



# **WELCOME TO CALAIS**

**AN INFO-GUIDE FOR REFUGEES AND MIGRANTS**



## **PREFACE:**

**This booklet provides printed information to people who find themselves in Calais. The asylum system changes all the time and you should contact lawyers and advice services in the country you want to stay in to find out if the information is still valid! We have included legal contacts in the last section on each country. This booklet was last proof read in Summer 2015.**

**We collected information from people with experience in migrant issues in the included countries as well as from various online resources amongst which:**

**[www.w2eu.info](http://www.w2eu.info)**

**[www.asylumineurope.org](http://www.asylumineurope.org)**

**Asylum laws and procedures are also sometimes not respected and the reality can be very different from what is written in this booklet. Even if you completely follow legal procedure it may not result in a successful asylum claim and you might have a difficult time. There are also exceptions to the rule: people who have already been through the asylum process may have extra information which could help you.**

**This booklet uses the terms migrant and refugee but addresses anyone who wishes to move around and live in europe.**

**If you notice content which is incorrect, misleading or inaccurate please contact us: [welcome2calais@riseup.net](mailto:welcome2calais@riseup.net)**

**We intend to print updated versions as needed.**

# WELCOME TO CALAIS

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## **? WHO IS 'NO BORDERS'? WHY ARE YOU HANDING ME THIS GUIDE?**

We are a loose group of people who have been working together in Calais since 2009. Some of us live in Calais, others live in different countries and come to stay a short while here. As activists, we support refugees where we live and elsewhere because we believe everyone deserves to live where they want and have access to a good life. We believe that freedom of movement is everybody's right and we want a world without borders. In order to support you, we would like to give you some useful information about Calais and Europe. We hope you have a safe journey to wherever you want to go!

## **? WHAT DOES NO BORDERS DO IN CALAIS?**

We provide direct aid and work together against the border with people who are denied the basics of life – decent food, shelter, freedom of movement.

We don't get money for our work and we don't work together with the state or the church.

If you need any more information which is not written in this booklet or if you have specific questions, get in touch with us.

## **CONTACTS**

-  07 53 030410  
(from inside France)
-  00 33 7 53 030410  
(from outside France)
-  [calais\\_solidarity@riseup.net](mailto:calais_solidarity@riseup.net)
-  [calaisolidarity@gmail.com](mailto:calaisolidarity@gmail.com)
-  [calaismigrantsolidarity.wordpress.com](http://calaismigrantsolidarity.wordpress.com)

## INTRO TO CALAIS

Welcome to Calais! Calais is a medium-sized town of 73,000 inhabitants (105,000 with the neighboring municipalities of Coquelles, Marck and Sangatte). It is in the north of France, near Belgium and across from Britain.

For a long time, Calais used to be an English town. It is the main crossing point between the continent and Britain by boat or, since 1994, the Channel Tunnel. Much of the city was destroyed during World War II and part of the population had to flee.

Calais is traditionally an industrial city, but it has been greatly affected by the successive crises and more than 20% of the population is unemployed. It is also a city whose population is younger than in the rest of France.

## REFUGEES IN CALAIS

Refugees have lived in Calais for many years.

In the early 1990s, after the fall of the communist regimes in Eastern Europe, refugees from these countries began to come to Calais and found themselves blocked by the border. Starting in the mid-90s, these were mainly people fleeing the war in the former Yugoslavia, including many families with children.

The population was mobilized, associations lobbied the state and they were able to open up a centre for refugees.

In 1999, a shelter was set up in a large hangar at Sangatte, outside of Calais. It was managed by the Red Cross. It hosted several thousand people over three years.

In 2002, the government changed and the Sangatte centre was closed. Since then, the state has prevented any permanent settlement or reception of refugees in decent conditions. Shelters are regularly destroyed and squats evicted.

The countries of origin of refugees have changed over time: Kurds, Afghans, Iranians, Vietnamese, Albanian, Syrians, Eritreans, Sudanese, (...).

In 2009, a big increase in the number of refugees in Calais attracted media attention. The government staged the spectacular destruction of the main camps and squats. But it did not solve anything, and refugees are still here. Several attempts have been made at collective deportations, including to Afghanistan, but they were stopped by the courts.

