected, was going underground an option they have considered?

   That is a relevant question to ask because coming to Denmark was a serious financial investment that is expected to be justified; they entered with the help of smugglers and/or fake passports (except of one of them) so it makes sense to continue staying outlawed; the return to the country of origin is said to be impossible.

THEORETICAL FRAMEWORK

State sovereignty and Border coercion

Sovereignty is regarded to be the cornerstone of international law, often associated with "independence and freedom of action, and the most common response to initiatives which seek to limit a state's action in any way…" (see Alan James in Hurst 1996: 14). However, the concept of sovereignty is obscure and controversial since up to nowadays there is no universally accepted definition. Undoubtedly one of the successful criteria to define it is independence, as mentioned above. One could track the historical roots of the concept up to the "sovereigns" and the idea of absolute power. Nowadays it sounds absurd since the sovereign rights of each state are limited by the sovereign equal rights of others states (Ibid: 15).

As it comes to border control and coercion quite interesting, however controversial perspective gives Arash Abizadeh. He claims that according to the state sovereignty view border policy must be under the unilateral discretion of the nation state itself and, consequently, its members. Since foreigners are owed no justification, therefore they cannot have control over a state's entry policy (Abizadeh 2008: 37, 38). Further he argues that there is a contradiction between liberalism and democratic theory. The first concept embraces the idea of open borders, while democracy requires a "…bounded polity whose members exercise self-determination, including control of their own boundaries" (Ibid: 38). In his own words: "I argue that democratic theory either rejects the unilateral right to close borders, or would permit such a right only derivatively and only if it has already been successfully and democratically justified to foreigners. This is because the "demos" of democratic theory is in principle unbounded, and the regime of boundary control must consequently be democratically justified to foreigners as well as to citizens" (Ibid: 38). In my opinion this could be perceived as an embodiment of the all-affected-principle (AAP) which simply means that everyone who would be affected by a certain decision should have a say about this decision. However, when this principle is put in the context of a globalizing world, it becomes complicated since globalization breaks up the congruence between the decision making process and the territory, creating possibilities for "spill outs" of

the consequences. In simple words, when nation state A takes a decision which would possibly affect nation states B and C, the latter two have the right to have a say and preferably, to participate in the decision making process. This is what Abizadeh claims further in his article: "to be democratically legitimate, any regime of border control must be either controlled by both citizens and foreigners, or its control must be delegated through cosmopolitan democratic institutions to a "global demos" (Ibid: 54).

David Miller argues that the right to exclude is regarded to be essential for the nation state's sovereignty and is not obligatory synonymous to coercion. He examines different definitions of coercion itself and brings out a telling example:

"Suppose, for example that my neighbour wants to visit me in my house. Since I dislike his company, I refuse: I prevent him from entering my house. He is persistent however, so when he knocks on my door yet again, I tell him that if he does not stop bothering me I will call the police. If despite all this he still tries to enter, then eventually coercion will be involved: the police will arrive and remove him from my premises. But none of this means that I was coercing my neighbour by refusing to let him enter my house without my permission. Every other option but this one remained open to him: it was a paradigm case of prevention" (Miller 2010: 7).

 Miller clarifies the difference between coercion and prevention and also points out the necessity to distinguish between being subject to coercion and being exposed to hypothetical coercion. Consequently, Abizadeh's theory becomes inapplicable for all categories of immigrants. Summing up, Miller emphasizes that "defending a state's right to control its own borders does not mean that there are no moral restrictions on how that right way be exercised…it is the citizens themselves who must deliberate on their responsibilities and decide what kind of border control regimes to create….So to defend a democratic state's right to control its borders is not to say that it can adopt whatever entry policy it likes. The policy it enacts must be justified on general liberal grounds" (Ibid: 12,13).

Securitizing immigration

Securitization theory sheds light on post 9/11 liberty/security issues and 'security' is invoked to legitimize contentious legislation, policies or practices that would otherwise not have been

deemed legitimate (D'Appollonia et al 2008). It basically comes about how 'security issues' or 'threats' are identified or 'constructed' in order to mobilize opinion and constitute legitimacy and authority for "threat" management and policy (Wæver, 1995; Neal 2009: 335). When certain areas of life are framed within the political debate in terms of existential threat or a matter of survival (Huysmans 2006), as Wæver writes: 'Securitization is ultimately constituted in the inter-subjective realm' (Wæver, 2000, p. 252). In other words, securitization theory assumes some kind of relationship between the speaker and an intersubjective 'audience' under certain structural conditions (Neil 2009: 336).

According to Copenhagen school the security dynamics is determined by securitizing actors, as well as referent objects. The latter could be the state, national sovereignty, ideologies, and collective identities. However, the existential nature of the threat requires the adoption of extraordinary means which go beyond the political norms (see Emmers in Collins 2007). In this case one could argue that security could be perceived as lifted out of democracy, since where there is a threat the politicians could suspend laws, declare war, etc., not always taking into account the public opinion on the issue.

Thus securitization is a two-stage process. The first stage concerns the portrayal of certain issues, persons or entities to the referent objects (Ibid: 139). Susanne Buckley-Zistel emphasizes the importance of the social construction of the enemy in discourse and language. She points out that the production and reproduction of identities has relevance in violent situations and conflicts since it maintains the boundaries and differences between "we" and "them" / "friend"-"enemy". Thus boundaries are social structures that are discursively produced and reproduced, as well as the identities in terms of "we" and "them" (Buckley-Zistel 2006: 3,4). Didier Bigo also emphasizes this aspect, claiming that politicians construct a figure of the enemy and after that they generate a law & order program which has to be implemented. So only when the word immigrant is used in a sense of danger, a consensus between the different actors involved becomes possible (see in Bigo 2002). In the case of securitizing migration it is worthy to be noticed that it becomes a problem not with the economic crisis or immediately after the end of the Cold War, but when it is presented as such and when there is a "need" of a new public enemy number one, especially after the breakup of the Soviet Union and the

political transformations in Eastern Europe. To support this I would like to draw an example concerning the 9/11 events as they are perceived as a watershed in the contemporary world history. Held and McGrew claim that the global war on terror is more or less an expression of heightened nationalism, US military hegemony and the closing of the borders (Held and McGrew 2007). Almost immediately after the tragedy, Arabs and Muslims, as well as those "appearing" to be Arab or Muslim, were subject to crude forms of racial profiling (Akram & Johnson 2002).

Here we arrive at the second stage of securitization, which in Emmers' words is crucial: the speech act. He claims: "the articulation in security terms conditions the audience and provides securitizing actors with the right to mobilize state power and move beyond traditional rules…the security concern should be articulated as an existential threat" (see Buzan et al. 1998: 23). Therefore this stage could be considered as completed successfully when the relevant audience (public opinion, political or military elites) is convinced that a referent object is existentially threatened. Thus governments and political elites could take advantage over other actors in seeking to influence the audience and calling for the implementation of extraordinary measures (see Emmers in Collins 2007: 140). The advantage to have power to produce a threat discourse very much derives from the fact that in democratic states the government is elected. This, however, does not mean that the audience cannot reject the speech act. On the contrary, according to the scholars from the Copenhagen School, transforming an issue into a security question requires only the audience's acknowledgement that it is indeed a threat and the adoption of extraordinary means itself is not a requirement (Ibid: 141).

Didier Bigo also admits that migration is increasingly interpreted as a security problem but for him it is a "problem" because of the creation of a continuum of threats and general unease in which many different actors exchange their fears and beliefs in the process of making a risky and dangerous society (Bigo 2002: 63). Therefore the expansion of what security has to include leads to the merging of external and internal security. The very act of securitization comes to prove that to manage with this new threat extraordinary measures are to be taken, going far beyond the normal demands of everyday politics. In practice, however, the transformation of

migration into a security issue is strongly related to the immediate interests of the different actors involved in the public sphere, for instance competition for budgets and missions.

Bigo states that politicians, the media, security professionals as well as large sectors of society are empowered to create the "truth" about the high levels of crime, terrorism, unemployment or religious zealotry. Emphasis is also put on the complex processes of integration and the impact of the newcomers on the national economy since nobody wants them to live on the public purse. However, the problem according to Bigo is that the spread of racism and intolerance over large groups of people, combined with the mass public ignorance and the means of populism do not allow highlighting the new opportunities for the European societies like freedom of travel and cosmopolitanism (Bigo 2002: 63-64). Therefore he claims that the securitization of immigration as a risk is based very much on our conception of state as a body/container for the polity, as well as the fears of the politicians about losing their symbolic control over the territorial boundaries. Bigo relates this also to the security professionals and their new interests, correlated with the globalization of technologies and control going beyond the national borders. Quite important, however often unspoken factor, is the "unease" that some citizens who feel discarded suffer because they cannot cope with the challenges of uncertainty in their everyday lives. Bigo emphasizes that this worry is not psychological but a structural unease in the risk society framed by neoliberal discourses in which freedom is always associated at its limits with danger and (in)security (Ibid: 65-67). The social construction of situations as problems helps politicians to manage them in order to justify their authority. Put it in simple words: transforming structural difficulties into easy targets. Paul Roe argues that: 'political debates about immigration and asylum . . . in the European Union, migration has easily emerged as an existential threat to the state, society, and/or the completion of the internal market'(Huysmans 1998: 569; Roe 2004: 279). Roe admits that the security drama especially in Western Europe between natives and aliens has presumably high risk not least because of the lack of recognition of more "everyday" identity markers (for example, not only "asian woman" but also a mother, a teacher, etc).

Jef Huysmans goes further in argumentation, saying that indeed Western European welfare states face multiple challenges related to their mechanisms of societal integration and political legitimacy. He emphasizes that the securitization of migration is contested due to several

reasons: "…economic and financial globalization, the rise of poverty, the deterioration of living conditions in cities, the revival of xenophobic and racist parties and movements, and the rise of multiculturalism…in this setting migration has been increasingly presented as a danger to public order, cultural identity, and domestic and labor market stability; it has been securitized" (Huysmans 2000: 752).

Therefore immigration and asylum have been integrated into a policy framework that defines and regulates security issues arising from the abolition of internal border control (D'Appollonia et al 2008: 1). Moreover, it comes about the explicit privileging the nationals of the Member states in contrast to third-country nationals. Going further, Huysmans claims that EU supports directly or indirectly expressions of welfare chauvinism and the idea of cultural homogeneity as a factor, contributing to stability. In this discourse migration is being framed as a danger which poses a major challenge to the welfare Western European states. Because of that the inclusion of immigrants, asylum-seekers and refugees in the European Union seems to be hard to obtain (Ibid: 753).

Case

Copenhagen, Denmark

I was sincerely delighted when I got the opportunity to live and work for three months in the cosmopolitan city of Copenhagen. I was initially aiming to do the research in Scandinavia because generally speaking, the countries in that region are labeled as a priori more inclusive, tolerant and promoting equality within their welfare systems. At the same time Denmark is known to be more restrictive as it comes to immigration and asylum issues, as we will see later on in the chapter. During the several times it held the EU Presidency Denmark was not constrained to further its national interests, significant part of which have been immigration, asylum and EU enlargement (see in Bengtsson, Elgstrom & Tallberg 2004). That, combined with Denmark's image of a welcoming welfare state, was what I found intriguing to explore in my research.

