Deportation in Focus: The Paradox of Claiming to Safeguard Deportees’ Psychosocial Wellbeing

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The yardstick set by the EU to enact ‘fair, humane and effective returns’ includes the very basic human rights to health and life. States have an obligation to ensure that the human rights of all are safeguarded – and justifiably it is expected that in state-organised activities this standard is meticulously upheld. But is it at all possible for a state to claim that it is safeguarding deportees’ human rights? In an attempt to answer this question, this post explores migrants’ experiences of the first stage of the deportation process in Sweden in terms of their psychosocial wellbeing and human rights.

https://kabulblogs.wordpress.com/2014/05/04/how-is-the-situation-of-afghan-asylum-seekers-in-sweden/

In the EU, returns, including deportations, are a major pillar of the European Agenda on Migration with mounting pressure on member states to increase their rate of returns. Moreover, recently, returns were framed as a ‘solution’ to the so-called refugee crisis – a move which I have argued is unethical. In this context, states tend to claim that migrants return ‘voluntarily’, even as some of these so-called ‘voluntary’ returns are often deportations by another name; migrants do not wish to return, but provided with no alternatives they end up taking the ‘voluntary’ return option.

According to EU law, returns need to be carried out with ‘respect of fundamental rights’ and pre-removal detention should be ‘humane and dignified’. However, as explained in my recently published paper, deportation from Sweden to countries outside the European Union compromises the psychosocial wellbeing and mental health of migrants. Deportation is presented by deportable people as an extreme form of existential and psychological violence, which can manifest itself as physical violence too. It is therefore unclear to what extent deportation can ever be ‘humane and dignified’. 
Sweden introduced border controls and identification checks to stem the flow of refugees into the country late last year (Photo: AFP/Getty)


Sweden is a good case study because it is an EU Member State with a developed welfare system and an international reputation for respecting human rights, and it generally fares well with respect to migrants’ rights in both the legal and welfare systems. The latest legal changes which came into effect in July 2016, which bring Swedish regulations down to the minimum level under EU law and international conventions, mark a break with this tradition. Among other provisions, people with subsidiary protection are given temporary and not permanent residence permits and family reunification has been made more difficult. These legal changes are a demonstration of the changing policy approach prioritising state interests over and above migrants’ human rights.

The deportation process in Sweden starts before the actual removal of the migrant. In fact, a person becomes deportable when they have been given a ‘decision to leave’ and they refuse to comply or to collaborate with the Swedish Migration Agency. The case is, then, handed over to the police, with the understanding that some element of force might be needed to implement the return decision. Forced returnees can be asylum-seekers whose applications are turned down, or people who for various reasons have lost their permit to stay, or never obtained one. They are all people whose dreams of establishing themselves in Sweden have been denied. More critically, they are people coming to terms with the prospect that they may be returned to their country of origin or to a third country (deportations under the Return Directive are all Dublin Regulation or using the safe third country principle).

For people in the deportation process in Sweden, this is a period in their lives which is imbued with fear, uncertainty and an ebbing, yet still present, hope that their situation might change.

Drawing on an analysis of ethnographic material and narratives of deportable migrants living in the community and in detention collected between 2014 and 2015 in Sweden, my study tried to answer two questions: Was the impact on deportable migrants’ wellbeing proportionate to the state’s obligations to manage migration and its borders? How did migration, human rights and psychosocial well-being intersect?

First, I found that they experience the all-consuming, debilitating fear of being sent to their country of origin. Apart from the fact that these are often countries in conflict or post-conflict situations, the fears many deportees experience are rooted in their experience of what originally led to their flight, which they have spent years reliving in their attempt to build a case for non-return. They include traumatic experiences such as witnessing direct violence or death of community members, or the degeneration of a community into conflict. What is more, for
those who have spent most of their lives outside of their country of origin, this is a country they don’t know. Second, they also resented the lack of control over their lives and their future, a situation characterised by powerlessness, dependency and depersonalisation as well as erosion of social rights.

Rejected asylum seekers in Restard Gård demonstrate against a deportation order (Photo: Swedish TT)

http://www.rudaw.net/english/world/05062016

Third, the housing situations of deportable migrants accounted for the varying levels of psychosocial and mental health deterioration. For those living in housing provided by the Swedish Migration Agency, often located in isolated spots, the main issue affecting their wellbeing was their limited or non-existent interaction with the host communities and relationships with other residents, who might be in a similar situation. On the other hand, those migrants who are in hiding and living in personally-made arrangements in the community the main factor is the need to move constantly both due to the precariousness of the housing arrangement but also due to fear of being caught. Their lives tend to be characterised by paranoia and fear that they will be turned in. In turn, migrants who are in detention experience by far the most restrictive and extreme life conditions. They present high levels of stress, anger at being locked in and evident signs of apathy and resignation.

This study shows how deportable migrants in Sweden experience the first part of the deportation process as extreme, painful and agonising in spite of the well-regulated, sophisticated bureaucratic structures in place. Migrant narratives of their deteriorating mental health show the embodiment and consequence of the violence inherent in the deportation practice. Symptoms such as intense anxiety, fatigue, depression, insomnia and thoughts of suicide are often associated with depressive episodes or traumatic incidents. However, ‘strong’ and ‘determined’ they present themselves, migrants at risk of deportation appear to have little space and time to invest in coping strategies, or to take care of themselves.

Finally, this study points to a trade-off that migrants make. They ‘prefer’ to remain in the precarious situation of irregularity and at risk of deportation in Sweden, despite knowing that they are putting their own health at risk, rather than to be sent back to their country of origin, whether ‘voluntarily’ or not. This is a ‘forced choice’ that brings to the fore the sheer absurdity of trying to discuss a deportee’s psychosocial wellbeing and health. This is not an argument to absolve states from their responsibility to minimise the harm done, but rather one that shows the gravity and violence that deportation inflicts.

Note: This post is based on the author’s chapter ‘Burning without fire’ in Sweden: The paradox of the state’s attempt to safeguard deportees’ psychosocial wellbeing’ in the recently published collection edited by Zana Vathi and Russell King, Return Migration and Psychosocial Wellbeing: Discourses, Policy-Making and Outcomes for Migrants and their Families.

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