Since 2009, more and more people have asked for asylum in Calais. But the reception of asylum seekers has become worse throughout France. They often have to apply to the courts to have their basic rights recognized, starting with decent housing.

In 2014, the number of people seeking asylum in Calais increased dramatically again and attracted more media attention. Some of the local population has become more hostile to refugees, and recently racist groups (like

‘Sauvons Calais’) seem to be gaining support. In response to the new arrivals, the government has opened a new ‘day centre’ called ‘Jules Ferry,’ but it is very far outside of town and will not fix the situation for those staying here.

## ASSOCIATIONS AND ACTIVITIES IN CALAIS

### ? WHERE CAN I GET FOOD?

■ **Jules Ferry Day Centre**, Route de Gravelines, bus number 11, busstop Mouline Rouge, 1 euro per ticket. Everyday from 5pm to 8 pm. There is warm, halal food!

! **PROBLEM!** The way to get there is ■ very far and sometimes there are police or fascists on the way. It is good to go there with a group instead of walking alone.

The different associations bring food donations to the camps around once or twice a week, so that you can cook for yourself.

Many people go to Lidl supermarket, since it is quite cheap and the closest to the Jules Ferry camp. Also, many supermarkets throw away food, even though it is still good. You can look in the garbage next to supermarkets and find things to eat sometimes.

### ? I AM SICK, WHERE CAN I GET TREATMENT?

The emergency room at the hospital treats everyone who has an urgent health issue.

The **PASS clinic** (the small container-house on the left, next to the hospital parking) treats people without health insurance or papers from Monday to Friday from 1.30 to 5.30 in the afternoon.

Asylum seekers have the right to Universal Health Coverage (ask the association that is handling your asylum claim).

### ? WHERE CAN I TAKE A SHOWER?

The **PASS Clinic** (the small container-house on the left side by the hospital parking) – the first twenty male persons that arrive at 13.30 can take a shower there.

In the **Jules Ferry Day Center**, you can take a shower until 15:00. They will give you soap and towel, but the shower only lasts for 4 minutes.

### THE LADIES’ HOUSE: WOMEN AND CHILDREN ONLY

can sleep, take a shower and cook in the ladies’ house. It is inside the **Jules Ferry Day Center**. The association “La vie active” is responsible for the place, but it is mostly the women themselves who manage everyday life. Sleeping spaces are sometimes limited, but if you

are a woman you can always go there for a shower. You have to pass by the security guards with a dog or ring the bell outside if you arrive late at night. You have the right to go in and out whenever you want!

you are from or for what reason you came.

### **? WHERE CAN I GET A BLANKET / TENT / CLOTHES?**

If you need blankets, clothes or tents, you can ask No Borders. BUT they are not an official organisation and they don't always have any. Sometimes, people go to the jungles with vans full of donations and hand out tents, sleeping bags or blankets. Sometimes, Médecins du Monde buys a lot of these items and brings them to the jungles (especially after evictions, when living spaces get destroyed by the police). Unfortunately, there is no place where you can always go and get these things for free. It depends on the donations that are sent to Calais.

Once every two weeks on Saturday, a clothes distribution takes place at the Vestiaire on rue de Croyx, near Notre-Dame Church.

### **? WHO CAN HELP ME WITH MY ASYLUM CLAIM / ADMINISTRATIVE PROCEDURE?**

**Secours Catholique** – if you need legal advice or want to ask for asylum, it is a good idea to go to Secours Catholique. They can give you advice and will try to support you, no matter which country

## ? WHERE CAN I USE THE TELEPHONE / INTERNET?

### Mediatheque de Calais

Rue de Pont Laltin 16 (close to the big shopping center and the theater) opens at 10 am, closed on Sunday and Monday!

**! PROBLEM!** You need to show them an ID card or passport or papers that show that you asked for asylum.

In some neighbourhoods there are hotspots you can use and there are coffeeshops with free wifi. (for example MC Donalds in the neighbourhood la ZUP).

## ? WHERE CAN I CHARGE MY PHONE?

**Secours Catholique** - From 9 in the morning to 5 pm in the afternoon from Monday to Friday

**Day Centre Jules Ferry** - Everyday from 2 pm to 5 pm in the afternoon

There are often some private people that agree to charge telephones. Ask around in the jungles to get the contact and address of these people.