What is the Trampoline House?

The idea to establish the Trampoline House was born during a series of workshops titled the Asylum Dialogue Tank (ADT), conducted by socially engaged artists and museum curators. The main purpose was to analyze the various problems within the Danish asylum system and to discuss how to better the living conditions for asylum seekers in Denmark. Crucial to ADT was the effort to allow the criticisms of asylum center residents to be heard, and to use artistic-activist methods to develop alternative solutions in collaboration with the residents. ADT soon concluded that any attempt to socially re-design the asylum centers would be fruitless. It was not the architecture of the centers as such that was the problem. It was the number of years asylum seekers are forced to live in them without knowing if/when they will be granted asylum/deported – and without being able to work, educate them, and build relations to Danish society while they wait.

The Permanent Trampoline House

As time passed by, ADT had grown into a large network counting more than 65 members and 100 volunteers, who collectively decided to form a self-governing institution that should work to raise funds in order to establish a permanent Trampoline House in Copenhagen. On November 27, 2010, the permanent Trampoline House officially opened its doors to the public in Nørrebro, Copenhagen.

The house has a Café, a Children's Corner, and a Hair Salon and hosted language and dance classes, legal counseling and study groups, film screenings and video workshops, debates and lectures, flea/swop market and guided tours to some of the Danish asylum centers. Attracting 50-100 visitors a day from all spectra of Danish society, the project was huge success and testified to the great need for such a self-organized space (see more in: http://trampolinehouse.dk/about/history/)

Why the Trampoline House is the setting for research?

I chose to do my entire research in the Trampoline house and not in the asylum camps for several reasons. First, Trampoline House is unique for promoting de facto democracy and home atmosphere for both Danes and asylum seekers. I wanted my informants to feel comfortable

and safe, without being concerned that in the camp even the walls have ears and being constantly anxious if something they said could be used against them in future.

Secondly, the travel to the camps was costly in both time and money. And mostly, I had offers from guys to "visit them in the camps" in order to get an interview. Without going into details, I will simply say that I didn't find it safe for myself. The Trampoline House is an open space where everyone is welcome to participate and visit. However, this brings the risk that all kinds of people could be there and it is your own responsibility to protect your private space.

Method and methodological discussion

I relied on the ethnographic approach (participant observation and interviews) which is constructivist in regard to ontology, as emphasis is put on the versions of reality propounded by members of the social setting being investigated (Brymann 2004: 500); Regarding epistemology it involves the catching of the subjective meaning of social actions, acknowledging the importance of the specific context (Creswell 2009; Brymann 2004:500).

Participant observation is a way of approaching the space between what people says (interviews) and what people do (observation). The context again is of crucial importance. Therefore George Marcus proposes the model of following the people, thing, metaphor, plot, life/biography and conflict. Context is always socially constructed simply because people want to explain a certain situation in a specific way (Marcus 1995; Agar 1996; Atkinson and Martyn Hammersley 2007).

Eastmond explains that in depth interviews are an extremely useful tool for researchers to examine the meanings people, individually or collectively, ascribe to lived experience (Eastmond 2007: 248). She makes a distinction between life as lived, life as experienced and life as told. Through interviewing the researcher has access only to the third one – life as told. However, according to Eastmond, we should add a fourth part - life as text, i.e. the way the researcher interprets and represents the story. The natural outcome is that the experience is never directly represented but constantly edited at different stages of the process from life to text (see in Ibid). In addition, once the text is being published it automatically becomes subject of new interpretation: this time by the audience.

Why ethnographic approach? As to the field of migration where subjectivity plays a major role, this approach is among the most suitable for in-depth research. Cases become stories and statistics- real persons and vice verse. My aim is not to judge or evaluate the credibility of the information I gathered as this is not a juridical text. I am also not willing to speculate with statistics, because they are usually gathered from official governmental bodies that are regularly reporting to UNHCR, ILO, IOM, etc. Later on we shall see as how the figures, especially concerning irregular migration, can be quite tricky to rely upon. However, I have used figures sometimes to illustrate trends. A lot has been written within the field of social sciences about security-immigration-border regimes. But what I was really aiming for was to present the vantage point of asylum seekers themselves. Rich empirics and personal stories placed within a wider framework that inevitably touches upon different intermingling issues: international law, democracy and security, human rights and social welfare.

Variables and limitations

Fifteen semi-structured interviews were conducted. Twelve were recorded with a voice recording device; during two of them I was taking notes because those participants allowed me to interview them only if I am not recording their voices; the last one was conducted via facebook because by the time we finally managed to arrange the interview, this participant was already moved to another commune which was far away from Copenhagen. An important remark to be made here considers the transcribing of interviews. I very much agree with Brymann and Creswell when they suggest that decoding and transcribing interviews should begin as soon as possible (Brymann 2004: 550; Creswell 2009: 161). The reason is that when you carry out a field work of any kind, you perceive a lot of information which you may not always be able to record.

The length of the interviews was varying between 15 and 50 minutes, with few of the interviewees I had second sessions. For some cases I was using my own notes made during informal conversations. Whenever such notes are used in here, it is specified.

All the real names of the participants were changed because of ethical considerations. First of all, all participants are men. The vast majority of all asylum seekers/refugees are of male

gender. Another reason is that 98% of all people who regularly visit the Trampoline House are men.

Secondly, the age of the informants was between 20 and 40 years old (roughly, not all of them were willing to reveal their age).

Thirdly, irregular entry. 14 out of 15 persons admit they entered Europe in general and Denmark in particular illegally with the help of smugglers.

Fourth, informants represent three key sending regions: Middle East (Afghanistan and Syria); CIS countries (Belarus and Tajikistan) and Africa (Somalia, Congo, Rwanda, Sudan, Uganda).

Last but extremely important: language competence. i.e. the ability to express themselves relatively free in English. I deliberately didn't want to use translators and to be honest, there was not really such a possibility. During the interviews with the authorities (police or immigration service) very often people with doubtful linguistic competences have to translate and thus present whole cases. No need to say that it must be really uncomfortable to know that your future depends on somewhat intermediate English. I also observed that during various meetings in the Trampoline House (preparations for demonstrations, house meetings or the recent political campaign), there are often things that remain unsaid or being said in an inaccurate way. So long story short, I didn't want to risk the overall quality of my research.

Another key issue to discuss here is the trust problem. Ethically speaking, working with refugees and traumatized people in general requires high levels of sensitivity, awareness and professionalism. By the latter I mostly mean the ability to feel compassion and go into people's personal stories while at the same time be able to do your job without letting it become too personal and emotionally burdening. Gaining trust from people in the Trampoline House was a challenge. However, the challenge became even bigger when I had to actually start working with the asylum seekers, explain to them about my work and why they should participate in it. The questions I was asking were to a large extent overlapping with those that the police or the Immigration authorities had already asked them. So it was perfectly understandable that often they were reluctant to answer them. It took me a month, during which I was participating in all other kinds of activities in the house, so that they can get to know me better and start trusting me.

I also noticed that every now and then there were students coming for a day or two to make some interviews for school or university projects. So, many of the asylum seekers felt like laboratory mice and although they like to help they were giving standard and somewhat shallow answers. That was something I was trying to avoid and therefore I spent a lot of time explaining about my work in general, about my own previous experiences that I found relevant. I was aiming to show them that I really do care about their own opinion, their own vantage point and their own personal stories. So when I was picking up the people who I wanted to interview one of the criteria was that this person trusts me and is prone to be honest with me, not just telling me what he thinks I expect him to answer.

Accessibility for interviews was another major constraint for my work. Bearing in mind the fact that the asylum camps were situated far from the city of Copenhagen and that the transport was expensive, there were many times when my arrangements for interviews were failed.

Lastly, I'd like to point out that in order to do your job in the best possible way; a person needs to be more than a researcher. S/he needs to be a good psychologist and even have acting skills. By the latter I simply mean the ability to get what you want in the smartest possible way without losing control over the situation: to know when to behave ignorant or well experienced, to know that sometimes you can arrange an interview by being kind, understanding and flexible, while another time you need to be more aggressive and firm.

REGULATORY FRAMEWORK

Asylum seekers and refugees

Furthermost, it is important to clarify the terms "refugees" and "asylum seekers" as they are often confused: an asylum-seeker is someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated. National asylum systems are there to decide which asylum-seekers actually qualify for international protection. However, during mass movements of refugees (usually as a result of conflicts or generalized violence as opposed to individual persecution), there is not - and never will be - a capacity to conduct individual asylum interviews for everyone who has crossed the border. Nor is it usually necessary, since in such circumstances it is generally evident why they have fled. As a result, such groups are often declared "prima facie" refugees. (http://www.unhcr.org/pages/49c3646c137.html)

Marita Eastmond further clarifies that the historical context in which refugees emerged as an internationally recognized category was the massive displacements following the two World Wars in Europe. The Geneva Convention of 1951 is regarded to be the critical landmark of the establishments of the institutions and legal instruments to protect and assist such people (see in Eastmond 2001: 1).

Illegal VS Irregular

Hayter explains in simple words why nobody shall be called "illegal" in the first place. Article 14 of the Universal Declaration of Human Rights (UDHR) states that "Everyone has the right to seek and enjoy in other countries asylum from persecution". After objections by the British, however, the declaration did not give the unqualified right to receive asylum but only to seek it. With regards to securitization practices, often asylum seekers are attacked as "illegal" or "bogus" and the process of granting asylum becomes highly arbitrary with immigration employees trying to find inaccuracies that undermine the credibility of stories rather than focus on fairness whatsoever. Having already restricted the right to receive asylum, next thing governments do is make it harder for people to apply for it. This includes imposing of visa

requirements on nationals of "refugee-producing-states", i.e. states people are most likely to flee from.

On itself that excludes the possibility of legal travel to the destination country as in principle people cannot apply for passports to the authorities they are trying to escape from. Even if they do, they are still going to be rejected because there is no such thing as a refugee visa. Theoretically speaking, there is the option for applying for student or visitor's visa, which however may call for presenting of additional documents and/or funds and constitutes deception after all. That makes buying fake identification documents the only viable option, contributing to the further perception that it is a "normal" practice. However, even buying fake passports is not easy because of the various Carriers' acts under which travel operators are required to ensure that the passengers have documents and are fined if this is not followed.

Governments invest a lot in improving technologies that detect fake documents, often employing personnel to check them at foreign airports. If they happen to catch a person in this unfortunate situation they might send him back to the authorities he flees from. That makes the routes asylum seekers use even more clandestine and dangerous and often they have to pay and rely on the services of smugglers. We have all heard how many are forced to travel in tyre casings of lorries, underneath trains and airplanes, in overcrowded or leaky boats, etc. Governments often try to clamp down on those smugglers with little if any success. The only direct outcome is effecting the prices of the "services" those agents offer. Many asylum seekers find themselves locked in detention centers or trapped in camps, usually located far from the cities (Hayter 2004: 18,19,20).

Khalid Koser employs the term "irregular" migration. It is preferable to the other term which is most commonly used in this context – "illegal". The first argument is that most irregular migrants are not criminals. Secondly, defining persons as illegal can also be regarded as denying their humanity. And lastly, with a particular importance for UNHCR, is the possibility that labeling as "illegal" asylum seekers who find themselves in an irregular situation may further jeopardize their asylum claims (Koser 2005: 5). Koser emphasizes that irregular migration is a complex and diverse phenomenon; irregular migration poses real challenges for states while simultaneously exposing migrants themselves to insecurity and vulnerability. Thus, the most

obvious divergence is between the interests of migrants and the right of the states to control their borders. Adding the fact that irregular migration could be beneficial for both sending and receiving countries, we could conclude that state sovereignty and human rights are two principles that are difficult to reconcile (see in Ibid: 2,6).

Going further in clarifying the concepts, the distinction between irregular migrants, asylum seekers and refugees is often blurred. Another source of confusion is the distinction between migrant smuggling and human trafficking.

According to official United Nations (hence so forth UN) protocols:

> *Trafficking of human beings is defined as: 'the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat, or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation'. The smuggling of migrants is defined as: 'The procurement, in order to obtain, directly or indirectly a financial or other material benefit, of the illegal entry of a person into a state Party of which the person is not a national or a permanent resident.'*

> (sources: UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000); UN Protocol against the Smuggling of Migrants by Land, Sea and Air (2000) – in Koser 2005: 7).

Koser summarizes the problems with gathering and analyzing data on irregular migration since that constitutes a real challenge for both researchers and policy makers: "Data on irregular migration – including both numbers and also demographic and socio-economic profiles - are scarce, often unreliable and usually incomparable between states and over time. Different States, for example, define irregular migrants in different ways, and migrants can shift overnight between regular and irregular statuses" (see in Ibid: 7). The access to data is problematic and also statistics could be misleading, so context is of crucial importance. With regards to the practices of securitization, it is worthy noticing that in reality, the political significance of irregular migration generally outweighs its numerical significance (Ibid: 9,10).

Borders and their significance in Europe

Elspeth Guild states that the border has significance as a marker. For persons, it is the control of the borders that determines their movement. However, the classic Weberian definition of state sovereignty as monopoly of the legitimate use of physical force within a defined territory is at best challenged with the very idea of the Schengen agreements as a triumph of the idea of collective security (Guild 2001: 1). Still, implicit in the analysis remains the issue of the convergence between border and territory, consequently the consistency of border control and the limits of state sovereignty converging on the physical edges of the nation state. One of the most important physical manifestations of borders results from people's attempts to move. That is when Member states are no longer entitled to exclusively control the definition and position of borders. Some of the challenges that globalization poses to the exclusive state's control over its borders include: the private companies and their interests to be able to move their personnel and means of production across borders. Thus the competence of defining who is a legal migrant and who is not becomes of crucial importance. A rather interesting example the author brings considers the status of tourists as a potential way of overstaying a legal tourist visa:

"*For example, tourists complicate and dispute the state's right to define. On the one hand they are part of commercial activities… On the other hand they are all potential illegal immigrants and thus intrinsic to the state's capacity to define. The only undisputed territory of definition of the state becomes then the clandestine immigrants arriving in small vehicles evading all control (Guild 2001:5).*

Firstly, the political transformations of armed conflict which found a juridical expression in the establishment of the International Criminal Court changes the nature of border movements as regards to international security (Ibid: 5). Thus, security risks become increasingly connected with foreign persons rather than with foreign states.
Secondly, the development of international human rights treaties laid a foundation for justified interference within states (see in Ibid: 2,3). The first international Human Rights Treaty, which

extends a right of individuals in respect of borders, is the UN convention relating to the status of refugees 1951 (and its 1967 protocol). The two dominant interpretations of this document, according to Guild, could be named "accountability" and "responsibility". The first one is adopted by countries like Germany and France which place the state as a source of persecution in the center of interpretation. The second interpretation (The UK and Netherlands) puts emphasis on the well-founded fear of persecution, making less relevant the source of persecution (see in Ibid: 6).

However, it is worthy noticing that "The responsibility for asylum seekers only arises when they cross a border under the Geneva Convention. States seeking to avoid responsibility for asylum seekers thus have an interest in placing their borders, for the purposes of the effective control, in a different place from the borders of sovereignty" (Ibid: 6).

The Schengen agreement

The initial Schengen Agreement of 14 June 1985 created a framework for the abolition of border controls on persons and goods between participating states. Later on, the Schengen Implementing Agreement from 1990 detailed provisions on the abolition of border controls between the participating states, the application of controls at the common external border of the participating states, provisions on division of responsibility in respect of asylum and provisions on police co-operation (Ibid:13,14).

The Implementing Agreement came into force after 26 March 1995. The abolition of border controls was achieved with Greece in March 2000 and the Nordic states in December 2000. The title of the Implementing Agreement, which covers free movement of persons, contains seven chapters, among which is the"responsibility for examining asylum applications (Articles 28-38 – superseded by the Dublin Convention when it entered into force in September 1997)"(Guild 2001: 14).

Guild summarizes the main points:
"*The focus of the system is to ensure that persons who are or might be considered unwanted by any participating state are not permitted into the territory. Thus the rules focus on who must be*

excluded and provide little guidance on who should be admitted. Because the underlying principle of the system is cross recognition of national decisions rather than harmonization, finding legal mechanisms to achieve this has unexpected implications. The lifting of border controls between the states means that positive decisions on admission of persons are likely to be respected by default – the parties have fewer identity checks on the crossing of borders. The cross recognition of negative decisions requires more specific measures" (Ibid: 16).

An important point here concerns those who are perceived "risky" and more likely to menace Member States' security: "unemployed persons, and those with no regular income, i.e. the poor. (Ibid 16,18). Within the Schengen system of mutual recognition of nationally constructed concepts of internal security threats has been created. The field in which it operates is sensitive – including issues of civil liberties such as data protection and access to information and human rights such as family life and asylum (Guild 2001: 21; see details in: Guild, Carrera and Geyer 2008).

Further arguments in that direction are brought up by Didier Bigo. He claims that what once was a simple idea of distinguishment between internal (i.e. borders between European Union countries) and external EU borders (i.e. national borders that also serve as the outer borders of the Union) by diminishing of the formal and reinforcement of the latter, was not so simple in practice. Firstly, there was no significant decrease in the cross border flow of people, despite the form of 'policing at a distance' aiming to block foreigners upstream before they leave their own countries, tracking systems that pick up the traces left by people moving from one country to another, and even, in some countries, moves towards expulsion and forced return, involving inter-State co-operation with countries of transit and origin (See in Bigo 2009: 580). According to Bigo, the proliferation of immigration law, various procedural ambiguities gave police considerable latitude. However, these measures did not change the demographic and economic realities and "the political will to curb immigration has had next to no impact in terms of effective control of cross-border practices in market-economy regimes whose borders have to remain open to goods, capital and services in order to remain viable" (Bigo 2009: 580).

Elspeth Guild raises three principle questions regarding asylum seekers, borders and the eligibility of being regarded as a refugee according to the International Human Rights Law.

First, it is essential to identify where the effective border for a person fleeing persecution is between the state of persecution and the state of refuge. If the effective border is to be found within the state of persecution itself then in international law the person cannot be a refugee for the purposes of claiming a right to protection which includes a right not to be expelled. According to the Geneva Convention a refugee is a person who is already out of his home country or country of habitual residence. As there is no legal obligation arising from the Geneva Convention to provide a system for issuing visas for so that asylum seekers can leave their home countries and apply for asylum in a host country. The only international obligation on the Member States which relates to seeking asylum is contained in Article 14(1) Universal Declaration of Human Rights and thus one could claim that the Declaration itself is limited in its practical implications (Guild 2001: 52). Most of all, it should be clarified that the grant of protection only includes those recognized as refugees. This is to avoid the possibility of 'double counting' (See in Ibid: 54).

As to the legal mechanisms regarding responsibility for asylum seekers at the border, the first substantial effort to allocate responsibility for asylum seekers is found in the Dublin Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities which entered into force on 1 September 1997. The Convention is based on two principles: first that the Member States are entitled to pool their responsibility for asylum seekers. Even though each Member State is separately a signatory to the Geneva Convention (and the other two relevant conventions) a decision on an asylum application by one of them absolves all the others from any duty to consider an asylum application by the same individual (Ibid:57).

Quite relevant update is the so called Eurodac system, established under Council Regulation 2725/2000. Briefly, it comes to enabling the (EU) countries to help identify asylum applicants and persons who have been apprehended in connection with an irregular crossing of an

external border of the Union. By comparing fingerprints, EU countries can determine whether an asylum applicant or a foreign national found illegally present within an EU country has previously claimed asylum in another EU country or whether an asylum applicant entered the Union territory unlawfully (see more in

http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l33081_en.htm)

Thus the visa system operates so as to hinder asylum seekers getting to the territory of the Member States lawfully in order to seek asylum. In addition, a mechanism has been created for determining which Member State is responsible for considering an asylum application. In the absence of unusual factors (such as the possession of a visa or residence permit or a first-degree family member recognized as a refugee in one Member State) responsibility lies with the first Member State through which the asylum seeker arrived in the Union. In the light of the increasingly stringent provisions regarding visas and carriers sanctions, the idea was that asylum seekers would only be entering the Union over the land borders. Thus, the responsibility for caring for asylum seekers was intended to fall on the Southern European countries – Greece, Spain, and Italy whose border controls were considered suspect in any event. Of course the changes in Central and Eastern Europe meant the opening up of Germany's Eastern border and a flood of asylum seekers appearing there. (Guild 2001: 57,58). However, Bigo claims that security checks are "rigorously applied in some places such as airports where it is easy to institute them, but are totally lacking along thousands of kilometers of land or sea borders that cannot be policed except at a prohibitively high cost" (Bigo 2009: 581).

This policy was refined in the mid 1990s with the adoption of a Resolution on manifestly unfounded applications for asylum and a Resolution on a harmonized approach to questions concerning host third countries. These two Resolutions were interlocking. First, the Member States announced jointly their policy and interpretation of the Geneva Convention that an asylum seeker does not have a choice as to which state to address his or her asylum claim: "The Member States considered that the Geneva Convention only prohibits return to the country of persecution, not to any other country" (Guild 2001: 57, 58). Accordingly, the Member States took the view that there is a duty on an asylum seeker to seek protection in the first safe

country through which he or she passes. In light of the obstacles placed in the way of an asylum seeker ever getting to a Member State in the first instance, the chances appeared fairly good that the person would have to travel through some other country on the way. Having thus placed the duty on an asylum seeker to seek protection in the first safe state he or she came to when in flight, the second policy could be introduced: any asylum seeker arriving in a Member State who had passed through such a safe third country would have his or her asylum application categorized as manifestly unfounded (as the person did not need asylum in the Member State but could seek it elsewhere) and no substantive determination of the case was required" (Ibid: 58; Guild and Niessen 1996: 141-147).

Therefore the Member States agreed a definition of what a safe country is – by reference primarily to the states on the borders of the Member States. Of course, the whole system was quickly undermined as asylum seekers began to appear without any travel documents or any credible story about how they had arrived in the Member State where they applied for asylum. However, the lack of an explanation of the travel route was not in favor for the asylum seeker as the authorities were convinced that the former was lying and this had a negative impact on the overall credibility as regards his or her claim to a well founded fear of persecution or torture (in Ibid: 59).