## ? WHERE CAN I PLAY FOOTBALL?

Every Sunday around 15:00, people come together to play football together (migrants from different communities and French people that live around Calais) at the **Citadelle**. Everybody is

welcome to join and play. Often people bring sports clothes and sports shoes there that you can use!

## ? WHERE CAN I FIND AND FIX A BIKE?

There is a new bike workshop in Secours Catholique

## ? WHERE CAN I LEARN ANOTHER LANGUAGE?

There are French and English classes in different places on several days of the week. Check out the Secours Catholique and ask around, there are also teachers coming to the jungles to give lessons there.

You can also check out 'le locale' at Boulevard La Fayette 162 on the corner opposite of a fish shop. They have language lessons in English, French and possibly others. They also have bread making workshops, tea time, books, legal information and more.

## ? WHERE CAN I GET FREE CONTRACEPTION AND ADVISE ABOUT SEXUAL HEALTH?

Contraception in France is legal and free. In the **PASS clinic**, you can get male condoms and in the **Family Planning Center** you can get any type of contraception (the pill, female condoms, injection, loop, etc.).

**Centre de Planification ou d'éduca-**

## Secours Catholique:

A Catholic charity that provides many services to migrants in Calais, they have a place where you can go during the day. They don't mind which religion, if any, you practice:

Boulevard Victor Hugo

walk down the road towards the hospital and the motorway, you will pass by on the right side a supermarket called Carrefour. The association is in a house on which is written „la Chevaline“.

 <http://pasdecalais.secours-catholique.org/>

 [pasdecalais@secours-catholique.org](mailto:pasdecalais@secours-catholique.org)

## Medecins du Monde:

“Doctors of the World” organise healthcare in the jungle, and also other social services.

 <http://www.medecinsdumonde.org/gb/En-France/Calais>

 [migrants.npd@medecinsdumonde.net](mailto:migrants.npd@medecinsdumonde.net)

## L'Auberge des Migrants.

A local association who regularly brings food to the jungles

 <http://www.laubergedesmigrants.fr/>

 [laubergedesmigrants@hotmail.fr](mailto:laubergedesmigrants@hotmail.fr)

## 'le locale'

A local space offering language lessons, bread making workshops, tea time, legal information and more.

Boulevard Lafayette 162

## tion familiale

Rue Mollien 70, 1er étage (1st floor)  
62100 Calais

 03 21 21 62 33 (they may only speak French)

If you want to have a check-up for sexually transmitted infections (like HIV, Hepatitis B), you can make a free and anonymous blood test at the “centre de dépistage.”

## Centre de Dépistage

Anonyme et Gratuit.

1601 Boulevard des Justes

62100 Calais (Bus 3, 7, 8 La Roselière)

## USEFUL ADRESSES

If you don't want to walk, there are public buses that can bring you from A to B. All buses cost 1 Euro per ride. There is a busmap and a map of the city at the busstops and at the touristoffice (close to the trainstation)

## Big hospital and emergency room:

Boulevard des Justes,

62107 Calais

It is close to Secours Catholic and the former ladies house if you ask people where to find it

## LA PASS Clinic:

The pass clinic is next to the big hospital on a parking. It consists of two big grey containers.

## Daycenter Jules Ferry:

the daycenter is quite close to the port follow „Route de Gravelines“, then turn left on „chemin des dunes“

## ? HOW DO I REGISTER A SIM CARD FOR MY PHONE?

If you would like to have a SIM card, it's a good idea to choose Lyca, because you can communicate with all other Lyca phones for free and you don't need to give a real name in order to register.

How to register your SIM card:

Call 323, they speak English, French and Arabic.

You need to give them a name, an address (street, number, postcode) in Calais (postcode: 62100), and a passport number (UK passport numbers always consist of 9 numbers, for example: 450100397). They only check if the address exists, so as long as you give them a real address in Calais it will work. They don't check the passport number.

Once the phone call is finished, you have to switch your phone off and on again - now it works!

## POLICE, ARREST AND DETENTION

### ? WHAT SHOULD I DO IF I AM ATTACKED BY THE POLICE OR ARRESTED?

If you are attacked by the police, you are not alone. Everyone has the right to make a complaint against the police if they abuse their power, whether or not you have papers. If you want to complain about police violence, talk to a lawyer, or get support, you can call this number: **0605862150** (Lyca). This is not an official group, but a small group who try to support people experiencing police violence by collecting evidence and putting people in touch with legal and medical help when possible.

Attacks by the police in Calais against migrants are both severe and frequent. Many migrants are randomly arrested on their way to basic services (e.g. walking from the jungle to the waterpoint in the squat, taking the bus to the hospital, buying something at the supermarket or coming back from the food distribution). Many migrants have also been beaten and tear-gassed by the police, and have gotten broken legs, arms or facial injuries. We have also heard many reports of police chasing migrants into busy motorways, which has caused a number of deaths in the last few months.

## RIGHTS AND RULES IF YOU ARE ARRESTED

An identity control can last up to 16 hours for foreigners.

It is possible that you might be taken to the police station and then released within several hours, even if you don't have any papers. In general, police custody officially begins the moment you are arrested. The police has to inform you about your rights in a language that you understand (notification of rights)!

## INSIDE THE PRISON YOU HAVE THE RIGHT TO

- \* Let a friend or family member know
- \* Make phone calls
- \* Contact the association of the prison
- \* Get a translator
- \* See a doctor
- \* Get assistance from a lawyer

While in police custody, you have the right to refuse to answer questions, and it is best not to sign the statement that they hand to you and a translator will translate (you don't have to sign). However, it is good to know exactly what it says. Pay attention to everything that is written in the statement: time and place of arrest, etc. A small mistake could help the lawyer to get you out of prison. If you recognize a mistake made by the police that could help you in court, do not tell the police; they may correct it.

You should not be held in prison for longer than it takes to carry out the investigation. In this case, this means verifying 'the full identity' of the person arrested (full name, address, nationality, parents' names) and collecting statements.

## DETENTION CENTER (CRA)

If you don't have a visa for France, the Préfet (chief of police) can also send you a OQTF (Obligation to leave the French territory).

That means that if you are arrested, you'll be placed in a detention center (CRA). Rules there are a bit different than in prison. You can keep your belongings and let someone bring them to you, you can also have your phone (although police may take it away if it has a camera.) Guards will keep your money. Any person can visit you, they need to know your full name and present an I.D. You can be brought clothes, food in closed bags, tobacco (not opened packages), and cash.

**If you receive deportation orders (OQTF\*, APRF\*, etc.), you have 48 hours to make an appeal against it. Contact the association of the detention center, they will help you!**

**Maximum detention time in France is 45 days. You have right to have a translator throughout the procedure.**

Within the first 5 days, you must be brought to a special judge called a JLD (Juge des Libertés et de la Détention) who will decide if your detention is

## WHAT SHOULD I DO IF I AM PREGNANT?

To take a pregnancy test, go to the **PASS clinic** or to the family planning center in Calais:

### Centre de Planification ou d'éducation familiale

Rue Mollien 70, 1er étage (1st floor)  
62100 Calais

☎ 03 21 21 62 33 (they may only speak French)

or to the **PASS clinic**.

After this, they will give you appointments in the big hospital to do regular check-ups.

If you are pregnant and you decide to ask for asylum, French law considers you to be “vulnerable” and you will be prioritized like minors and sick people. This does NOT MEAN that you have a higher chance to be accepted as a refugee and get long-term papers, but you will receive social services like housing, health insurance and money immediately, without having to wait.

## ? WHAT SHOULD I DO IF I'M PREGNANT, BUT DON'T WANT TO / CANNOT CONTINUE THE PREGNANCY?

If you are pregnant, you are free to decide if you want to keep the baby or not. It is your choice! Even if you are minor, you have the right to decide on your own whether or not to keep the baby.

In France, it is legal have an abortion until the 12th week of your pregnancy (for specific

legal or if the police made any mistakes. If you can prove mistakes in the procedure, they have to let you go (e.g. failure to respect your rights in prison or errors in the timeline).

**You should tell your lawyer to look for mistakes in the procedure. You'll be presented again to the judge (JLD) after 20 days. All proof that you can present then must have occurred within those last 20 days.**

To deport you, France needs permission from the embassy of the country they think you are from. You will have an interview with a public official. You should ask to stay alone with him – it's your right. You have to do an interview but you can ask to do it later if you don't feel well (sickness...).