FRONTEX

FRONTEX (from frontières extérieures*)* is the new external border agency of the EU and was established in 2004 under Council Regulation No. 2007/2004/EC in order to promote burden sharing, solidarity and mutual trust between the Member States in the operational management of the EU's external borders. Despite no direct operational powers, the FRONTEX Agency has been assigned a large array of competences in various sectors, including a pioneering mission of coordination of operational cooperation and the controversial task of assisting joint return operations (Jorry 2007; Neal 2009). Whilst some place high levels of optimism for the role of FRONTEX, others raise voices of concern that the external borders agency is trapping irregular migrants in Southern European Member States. Guild and Carrera provide a critical report on the RABITS operation in Greece, initially aiming to cope with the increasing numbers of irregular migrants and to assist the Greek authorities in bringing the

issues under control. It appeared that Greece has received more than 10,000 requests by other EU member states for their asylum application to be determined there in light of Dublin system. However, between September and October 2010 four EU member states have stopped to apply the EU Dublin system, in particular, Belgium, UK, Sweden and the Netherlands+ two association states: Iceland and Norway. The authors state that FRONTEX and the RABITS operation signal the limits of the principle of solidarity and fair-sharing of responsibility and the failure of the EU Dublin System (Guild and Carrera 2010).

More recently, the Stockholm Programme aims to provide a roadmap for the EU in the area of justice, freedom and security for the period 2010-14. It builds upon the achievements of its predecessors - the Tampere and Hague programmes. The impression one gets from reading the document, is that the image of 'fortress Europe" is being strongly implied and emphasized, speaking about reinforcement of border control: "the role of Frontex must be reinforced so that it can respond more effectively to existing and future challenges. The second generation Schengen Information System (SIS II) and the Visa Information System (VIS) are also essential for reinforcing the system of external border controls and must therefore be made fully operational. Work must also continue on the development of the common visa policy and on intensifying regional consular cooperation" (see more in http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_person s_asylum_immigration/jl0034_en.htm).

Summing up, the border for refugees seeking protection in the European Union is complicated since it is not self evident where it is to be found. The first border is that the asylum seeker never becomes a refugee as s/he she never escapes the border of the country of persecution; the second border is that the asylum seeker remains outside the Union in any third country which is determined as safe by the Member States; the third border is within the Union, a border of the relations of power among the Member States (Guild 2001: 59). According to Guild, the underlying principle is to limit the borders of the international responsibility to refugee protection under the Geneva Convention to countries outside the Union, or if unavoidably within the Union, to the southern Member States. Thus, the engagement of the

Member States is "both common and conflicting: common where the asylum seeker is to be kept out of the Union, conflicting when allocating responsibility within the Union" (Ibid: 59,60).

In the current context, tension derives from clashes between a legal system predicated on openness on one hand, and the groundswell of security-driven rhetoric justifying coercive practices against foreigners on the other (Bigo 2009: 590). At the same time, the flows continue unabated. The result is arbitrariness in some places and some areas, and a total failure to meet the broader challenges effectively (Ibid: 591).

THE DANISH ASYLUM SYSTEM

According to Peter Noble, the concept of de facto refugees was introduced in section 8 of the 1983 Danish Aliens Act, which provides that an alien who is not a Convention refugee can nevertheless be granted residence if there are serious reasons why he or she should not be required to return to their home country. However, two decades before that, de facto refugees had been granted asylum in Denmark. This practice began in 1965 and is strongly connected to the so called defectors from socialist countries in Eastern Europe (see in Noble 1990: 268). It is worthy noticing that unlike Sweden, Denmark generally offers no right of asylum to war resisters or war deserters. Another category specifically recognized in the Danish asylum practice relates to the specific problems of evaluating the reasons, or causes, for seeking asylum advanced by applicants from the third world. That comes to justify the Scandinavian governments in applying the principle of the benefit of the doubt. Although that principle has often been misunderstood, its original meaning is that the mere absence of proof cannot, as such, be invoked for dismissing a statement or claim. (Noble 1990: 268-269).

With the New Alien Act from 2002, Denmark took away the De Facto status and introduced its own definition of a refugee: the applicant has to build a convincing case for the existence of an individual and concrete risk of persecution (see in Ibid: 269). This invoked a strong criticism from UNHCR, EU, European Council and Amnesty International, among others. The "starting allowance" and a lot of other restrictions were also introduced.

Refugees Welcome state that ever since the 1980s the Danish governments were constantly working to prevent refugees from coming to the country. A few examples drawn are:
• 1986 demand for visa from a number of countries
• 1989 fines for air lines
• 2001 no asylum seeking at Danish embassies
• 2004 Frontex established

One result deriving from all the restrictions mentioned above is strengthening the role of human smugglers and fake passports as the only way to Denmark. The estimated approximate price for that is between 30 000 and 100 000 DKK. The weakest refugees don't stand a chance according to Refugees Welcome.

The Danish system is highly administratively regulated. Generally speaking, most people get a decision within one year and the average length of stay is 500 days (for year 2009, according to Refugees Welcome). However, there is a considerable amount of people staying for longer time – sometimes even more than 10 years.

The Danish asylum system consists of three phases. In simple words, a person can get positive, i.e. granted asylum after having interviews with police and Immigration Service later on. That means 3 years integration programme in a commune. However, the worst scenario is getting rejected twice, i.e. coming to phase three, which basically means a person is facing the possibility of upcoming deportation. That can come as a result of rejecting one's asylum claims by the Refugee Appeals Board or under the Manifestly Unfounded procedure. Both decisions cannot be appealed to a higher level in Denmark. Once a person comes in phase three, s/he receives money only for food and is moved to a deportation centre. Deportation falls within the jurisdiction of the police. One has the option of signing an agreement to leave voluntarily. Of course, that is not among the most popular options but for purposes of objectiveness I shall mention some of the advantages of this option, as pointed out in a leaflet from Refugees Welcome. A person is given the chance to arrive in his home country without police escort which will decrease the awareness of local authorities. If one agrees on the date, the police would most probably not come unannounced. In some cases a person could be sent into a third country if the latter accepts him. It also becomes unlikely to be imprisoned in Denmark, and additionally there is a slight chance to get residence if the police is unable to deport you (paragraph 9c, section 2). Mostly, however, a signature simply means a person will be sent home.

Restrictions go further as rejected asylum seekers cannot apply to other countries that have signed the Dublin Convention – that is 27 member states of the EU + Norway, Iceland and Switzerland. Danish law also prevents people in phase three from seeking most other forms of

residence permits, like family reunification under EU law or obtaining work permit because the application for that must be made from the home country. The option of going underground is always there, however it could be quite devitalizing and dangerous, as the majority of people become mentally sick and end up being deported.

Obtaining residence permit on humanitarian grounds is extremely difficult as this possibility was curtailed in 2010. There are limited options of gaining a work permit – if the person can find a job paying at least 375.000 DKK per year + labor contract or if the asylum seeker has an education that falls within the "The positive list". However, as we'll see from the interviews, in practice that option is almost impossible to take advantage of. Finally, the family reunification applies to what we refer as "nuclear family" - that is spouse and young child/ren (adapted material from www.refugeeswelcome.dk). An option here that was often used is going to Malmo and marrying an EU national there and then come back to Copenhagen and apply for family reunification.

RESULTS PART

Part 1 - Choice and ability to leave home

Thomas Hylland Eriksen writes that although more people live outside their country of birth today than earlier in history, only 3% of the world's population are immigrants today (Hylland Eriksen 2007: 93). One might raise the question: what about the 97% that are left behind? What Carling calls `the age of involuntary immobility' is strongly connected to the idea elaborated so far in this paper that migration shall be analyzed through the prism of restrictive immigration policies (Carling 2002: 5). However, an important remark shall be made here. The original context of Carling's article concerns labor migration and involuntary immobility, whilst the current research is not focused on those who stayed behind; I am rather interested in is how the "aspiration-ability model" applies to the experiences of those who succeeded in movement.

The *choice* to leave your home country when there is an oppressive regime, civil war, ethnic cleansing or so, is a really tricky statement. What I will try to show in the current chapter is that a person cannot merely take a completely independent decision, regardless his surrounding environment. In simple words, every decision involves a certain element of *coercion*. As Carling puts it himself: "there is no categorical analytical distinction between "forced" and "voluntary" migration" (Carling 2002: 8). The essence of the "aspiration-ability model" involves the wish to migrate and the realization of that wish (Ibid: 5). In fact, Carling argues that the concept of involuntary immobility may be particularly relevant in the case of refugee migration – it provides valuable insights about those who were forced to move and those who were forced to stay behind (Ibid: 8). As it will become evident, these two categories are usually in a constant interplay through the means of networks and communication technologies.

Everett Lee in a classic article from 1966 provides some valuable insights for analyzing the factors in the act of migration. Of course, the concepts in the article have been elaborated a lot in Carling's work, but nevertheless many of Lee's arguments ring modern today. Lee argues that the factors on which the decision to migrate depends, are as follows:

1) Factors associated with the area of origin

2) Factors associated with the area of destination

3) Intervening obstacles

4) Personal factors (see in Lee, 1966: 4,5).

What concern us here, in the current chapter, are the first, the second and partly the fourth point as they were in a constant interplay during the interviews conduction. The general questions asked here were "why/how did you take the decision to leave your home country?"and "Why did you choose Denmark? "

The most common answer I used to get when asking "why did you decide to leave your home country" was: "because I had problems". However, for the purpose of my research I was far more concerned not so much of the root of the "problem" but about the way and under what circumstances the decision was made.

By all means, there was some sort of coercion in each decision to leave. The asylum seekers from Syria put emphasis on the political situation in their home country and the fact they were forced to leave because of their anti-governmental activities:

HSB-22 explained: "*It is not our freedom of speech and the expression of personal opinion and we have no right to build community and make it like other countries with democracy. And I was in a party of fundamental Kurdish parties and I used this activity for freedom. I did not complete my activity because the Syrian government learned about me . So I came here. (HSB-22)*"[1]

That was a usual scenario I encountered: young men in their mid-twenties who were taking active participation in the anti-governmental demonstrations, claiming to be oppressed for being Kurdish, persecuted and often were not able to complete their university education, or had to quit their jobs. However, it is worthy noticing that the decision to leave the home country was always taken after a thorough discussion with the family and/or closer relatives. The general yield for a better and safer life abroad is usually combined with far more practical concern: the family has to help in order to raise money for the "trip". Hab-23 tells how he lost

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[1] SIC (see in context) – the English language of the informants is used here the way it was told during the interview recordings. For purposes of accuracy, it was not subjected to further linguistic editing.

his college notebook with all his personal data written on its cover. It took just a couple of days before the police went to his house:

My father decided. Only he. He made the planning, everything. My father came to my friend's house and told me the police was looking for me at home and that I should stay at my friend's place. Not going home, he will come to me. I was feeling most at home there anyway. After two days my father came and told "I made everything ready, you should to go". I couldn't discuss anything with him.

How do you mean that he arranged everything?