If you are in a deportation center, you have 5 days to apply for asylum. Then you will be under the quick procedure. at the hospital or a special center under good and safe conditions! The risks of an abortion are very low and has normally no effects on your health and fertility in the future.

medical reasons, abortion can also take place later). You don't have to pay for it and it will be done

## WHAT TO DO

**1** Take a pregnancy test to be sure you are pregnant. You can buy one at the supermarket and in pharmacies. In French it is called a 'test de grossesse.'

**2** If the test is positive, make an appointment as soon as possible at the

### Centre de Planification ou d'éducation familiale

Rue Mollien 70, 1er étage (1st floor) 62100 Calais

☎ 03 21 21 62 33 (they may only speak French)

They will ask when your last period was, your birthdate and your name. Another possibility is that you go to the **PASS clinic** directly and explain your situation to them.

If you want, you can go with a friend to support you. (If you are underage, you have to be accompanied by an adult of your choice.)

**3** At the **Centre de Planification**, they will do a short check-up and then arrange an appointment at the big hospital for your first medical consultation.

**4** You will have your first medical consultation in the big hospital of Calais. Sometimes they make problems there and don't want to allow migrant women to have their abortion there.

This is wrong and they do not have the right to reject you!

You can show them this legal text:

*“la loi fait obligation aux structures hospitalières de prendre en charge les IVG de femmes étrangères sans papiers*

*La loi DHOS /DSS/DGAS N°141 du 16 Mars 2005 demande*

*- la prise en charge des soins urgents des étrangers-res RÉSIDANT en France de manière irrégulière et non-bénéficiaires de l'Aide Médicale d'Etat*

*- et donne ainsi accès à l'IVG à toute femme étrangère séjournant en France”*

They will make a blood test and an sonogram (picture of your stomach). The doctor will write a summary of the examination and will make an appointment for the abortion. (The abortion will only take place 7 days after your first examination, unless it is an emergency. This is called 'period of reflection,' in case you change your mind and don't want to abort anymore.)

**5** If you are underage: You have to have a conversation with a social worker before the abortion. They will give you the contact at the **Centre de Planification**.

**6** The day of the abortion. Two methods exist:

\* The medical method (with a pill): This is possible until the 5th week of your pregnancy without going to hospital. From the 5th to the 7th week of your pregnancy it can be done at the hospital.

\* The surgical method is possible until



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OK.  
asylum in the UK or other EU countries?



Asylum in other EU countries will be similar, but there are some important differences in each country. We also put in some information on other countries, like France or Germany, but we don't have space to explain everything. If you decide to apply for asylum in another country, it makes sense to contact a lawyer or a refugee support group in that country when you arrive or beforehand (you can find some contact information here). They will give you more details about how to apply for asylum in whatever country you decide to go to.

## APPLYING FOR ASYLUM IN THE UK

The asylum system is complicated. You will have a better chance if you understand how the system works.

### ? WHAT IS ASYLUM?

When you claim asylum in the UK you are asking for recognition as a refugee. The legal definition of a refugee is:

*'A person with a well-founded fear of persecution because of their race, religion, nationality, political opinion or membership of a particular social group.'*

You must show that there is a real future risk to yourself (not just to others), and that you cannot be protected anywhere in your country. You must also show why the UK should be responsible for your protection.

**ATTENTION!** If you have left your country in order to find a job or a better life you cannot be classified as a refugee under international law.

You must claim asylum as soon as practically possible after you arrive in the UK. If you wait too long, your claim is more likely to be refused, and you may not get help from the government (housing and food). However, you can make a late claim if you have a convincing reason. For example, if you were not able to travel to Croydon to

apply for asylum before now, or were instructed by your smuggler to wait a few days, and so on.

## DUBLIN CONVENTION

### ? WHAT IS DUBLIN III?

■ The Dublin Procedure is used to find out which European Member State is responsible for examining an asylum application. Your asylum application will be processed by the first country that they can prove you entered. If you have given fingerprints (EURODAC) in another member state, you will be removed to this country and your asylum application will happen there. You have no choice about this. Some member states use force to get fingerprints. Other sources of evidence can also be used to prove you came through another Members State (e.g. if you tell them).