He paid a guy a lot of money to transport me. I don't know how is this called in English. But these guys transport not only people, but also clothes…everything. But illegally. I don't know exactly how much he paid, but normally , because it is very normal to talk about this, the price is 500,000 Syrian pounds which is around 10,000 USD. Some people pay more, some people pay less. (Hab-23)

It is worthy to be noticed that the coercion to leave which inevitably accompanied all the decisions, was not one of economic concern. In simple words, although finding financial resources for undertaking the trip to Europe was a challenge, those people were definitely not escaping from poverty. All the guys I had the chance to talk with were coming from wealthy middle-class families; having some education and some foreign language skills. Still, all of them, without exception admitted that the "trip" that had to bring them a new, hopefully better life was quite expensive and a lot of efforts were put in raising the amount:

UD-38 is trying to explain that to me:

The big problem in Africa is getting the visa, so it all depends on which visa to get so you can know your destination, coz it's very hard getting the visas. Yeah sweetie, it's not easy and sometimes things may fail and you lose your money. People sell off all their properties to flee for their lives. Even me I had to sale of some of my properties to raise money. That is for real. In most times coz nobody will help you without giving them money, they end up suffer persecution. (UD-38)

SS25 confirms that the constraints are similar in Syria as well: *Yes, of course. It was very expensive - 80 000 – 100 000 DKK (approximately 16 000 USD)... My father decided that I have to leave. He had to sell much much things for that. I am didn't want, but must am I left Syria.(SS25)*

In principle, I agree with the argument Lee provides regarding rationality of choice. He claims that the balance in favor of the move must overcome the natural inertia, i.e. it is not so much the actual factors of origin and destination but the way they are perceived (Ibid: 51). Therefore the decision to migrate is never completely rational. However, rationality in this case study was often challenged in the context of taking the decision to leave. Moreover it occurred so that dependence on financial means (provided with the help of the family), power relations within the family, among others, was of crucial importance. Coercion was always present, to a different extent and under various circumstances. Hab-23 makes an honest statement that is a good example in that direction:

*I'd prefer to die in Syria than to stay for nothing here. No... And I didn't also want to come here. My idea was just to hide at my friends place for one month until the problems end. I couldn't discuss it with my father but I just told him: why the people here die and I cannot? Am I better than them?!? I was so angry with him. But it is life! I know my father should be careful about me, but I didn't want to be away from my friends. What would happen if I got negative here? I cannot continue my study and I will also lose it in Syria. I won't do anything here, I'd prefer to die. I still don't know if it was good decision that my father sent me here. I am afraid I will lose my mind... (*Hab-23)

Another curious example is the one of DD-812. It comes to confirm the importance of social status as an enhancer of possibilities to move beyond restrictive borders. I found out that he is a celebrity in his home country Rwanda. Famous for making documentaries about the genocide in the African country, that took place during the 90s, hosting radio shows, writing and travelling a lot. Long story short: an artist. Because of his international artistic career, getting a legal visa for his regular work trips to Europe was not a big deal. He didn't want to leave permanently his home country, until he faced violent discrimination for being homosexual.

I left Rwanda with my visa, I had it long time ago. A Schengen visa. I didn't have to wait long, just 18 days in the embassy. It was valid for one year. I didn't know that I will apply for asylum in Denmark. I was travelling around Europe and back to Rwanda. What happened to me in Rwanda made me apply for asylum in Denmark. I know many people who need to pay a lot of money for fake visas but I was lucky. Maybe because of my artistic work I got the visa, otherwise it would have been much more difficult for me to get a visa. (DD-812)

Knowledge of the area of destination is seldom exact, and indeed some of the advantages and disadvantages of an area can only be perceived by living there. Thus there is always an element of ignorance or even mystery about the area of destination, and there must always be some uncertainty with regard to the reception of a migrant in a new area (Lee 1966: 50, 51). Another important aspect of the decision making process, is following an established route. Usually that was the case – the smugglers have good developed networks and usually the "trip" is preliminary designed. That is, the smugglers having good knowledge of whom they can bribe, through which countries do people pass and where they are heading to. Moreover, the asylum seekers themselves had at best general knowledge about Europe. None of them was explicitly asking to be taken to Denmark – some were keen on Germany, some on Sweden, most didn't really care. So I got quite curious answers to the question "why exactly Denmark?"

Did I tell you I didn't choose anything? My father and the guy decided. Only thing I knew about Denmark was the flag and the football team. I didn't care about any Denmark or Europe…in fact I liked Germany. I like the German football team. (Hab-23)

I didn't intend to come to Denmark, I was brought here. By the people I paid for that. (Denmark)It was not my choice. I was young, I didn't know many things. Now if I had the knowledge I have now, I would have gone to Sweden. I also came illegally. *I paid 10-15 thousand USD. Yes, it is a lot of money, but think about it! If you have your life on one hand and money on the othe , what would you chose? Money is nothing, it is not important. (Pat-T40)*

You know, first when I gave money in Istanbul I said Greece is Europe, it is ok. But when police arrested me I got mad. Really. Very mad. And they gave me paper to leave. And i wanted to leave Greece. And I sleep two night in the street and how will I like Greece? So the man said, if you give me 4000 Euros I will take you to Germany, Belgium, Holland, Austria, like this. If you

give me 5000 euros, I will take you to Scandinavia. Denmark is a good country, or Sweden or Norway. I said no problem, any country that is good, not like Greece. So I gave him 4500 euros. But really I thought that Denmark is Greenland. And I thought "oh no….so cold and snow". (SA32)

I didn't choose it. The guy decided to be Denmark. When these people put me in Denmark they just say where you want in Europe. I am say I want any country that is good and humanist. Every country, could be Sweden or Finland, doesn't matter. But the way, they put me in Denmark. (SS25)

There were soldiers from Denmark in Afghanistan and we used to speak a lot about that. They said everything there is green, that people were nice, and that it was a decent country. And I liked this idea. You know, I didn't have the exact idea to come to Denmark, I just wanted to go out of Afghanistan. (AFFAR-25)

A young boy from Somalia was sincerely surprised when I asked him how it happened so that he ended up in Copenhagen. It was apparently not a matter of personal preferences, but turned out that once he and his group reached Athens, the only flight available was the one to Copenhagen. So: *All the refugees come to Athens and they send them out to Europe. That is the system in the country. We were maybe 16 people on this flight to Copenhagen. The Greeks contacted the Copenhagen airport and the police was waiting for us in Copenhagen, they knew that refugees are coming.* (MAFC-22)

Lastly, there was another consideration that turned out to be important regarding the choice of destination. That question was concerned with the ethnic variety of asylum seekers and refugees in Denmark. Basically, some people were prior told that Denmark grants a refugee status to Kurdish Syrians quickly and not problematic, while it is being more restrictive regarding other cases. It's hard to judge if this was a rumor or not, but it was a factor for some of the interviewees:

- *Why did you choose to come to Denmark?*
- *Because they have very nice and sexy girls here hahaha. Some guy told me that they give the kurdish from syria paper quick. I mean in short time.*
- *How long did you wait until you got positive?*

- *More than 1 year.*
- *Do you think this is quickly?*
- *Nooooooo. i was thinking that i was get after one week not one year.*
  (KobS21)

The two guys from Rwanda, however, had a different opinion on that matter:

How do you think about Denmark and why did you choose it?

It is good because there are not so many people from my home country. I don't like to be surrounded by Rwandese because half of the problem is that these people don't leave you alone. I want for few days to be alone and think about my future. I am happy now…you know, if you have some secret you cannot simply tell it to four unknown people…you can get shot, even by your own people. You came here because of some problem you had, because of discrimination… (DD-812)

I took a tourist Schengen visa for France. I decided that I had to leave. There are many Rwandese in France and Belgium. And I decided to come to Denmark… I had friends who told me how is the system here, and that there are not many Rwandese here. I like to be alone. The people from Rwanda may think that when you are from the other ethnic group you can make them problems. Like, I am Tutsi. (CRT22)

Many Syrian told me that there are many Syrians applying for asylum here. And that Denmark is better than Germany. And also the man I paid brought me to Denmark. It was expensive – 14 000 USD. I paid more because I didn't want to face difficult situations. They gave me everything and brought me in a safe way to Denmark. (RMS-35)

In conclusion I would like to point out that the term refugee has its analytical usefulness only as a broad legal term that includes a variety of socio-economic statuses, personal experiences, psychological or even spiritual situations (Malkki 1995: 496). As we say in this first chapter, a vast variety of factors were in a constant interplay and were thus determinative to different extents to the choice and ability to leave the country of origin (Lee 1966; Carling 2002). These factors include, among others, nationalism and racism, xenophobia and immigration policies,

state practices of violence and war, censorship and silencing, human rights and challenges to state sovereignty, "development" discourse and humanitarian interventions, citizenship and cultural or religious identities, travel and diaspora, and memory and historicity (Malkki: 496). Thus, involuntary or forced movements of people are always only one aspect of much larger constellations of sociopolitical and cultural processes and practices.

PART 2 - Experiences with the European Union border control policies

In the previous chapter the "Intervening obstacles" were mentioned as a factor when taking the decision to move. That is the idea that migration must be analyzed in the light of restrictive immigration policies. Thus, the purpose of the current chapter is to focus on asylum seekers' personal experiences with the EU border control policies.

Ever since the 1980s an explicit connection between asylum and illegal immigration occurred, i.e. asylum as an alternative route for economic migrants to reach the EU (see in Huysmans 2000: 755). Therefore under the Austrian EU presidency (July – December 1998) more fingerprints had to be included in the Eurodac system (see in Ibid). In pace with the European Union's enlargement, the practices and policies for heightening the EU borders were further strengthened. Huysmans and Buonfino state that 9/11 has significantly contributed to the further securitization of immigration and asylum. With terrorism becoming a top priority for governments worldwide, this priority has involved rhetoric of exclusion and fear of foreigners combined with a political demand for intensifying control of cross-border movement of people (Huysmans and Buonfino 2008: 2).

One can easily get the impression that the image of Fortress Europe has once again been reaffirmed. However, the UNHCR report 2011 states a rise with 19% (compared to 2010) in asylum applications, only in Europe. According to the report that is an estimated 327, 200 applications in 38 countries in Europe. However, it is worthy noticing that the Nordic countries are said to have a 10% decrease in asylum application, similar to the levels of 2007 and 2008 (see in UNHCR 2011: 2).

What I will here try to illustrate empirically, is to what extent these securitizing practices have been experienced as efficient by the asylum seekers in Copenhagen. The usual broader questions I was asking were: "What is your opinion of the EU border control policies" that is "Do you think entering Europe is easy or difficult".

Acquiring a fake passport/visa in order to enter the European Union was a must. I found out that this was not a problematic aspect to talk about, sort of a normal conversation. Apparently the restrictive border control regimes are predominantly seen as objective obstacles that need to be overcome in order to achieve a better life. As we will see in the current chapter – the goal justifies the means.

The scenario in all cases was quite similar: buying fake ID documents/visas, and then destroying/leaving them behind before/once the destination was reached.

SA32 had a passport before he left Syria. Most Syrians I talked with were Kurdish and on this basis they were claiming they were not entitled to have any identification documents in Syria. However, he left his passport in Istanbul, as the smuggler said it is going to be sent back to his family in Syria. Regardless if the informants were initially having some sort of ID documents, they were deliberately leaving them behind once the "trip" has started. Apparently led by the desire not to be sent back, they were simply saying there's no use to hold ID documents:

-Do you have a passport in general?
-I had ID card. Not Kurdish, Syrian. It is in Syria.
-Why didn't you take it with you?
-For what? And I cannot use it anywhere. (KobS21)

SA32 had a passport in Syria but used it to put 4000 USD *bakshish*[2]in it in order to enter Turkey. He tells me there are places across the Syrian-Turkish border where there is virtually no border control, or people *"pay 5000 USD to the man in the mafia and he knows the area. And when the police change, that time they are cutting border".* He continued with a very detailed description of his dangerous journey:

Then 15 days I live in Istanbul. And then one man tell me one area and I give him money to take me in Greece without a passport. But, you know, it was very hard. You walk 2 days – 18 hours. You walk 9 hours, then you take a rest and then next night we walk 9 hours again. We went

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[2] The word originates from Persian and literally means "a gift". Widely used nowadays in the Middle East, Turkey and the Balkans. It is used as something between a tip for job well done, and bribery. It sheds light on important issues such as cultural perceptions of corruption.

between Turkey and Greece but I do not know which city. The driver drove for two hours after Istanbul. We didn't see anything. You know how we was? Like in a box, he put us in the car like this and every time they see control police they said 'hide yourself, hide yourself'. We went 2 hours to a village between Greece and Turkey, ok? And we were walking, without anything shiny on our clothes, you know. In dark night we walk half hour and then it comes a small boat. They say, we are now in Greece. And also we walked for eight hours and a half within Greece. Also between trees we sleep and in the morning in 5 o'clock and after that we walk more. And when it becomes dark we start again. And they also say "carefully and quiet because the Greek police very strong". Every 5 minutes they come, so we had only 5 minutes to hide ourselves. Yes, they are very clever the Greek police. And the man said the police is allowed to shoot here. We were group of 40 people. And one man had pain but the man (smuggler) just hit him and said 'if you stop walking, we'll leave you here'. Really!

However, the Greek journey was far from being over. He continued his story:

Then in the 2 car we were 15 people. Can you imagine that? I was in the baggage (means trunk). I could breath but I heard shooting. I was very afraid, really. The police said, go out, don't worry. They took out people and they forgot me in the baggage (laughs). But one guy said 'there is one man in the baggage' and they took me out. You know, I couldn't open the baggage from inside.

And they took you?

Yes, they took me. They said "don't worry, you'll go to a camp as an asylum seeker". And I thought that I am in peace finally. They said they will take us to camp but it was jail, really. They lied. It was 10x6 meter and we were 26 people in one room in the jail. In the jail everything is possible. I was in jail 5 months and 15 days. After that they gave us a paper and said that we can go with this paper for one month in the Greece but we have to leave after 1 month.

So you get directly from Greece to Denmark?

No, the man who bought tickets he said Milano. I slept one night there in man's house. And then Denmark. (SA32)

KobS21, although in his 20s, already has a long story of trying to make his way out of Syria. Few years ago he bought a fake Bulgarian passport in Greece and managed to get to Norway. The plan was to catch a flight from Oslo to Canada. However, he didn't succeed and got arrested. As he was holding a Bulgarian passport, he was supposed to deal with the Bulgarian embassy there. The plan became a complete failure when it got evident he cannot speak Bulgarian and long story short, he was sent back. However, he managed to succeed in Denmark. The route was Syria-Turkey-Greece-Italy-Paris-Copenhagen. That sounded like a dangerous and exhausting route so I asked him if he ever was afraid. He replied he was mostly excited, and yes, maybe a little afraid. But after all, he paid a lot of money to be brought to Europe so he trusted the "expertise" of the smugglers. Apparently, part of the deal was to avoid any transportation vehicles that may be subjected to security checks:

-How can you cross borders without a passport?
-By walk! (KobS21)

The route Turkey-Southern Europe-Denmark was constantly confirmed with the stories of the asylum seekers from the Middle East region. SS25 also shared that the journey to Europe started at Istanbul:

From Istanbul I am coming Europe. He make a passport, no, not the same guy, it is network. One guy pick me from here, then another there and there…He make Turkish passport and said if they ask you, speak Turkish because this is not you (the picture in the passport). And I say, I am cannot speak Turkish. I say if you don't make Syrian passport I am left. He was angry but he made Syrian. But it was not original. So I got fake Syrian passport in Istanbul. I stayed in Istanbul 1 month. But just in a room, I didn't see anything. He told me, don't go out because I don't have any paper you can show the police. And one day he say "we must left. Go to Europe and don't speak much". And I said "ok". And we take this…a boat and I think we go to Greece and…we walk 2-3 mountains and after that we go to one place and stay there. I don't know where – maybe Greece, maybe Bulgaria, I am not sure. It is much forest and much mountain and it was winter. We don't know nothing and we were very afraid. And we walk and walk and walk…do you know how many days we walked? Five days in the forest! We sleep in the forest. and it was very dark and raining.

How did you come to Copenhagen?

I took a flight from one airport but I don't remember….it was only 2 hours to Copenhagen. When I am in Copenhagen I am see all people have passports but not me because they told me to destroy the passport in the toilet of the airplane. I was very afraid. Police in airport asked for passport, I didn't have nothing. They say, ok sit here and wait. And they wanted to put me to another plane and send me back but I am very afraid, I said 'I cannot go back to Syria or anywhere, I am want to stay here'. But one police say, we are not sending you back, he put me in reception. I sat at the airport 6 hours. He asked me much much questions. Then the police came and they put me in the car, but very friendly. The police here is very friendly. And they took me to the camp and took my finger (fingerprints) three times. (SS25)

Frontex Annual Risk Analysis report presents an analysis of events related to border control as well as to illegal border crossing and different forms of cross-border crime during 2011.

Routes and trends

In terms of migration flows, the outstanding events of 2011 were the political upheavals in North Africa and the Arab world, commonly dubbed the Arab Spring. Flows resulting from these events caused a growth of detections of irregular border-crossing along the external borders of EU Member States, rising sharply (by 35%) from approximately 104 000 in 2009 and 2010 to nearly 141 000 in 2011. While the most dramatic development was undoubtedly the re-opening of the Central Mediterranean route, the second hot-spot for illegal entry remained the Eastern Mediterranean route, specifically at the land border between Greece and Turkey. Here, more than 55 000 detections were recorded in 2011, representing a 12% increase on the previous year, and the number of detections increased steadily throughout the year (see in FRONTEX annual risk analysis report 2012).

Migrants entering through Greece tended to transit through the Western Balkans, or travel directly from Greece to Italy. Looking ahead, the border between Greece and Turkey is very likely a hot spot for irregular entry. More and more migrants are expected to take advantage of Turkish visa policies and an increasing number of flights, to transit through Turkish air borders and subsequently attempt to enter the EU illegally. (see the whole report on frontex/europa.eu)

HSB-22's story regarding the Turkish border with Syria comes as another confirmation of the official report:

There are places where there is no soldiers so you can just cross. My friend cut the wires for me and I went to Turkey. And someone bring me a Turkish passport because I cannot I get out of my country . I had to pay 10 000 USD for it. A guy came and made picture and put a stamp and in 25 days it was ready. When we got the plane I do not know where I am going. And then I arrived here I mean Denmark. I looked and then here is a beautiful and wonderful and I can speak freely here…In Turkey and other Eastern countries there is corruption in government departments. No, never i didn't have any problems at the borders. (HSB-22)

MAFC-22 was initially reluctant to share details about his own journey and the obstacles involved. However, later on he told me briefly his own story:

With an airplane and a fake pass. I bought it in Kaminia (area close to Athens) for 2000 DKK (approx. 270 euros). It was a Swedish pass. Nobody suspected anything because there are many Somali refugees in Sweden. There are many ways to buy a fake passport, you just have to know the right people from the mafia. So I took the flight to Copenhagen from Athens Airport. (MAFC-22)

Another African asylum seeker, the 35-years-old HSU-38 tells me about his trip to Europe he undertook more than two years ago:

Me, from Sudan I went to Libya and then to Italy. You go by car to Libya and then by ship to Italy.

Did you need a passport?

Haha…no. (Laughs). You know, many people die on the ship – because they are far away or they are tired. The ship is very small – it is for maybe 10 people. And they put 50 people inside. They take money for the people – 2000 sometimes 3000 USD per person. Maybe one day I will also do that when I go back, since I have no future here.

But how do you cross the borders?

Just walking. Sometimes there is police, sometimes if they find you they put you in the jail for 24 hours but after that they let you go. Sometimes you have to put your finger in Italy. (HSU-38)

While I was conducting the interviews I often got the feeling that the guys perceived this kind of entry as the only possible solution to their "problems". They were assuming that they were not supposed to feel secured during the journey: the feelings described were mostly these of fear, anxiety and happiness that a possibility for a new, better life is just about to open. They trusted the expertise of the smugglers, relying on the assumption that when you pay properly for a service, things are going to be okay. Not that this is by any means a guarantee. UD-38 tells how things went wrong with him:

Getting a visa for Europe is a very big problem. Because it's Africa and maybe you want to go to Europe to do other stuff. I came with a visiting visa. It was difficult to get it and somebody had to help me to get it. I had to pay nearly 3000 USD to this person so that's how difficult it gets. It also included the price for the entire movement to Denmark… We had a flight to Turkey and then from Turkey to Denmark. The movement was not planned by me, you know. In Kastrup I was supposed to meet this person, he had all my documents. He had to pick some people. The bad thing is that he didn't tell me that he is not coming. He told me that everything will be ok when I come to Europe.

So you didn't have any documents when you arrived here?