Any details you give in interviews about your journey will decide if Dublin III will be used or not. If you flew directly into a country or can prove you came overland without stopping and were unaware you were crossing other member states (e.g. inside a closed truck), you should not be transferred. The interview procedures are a little different in each Member State. You should be informed in detail how the Dublin III procedure works.

You will be interviewed in person in

order to find out which Member State is responsible. If the State you are in decides that your asylum application is to be processed in another Member State, it requests a transfer. If the second State agrees to take you, you will be informed by letter.

**Example:** If you apply for asylum in Germany but say during your interview that you spent three weeks in Spain; you may be transferred back to Spain under Dublin III and have to ask for asylum there.

**Family:** If you tell the authorities that you wish to join your husband, wife or child (children under 18 years can also join siblings), who is an asylum seeker or a refugee in another Member State, you may be transferred under Dublin III.

**Transfer:** When the notice has become final, the Member States agree on the conditions of the transfer. The entire Dublin procedure cannot last longer than 11 months. (except when a person flees or if the person is imprisoned). If you have lived for at least 5 months in a State, this country is responsible for your application.

**Member States:** Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom,

plus Norway, Iceland, Switzerland and Liechtenstein.

## ? CAN I CHALLENGE DUBLIN?

Challenging Dublin cases is very hard, but there are some legal processes against deporting to some other EU countries. If you have been fingerprinted before coming to the UK, it is very important to ask for advice before you claim asylum (contact one of the friendly organisations below).

## SOME REASONS YOU MAY BE ABLE TO CHALLENGE A DUBLIN REMOVAL

\* ECHR Article 3 breach – inhuman and degrading treatment (this is currently the case for Greece and there are ongoing challenges for other countries in EU).

\* If you have family in the UK

\* If the UK wants to send you to an EU country that is likely to send you to a country that the UK does not deport people to

\* If you have been a victim of torture or you have a serious medical condition, you should not be detained. These are not reasons against a Dublin removal but can give you more time to get advice.

## ? WHAT IS ‘DETAINED FAST TRACK’?

Sometimes your case might be dealt with under a quicker system called Detained Fast Track.

**NOTE SEPTEMBER 2015\*\*:**  
**Right now Detained Fast Track is no longer being practiced and ruled illegal. However we include information on it here since some people think the UK may return to practicing it in the future.**

Detained Fast Track means that you will be sent to a detention centre (immigration prison) while the Home Office deals with your claim. You may be treated in this way if you come from a particular country and the Home Office thinks your case is straightforward (obvious and weak). However, you may be able to avoid this by being prepared and having a strong case!

## WHAT YOU SHOULD KNOW ABOUT ‘DETAINED FAST TRACK’

\* Virtually all cases in this category are refused (99% in Harmondsworth), with 93% refused on appeal.

\* You have 2 days to appeal a decision.

\* The whole process takes place in detention and the decisions and appeal happen very quickly, although actual deportation takes much longer.

\* Making an appeal should ordinarily delay (“suspend”) any attempt to de-

port you. If you are considered to be a Non-Suspensive Appeal case, you do not have a right to an appeal that can suspend deportation.

## UK ASYLUM PROCESS UNLESS FAST-TRACKED

Make an appointment to claim asylum at Lunar House by calling the Asylum Screening Unit as soon as possible: 020 8196 4524. They will ask some basic questions. Alternatively you can go to a police station and they will connect you with immigration.

There will then be a screening interview. You will be asked about how you came to the UK, and your fingerprints and photo will be taken to decide whether to deport you to another European country. You will have to give some brief information about the basis of their asylum claim.

- \* First reporting event: You will meet your caseworker, who should explain various aspects of the asylum process.
- \* Age assessment: This will happen if you are a minor but have no evidence of this.
- \* Asylum Interview: The main interview where you will be asked questions about why you left their country and why you need asylum.
- \* Further evidence should be submitted within 5 days of the interview.
- \* You should receive a letter by post later with a decision on your case.

## INTERVIEWS SIMILAR TO OTHER EU COUNTRIES

You will have two interviews. They will be compared with each other so the information you give must be the same in both.

**First interview:** The Screening Interview will ask you for biographical data (name, nationality, date of birth etc.), information on your family (any children or spouses etc), and a little about your reasons for claiming asylum. The most important questions they ask are about your journey to the UK. If they can show you have been through another European country, they will try to deport you there.