When I got in Europe I had, but then because of this gentleman when they got me here I didn't have anything with me. He was in control of everything. (UD-38)

A complementary question I asked was regarding informants' opinions about the EU border control policies. I was initially letting them freely tell their stories and experiences without evaluating their credibility and doing my best to not influence their answers. But I find it of crucial importance to have their own evaluation of the efforts of the European Union to control its own borders. Informants were usually saying it is quite easy since they were not checked when crossing national borders within the EU, because of Schengen. However, few claimed it was very difficult and tough for them but within the interviews contexts, it became clear that "difficult and tough" mostly referred to the obstacles they had when obtaining fake ID

documents, or the unpleasant experiences when smuggled in Europe, not so much as regular security checks. To illustrate that with some examples:

I didn't see any control from Greece to Denmark, maybe my passport was good. (SA32)

The security is high. Like for me, that time I was working for a big company so maybe that is why it was easier. But think about other people. They might have to get a visa illegally. I don't know how much it costs because that is not my case. (CRT22)

Even when you have a visa, they still ask you many questions: can you show me your visa; bank details; are you here alone; why did you leave Rwanda….It's like…to be African, to be an Arab …you are not allowed to travel. White people try to judge you, why did you get a visa, how did you get a visa. I think they like to control when you enter their land. Can I see your passport? I can be black and be American, I can be black and be Danish…How come you choose one person from 300 or 500 people from the flight and say: can I see your passport? (DD-812)

Before it was easy. Like three years ago…2007-9. It was free entry. But recently there is more policy, you have to show documents, it is more security. It's not fair, despite for the members of the EU. (UD-38)

Yes, it is difficult. They checked me three times until I got to Denmark. With the dog and everything. They got on the ship when I was going from Germany to Denmark, they looked at me and they checked me. (AFFAR-25)

I *don't know. If it is too much security than how all these people come? (SS25)*

Yes, but you have to be lucky. (Kobs21)

Yes! Very, very hard. Too much control. (M12)

It has always been difficult to enter Europe. If you have a passport – be my guest! But if you come illegally then it is a problem…it has always been a problem. But even the smartest systems are created by man so there are always cracks in the systems. Look, it is like a natural selection: if you really want something than you have to go for it. Maybe now there are more sophisticated electronic systems and the police is more trained. But still the system is made and

it consists of humans. So, you have brain, start using it! I am just finding the holes in the system. (Pat-T40)

It's Schengen. No more police. The borders are open. But between Germany and Denmark there is more border because many people come like me, by illegal way. (Hab-23)

No, it is easy. But I really don't want to talk about it. It is my past and I don't want to remember how I reached here. It was bad. I don't want to remember. So I cannot help you with the details – how they control, which documents you use…We lost the trust in Europe. Here we learnt not to trust anyone, especially by our case. (RMS-35)

It is really easy because it is not unity union border. Sometimes they catch the people but it is easy. (HSU-38)

Summing up, the increasing numbers of irregular migrants is due to increasing restrictions on legal movements, mostly in the destination countries (Koser 2007: 54). As we saw in this part, the more difficult it becomes to enter Europe, the more expensive and dangerous the trip is. That facilitates the multi-billion dollar industry that has developed around the desire of people to move, despite legal restrictions, in the form of human trafficking and migrant smuggling (see in Ibid: 54). Despite the contradictory opinions expressed by the informants regarding the level of difficulty, the restrictive border control regimes are predominantly seen as objective obstacles that need to be overcome in order to achieve a better life. That is, the goal justifies the means. However, the presented empirical data shows a considerable support for the increasing securitization of immigration in general and the external EU border controls in particular. Also, according to the FRONTEX Annual Risk Analysis Report for 2012, the illegal entries between Border-crossing points (BCPs) for 2011 were 140 980 which is a 35% increase compared to year 2010. Clandestine entries at BCPs have increased with 17% in 2011. Detections of false documents users are marked with 1.2 % increase (see more in FRONTEX annual risk analysis report 2012: 12, available online at http://www.frontex.europa.eu/).

PART 3 - Experiencing the Danish asylum system

As it came to the Danish asylum system, I was primarily asking three questions:

1) How do you feel about the Danish asylum system?
2) What would you change about it if you had the power to do so?
3) Is staying illegal (after two negative answers) an option for you?

As it was clarified in the Theoretical part, the Danish asylum system is meant to be fair, i.e. to pay attention and examine each and every case, while people are distributed in asylum centers and given some monthly allowance to meet their basic needs. However, most people were answering that the system is too slow; it makes them stressed and angry. Largely the problem is self-inflicted as the most usual scenario is when people arrive without any papers, the overall quality of translation services is not good and that inevitably creates problems with the speed of dealing with the cases. I partly agree with Teresa Hayter who claims that Immigration service employees often play the prosecutors and try to find any discrepancies in people's stories that may undermine their credibility. However, what I have noticed is that the usual response of asylum seekers to this was to exaggerate as much as possible, sometimes even make up stories. That leads to the creation of a vicious circle where both parts are placing the blame on each other.

 Another important statement I was hearing repeatedly was that the Immigration services are not doing enough research on the sending countries and even though there are international treaties that on paper establish peace, de facto the conflicts on ground were ongoing and people had to flee. However, as these countries are no longer perceives as dangerous (enough), people are either sent back or get stuck in the system for years. Lastly, a common complaint was concerning the quality of translation services. Often was heard that translators are not professionals, but simply people with good basic command in English or Danish who translate in

favor of Immigration service, that is: incorrect, distorting their stories and refusing them access to sessions' protocols. HSB-22 says:

The system is very slow and must be renewed….we need a new system helps us to stay here. I mean the permanent residence or refugee status if they do not get the house may be able to get … work. The system should be like the Swedish, where people have permanent residence permit when they get a full time job. If i get negative and i live in the camp i will not go to school, i will start to make bad things. And the danish government when somebody is doing that, the government thinks that all people coming from Syria, Afghanistan, Pakistan are the same. When somebody is not normal he makes problem for all the people. I am walking in the streets and I feel angry. I want to punch Danish people in the face! (HSB-22)

MAFC-22 was very sharp in his answer: *The Danish system is bad for the people but good for the politicians.*

All of the informants were elaborating on the fact that what must be changed is the restriction to work since simply doing nothing in the camps; awaiting some monthly allowance is literally driving them insane. They were appreciating the money they receive every month for food, but they felt bad because Denmark is unwilling to use their strength in a more profitable way. SA32 supports that position: *I would find every asylum work. Not the government give him money. Ok, if he is sick – give him money. But look at me: why do I stay 14 months in asylum center and not use the power from me?*

When Beru40 came to Denmark he initially tried to apply for asylum as he was persecuted in his native Belarus. Although he had a whole bunch of papers, he was rejected and found himself waiting to be deported. In the last minute he applied for work permission as he has a higher education in computing and so far manages to stay and work legally in Copenhagen. However, he doesn't conceal the fact that he truly hates the system:

You know, I cannot say it is good or bad because there work same people like you and me. You know, the human factor. If today I am in a bad mood – negative! If I am in a good mood: oh, why not positive? The system doesn't work to help you or keep you in a safe place if you have troubles. The system works to maximize people who leave out because too much people apply

for asylum. For example in 2008 I think it was 3000 applying for asylum and only 1500 get it. That's why I gave the immigration service all my documents about my higher education, diplomas. If I didn't have higher education I wouldn't stay there. (Beru40)

HSU-38 told me he got rejected twice within six months, but because of the unstable situation in Sudan, he cannot be sent back. For more than two years now he is in a no-way-out situation:

No human rights here – they keep you in a house like a dog, give you money to eat and that's all. You cannot have normal life: study, work. And also if you stay in camp for too long time – 2-3 years, you may become crazy. Because you don't know what you're doing. You smoke hash to forget what is happening…you cry sometimes, maybe sometimes you want to kill somebody, to hurt him you know. Here they just smile to you, talk to you for two minutes and then go back to their lives. Me now have no option. Some people go out of the camp and work illegally…me too I also tried that. Many people are working like that but it is a black work, you know. There is no real choice for people what they are doing. Do you feel sorry for your decision to come to Denmark? I went to Immigration service to ask what happens with my case, if they don't have anything new for me than I want to go home. It feels good, it will be better than here. What a life is here? I'd rather go home. (HSU-38)

SS25 got positive but he still dislikes the system: *Never not good. Makes me feel sad and very angry. But I cannot do nothing. They put me in a camp in the forest, it has no supermarket and if I need bread I have to pay for the bus and it can be 50 DKK. And I need something every day. I think I am in horrible prison. In my room we are four people. And there is a very small kitchen which is never clean or organized or nothing. And one bathroom for 2 rooms, very dirty…and if I am asylum I cannot complete my education, I cannot have job, I cannot make nothing – just stay in the camp. I am need job and money: I need clothes, food, disco…because I am human. Here they don't give me job, just little little money and they go like that…just for bus and food. (SS25)*

DD-812 has a very balanced and informed opinion that could serve as a bridge between the obvious complaints and the mere acceptance of whatever destiny serves you: *They have to understand that most people don't escape from poverty; I don't need the Danish money every month. I have pride. I left Rwanda because I had problems and I was discriminated. I want and I*

can make my own money here, I just want to be free and safe. The big problem is time. I don't agree that the system is bad otherwise: you have food, pocket money and health care. (DD-812)

Pat-T40 has a rare case. He is stuck in the system for more than 10 years. However he holds the position that the system is good, because people are not left on the streets; they have place to stay, access to medical care and money for food. He was the only one who tried to analyze the Danish asylum system within a wider context, i.e. the mistreatment asylum seekers receive in Germany, Norway or how in France and Italy they are just being deliberately ignored. (Pat-T40)

RMS-35 is a doctor from Syria. His high educational and social status and the good back up with documentation to prove his claims resulted in granting him asylum status for less than a month. An important remark he made concerned the common exaggerating during the interviews with the Immigration services:

I was not afraid of anything. I am a doctor, I work as a doctor, I have identity card, driving license, certificates – everything. I got positive from the first time. But also I am Arab not Kurdish, so I have everything – papers... I don't want any social help, I want to learn the language and modify myself and work as a doctor. A man without work is nothing – you have to work to have value in your life. The situation here is not so bad. In Germany or Sweden it is very difficult. When we come into the camps they give us everything – clothes, utilities to cook, Internet for free, transportation. We must speak the truth, it is not so bad. Red Cross is very kind, no one misbehave us, all are smiling. But many people are lying – one guy from Algeria or Morocco said "I'm Syrian". No, you are not Syrian, look at your accent, you don't know anything about Syria. (RMS-35)

As we can see, the most common answer to the question what would you change in the system, was to make it faster and give people the legal rights to work, also to shorten the overall stay in the camps. However, in informal conversations with various people, many were more than reluctant to the promises of the newly elected Danish government that after six months some asylum seekers will have the right to work in Denmark. Surprisingly, the concerns were not so much about politicians giving empty promises, but more realizing asylum seekers' marginal position within the society. They were aware that they are not Danish or EU citizens, often not possessing marketable or linguistic skills and thus being disempowered. That was

something they accepted as "normal" – they fled to seek protection and most of them didn't have illusions of fast and flawless integration.

Quite interesting result derived from the question "in case you get rejected, is staying underground an option for you?

Despite their irregular entry into the European Union and the fact they freely discussed it; the majority refused the idea of going underground. The predominant concept was that once they find themselves in Denmark they have to follow the rules. Yet, they came with the dream of a better and safer life, why risk it with jumping into the uncertain life of staying underground? Summarizing the most common answers, informants were saying that being illegal is a waste of time, it is not a decent life and that life is too short to involve themselves in such activities.

DD-812: *No. I think I'd prefer to die in my country than to live illegally in Denmark. If I got rejected and I have to go back to my country, I would prefer to do it calm and peacefully, not with the police behind my back. I think I'd like to go to another country in Europe, you know.*

HSB-22: *If i get negative i must to go to another country because another country may listen to me. I don't like to stay in DK illegally because im 24 and i want to see my life, dont want to stay and wait.*

However, Pat-T40 is yet to offer a new vantage point: *Thousands of people live illegally. It is not a big deal. If you do not make crimes and you don't look suspicious like a mujahidin, it is okay. Police never checks papers. I mean, here is not Pakistan or Lebanon...police has more important things to do than just checking passports of ordinary people! Here in Copenhagen there are places that are like ghettos – like here in Norrebro. They (the foreigners) do not even need to speak Danish. They just organize a small country withing Denmark where they speak Arabic, Albanian or whatever language they speak. For example here, in Norrebro there are almost no Danish people. They don't want to live and come here because they think it's not safe. It is full of immigrants. Before it was something like a workers' neighborhood, even now it has its own rules. (Pat-T40)*

Valuable final words from HSU-38: *Most people that come here are very young: 15-20. They don't study, they don't have an idea about life. They are in difficult situation here. They don't*

know what they are doing tomorrow or after 2-3 years – to work, to study, to marry. People say
all asylum are criminal people – and that is true… Who make them steel? They don't have
family, they don't have anything important. When you don't live with your family you don't
have anything. (HSU-38)

To sum up, I'd say that I can hardly draw any encompassing conclusion since the way asylum seekers were experiencing the Danish asylum system varied within contexts and was, of course, subjective and thus dependent on informants' cases. It is worthy to be noticed that the way different informants felt about their decisions to leave - that if they took the decision by themselves or it was imposed by older family members; inevitably posed challenges to the way they experienced the Danish asylum system, i.e. either as imposed, unfair or just a rocky transition period towards a better life.

Despite the strong criticisms of the Danish asylum system, it must be noticed that it's highly regulated nature is supposed to pay actual attention to people's cases. Of course, as we saw, there are serious discrepancies not least because of cultural differences, linguistic hindrances and clashes of different perspectives on what is fair and what's not. However, I believe it is essential for any democratic state to pay attention and hear the voices of those who are disempowered and largely dependent on the European individualist-based value system.

By way of concluding

The research questions were answered by using the ethnographic approach (in-depth interviews and participant observation). This way the informants were given the opportunity to talk freely about what they consider problematic regarding their "trip" to Europe and the way they experience the Danish asylum system. I tried to reveal the complexity of asylum migration in the light of restrictive immigration regimes; shed light on the shortcomings of an asylum system that is considered among the fair ones in Europe. Asylum seekers' personal meaning-making process is of crucial importance, especially in the interdisciplinary field of international migration.

Firstly, I will start with the notion that in the context of securitizing immigration, the term "illegal" seem inappropriate, mostly because of the ongoing attempts to restrict the legal options for people fleeing conflict zones to seek international protection. Labeling asylum seekers "illegal" contributes to their further criminalization and/or victimization. Therefore the term "irregular" was employed in the thesis. It is telling that, on one hand, during the interviews all the asylum seekers were talking about their entry in the EU as illegal. But on the other hand they talked about it freely and accepted as normal, as the only way they could pursuit a new, safer life. That largely comes to support the statement that restrictive border control regimes are predominantly seen as objective obstacles that need to be overcome. That is, the goal justifies the means.

Thus, the recent European immigration restriction policies have created a profitable international business for people smugglers (Castles 2004: 207; Koser 2007: 54). The expensive surveillance technologies and better trained police officers at the external borders have little to no success in preventing people to enter the EU, as it was illustrated with FRONTEX data. One easily can get the impression that people smugglers are always one step before the EU bureaucrats. In the words of my informant SS25: "If it's too much security, than how all these people come?"

Secondly, it became evident that there is no analytical distinction between forced and voluntary migration since every decision to leave the country of origin is marked by some

coercion. The feeling that the decision to leave was not entirely theirs was often seen as problematic for the informants as they tended to feel guilty or sorry for leaving home. At best, the feelings regarding the decision to leave were mixed. The way different informants felt about their decisions, inevitably posed challenges to the way they experienced the Danish asylum system, i.e. either as imposed, unfair or as a rocky transition period towards a better life. The role of (cheaper) means of travel, improvement in communication technologies and the importance of networks were explicitly mentioned in the analysis.

Thirdly, an important result appeared to be that even the Danish asylum system, usually labeled as more-fair-than-average, liberal and based on the principles of solidarity and human rights can nevertheless contribute to further marginalization and/or criminalization of the asylum seekers. Informants' opinions on that matter were contradictory: some were grateful they were not living on the streets, whilst others were comparing the camps with a prison which makes them angry. Finding themselves in the margins of the Danish society, some of the informants were reconsidering their position on the issue of staying underground if their asylum application is (was) rejected. Initially regardless their irregular entry into the EU, they wanted to integrate within the system and follow the rules and regulations of the host country. However, facing an exclusive asylum system, their perceptions of Europe as a synonym for human rights crashed. So some of the informants expressed the idea that staying underground is not a big deal as long as you are quiet and don't cause any problems.

Discussion

Firstly, I would like to broaden the research topic and consider some practical implications of migration related research. Qualitative studies concerning asylum migration and refugee integration could be beneficial for the policy makers in the destination country. This could serve as a good evaluation tool for the successes and/or failures of immigration policies, to be a useful marker for public accountability. Interdisciplinary research in the field of social sciences should be successfully popularized and communicated to a wider public as well. A report, done by Joanna Apap and Sergio Carrera for the year 2003 shows that generally the EU-citizens are aware not about the potential benefits of integrating the migrants, but perceive them as a threat to their security. The result is that the EU is still far from formulating a uniform proactive immigration policy. As securitization speech practices predominantly rely on populism, I believe it is of crucial importance that more people become better informed on these issues. Additionally reports and research papers of this kind will be useful for different NGOs, dealing with problems of immigration and integration. Another implication for work in the field might be of good use for private companies, operating on a global scale and concerned about human rights and multiculturalism. That could be seen in the larger context of migration, trade, development and conflict prevention.

Secondly, during the time I was writing this paper, more questions than answers popped up. Many aspects were delimited here due to word limits, but I'd like to propose some topics for further research: the gender perspective in asylum migration; cultural perceptions of corruption and bribery practices; the quality of language interpretations during the interviews with the Immigration authorities – what is lost in translation, what is distorted, how accurate it is; what happens with the failed asylum seekers; cultural peculiarities and integration challenges; as often asylum seekers are labeled "bogus", is there a mutual exclusion between asylum seeking and economic migration?; exploring the cracks within the international humanitarian law and should there be a categorical distinction between lawfulness and

morality?; types of political and social engagement of asylum seekers and refugees with the home country. [3]

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[3] Total number of words (excluding abstract, references and annexes) 19, 718

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Materials adapted from: www.refugeeswelcome.dk

ANNEX 1

Nickname	Country of origin	Education/Occupation
HSB-22	Syria	tailor
HAB-23	Syria	student in economics
UD-38	Uganda	bartender
SS25	Syria	student
DD-812	Rwanda	artist
Pat-T40	Tajikistan	writer
SA32	Syria	tailor
AFFAR-25	Afghanistan	student/interpreter
MAFC-22	Somalia	-
KobS21	Syria	-
CRT22	Rwanda	film industry
RMS-35	Syria	doctor
HSU-38	Sudan	-
M12	Congo	-
Beru40	Belarus	computer science

ANNEX 2

YOUR WAY THROUGH THE ASYLUM SYSTEM:

(amounts of time are only rough estimates and can vary!)

FLYGTNINGE
UNDER JORDEN
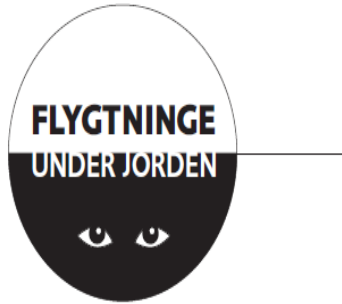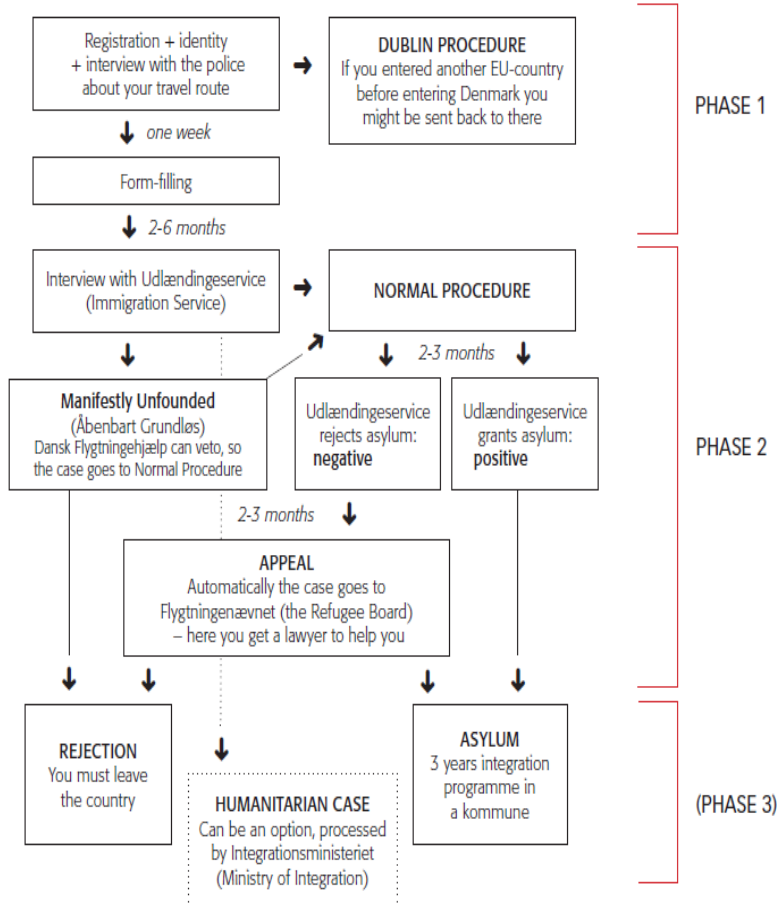
The centres

Røde Kors:
- Sandholm (arrival- and departure)
- Avnstrup (departure)
- Auderød (arrival)
- Kongelunden (special care + women)
- Gribskov (UMI)
- Vestervig (UMI)
- Sjælsmark (UMI)
- Sandvad (UMI)
- Jægerspris (UMI)
- Vipperød (UMI)
- Sigerslev
- Ebeltoft
- Grenå
- Rødby
- Jelling/Thyregod

Kommunale:
- Brovst
- Hvilested (UMI)
- Thisted
- Holmegård

Registration + identity + interview with the police about your travel route

→ **DUBLIN PROCEDURE** If you entered another EU-country before entering Denmark you might be sent back to there

↓ *one week*

Form-filling

↓ *2-6 months*

Interview with Udlændingeservice (Immigration Service)

→ **NORMAL PROCEDURE**

↓ *2-3 months* ↓

Manifestly Unfounded (Åbenbart Grundløs) Dansk Flygtningehjælp can veto, so the case goes to Normal Procedure

Udlændingeservice rejects asylum: **negative**

Udlændingeservice grants asylum: **positive**

2-3 months ↓

APPEAL Automatically the case goes to Flygtningenævnet (the Refugee Board) – here you get a lawyer to help you

REJECTION You must leave the country

HUMANITARIAN CASE Can be an option, processed by Integrationsministeriet (Ministry of Integration)

ASYLUM 3 years integration programme in a kommune

PHASE 1

PHASE 2

(PHASE 3)

www.flygtningeunderjorden.dk

The Danish Asylum System · 2

Source: www.refugeeswelcome.dk