**Second interview:** The Substantive Interview (also called the Asylum Interview) is the main interview and will focus on your case for asylum. It is a long interview and can be very hard on people. They will ask the same questions in different ways to force you to make a mistake or contradict yourself. Stay calm and keep to your story. Ask for a break if you need one and say if you are feeling unwell or you don't understand something. You have a right to a translator. If you are not happy with them, then say so. You have a right to a copy of the transcript, but you should read it first before you sign it to say the contents are correct.

After your second interview, you will receive a decision accepting or rejecting your claim.

## EVIDENCE

It is best to have as much evidence as possible prepared before your interview. This might include:

- \* ID documents
- \* Relevant newspaper articles
- \* Death threats/threatening letters
- \* Party/organisation membership cards
- \* Letters from members of your political/religious/social group to certify your membership or attest to the dangers and risks of membership
- \* Arrest warrants
- \* Summons
- \* Medical/legal reports
- \* Written statements from friends and lovers (if your sexuality is the basis of your claim) – these must be signed, dated and witnessed by two others who must give their details and ideally a photocopy of their ID

When getting evidence sent over, try to get originals sent in recorded delivery and keep the envelope. Make sure the person sending it gets a tracking number for the delivery. If there is missing evidence, explain why it is absent or why it is not possible to have it (e.g., no postal system in operation in the country/region).

If possible, get a lawyer before your interview and discuss your evidence with them.

## POSSIBLE OUTCOMES

**Refugee status** gives you 5 years leave to remain. You have the right to work, to state benefits, and to travel to other countries, except your own. After 5 years, you can be removed to your country if the situation has improved. If it has not, you can apply for another 5 years. Once you have been legally resident in the UK for 10 years continuously, you can apply for indefinite leave to remain: ‘settlement’.

Getting a UK passport is called naturalization. You can apply for naturalization after you have been in the UK legally for more than 5 years, but it is not granted automatically. It is expensive, and involves a test, and being able to show that you are ‘of good character’.

**If you are not given asylum**, you may be able to apply for humanitarian protection or discretionary leave.

**Humanitarian protection** is granted for 5 years if you are at risk of indiscriminate violence in your country (e.g. if there is war).

**Discretionary leave** can be given for 3 years for various reasons (e.g. if you are a minor). Talk with your lawyer about these options as part of your asylum claim. You should be considered for humanitarian protection at the same time as claiming asylum, but make sure you ask your lawyer about it.

**If you are refused asylum**, the Home Office will begin the process of

removing you from the UK. You will be given removal directions (a date and time for removal), and if you are not already in detention, you are likely to be detained. The majority of claims are refused to start with but in most cases it is well worth appealing. You can appeal a decision within 10 days (you are assumed to have the decision 2 days from the date of postage), 5 days for detainees. You may need to submit further evidence or make a fresh claim (asking asylum for different reasons). You can also apply for a judicial review which challenges the decision to remove you. Discuss these options with your lawyer and if one lawyer stops representing you, try to get another.

### DETENTION

Administrative detention can be carried out in order to prevent unlawful entry into the UK or to remove (deport) a person. Detention must have these legal bases. In theory, it cannot be arbitrary.

\* In the UK, there is no fixed time limit on detention.

You should get forms stating the reasons for detention, called the IS91R, the Monthly Progress Report (IS151F), which is issued every month with reasons for continued detention, and the Bail Summary, which is written by the caseworker and made available in the event that you apply for bail. If you apply for bail, you should refer to these documents as well as any previous tribunal judgements refusing bail and the grounds for bail.

They are not supposed to detain children, the elderly, pregnant women, those suffering serious medical or mental health conditions, torture survivors, people who have been trafficked, and those with serious disabilities.

In reality, they do, especially people with mental health problems, minors, and torture survivors.

### BAIL

In some cases, the Home Office will let a detainee out on Temporary Admission. A detainee can also ask their caseworker for this. If that does not succeed, you should keep your letters which you can refer to if you apply for bail, in order to show you have taken steps to secure your release or, if the Home Office has not replied, to show that you are being reasonable.

In most cases (i.e. if they have been in the UK for more than 7 days), detainees can apply for bail.

## CONTACTS

### Sources of legal info

Home office

 [ukba.homeoffice.gov.uk](http://ukba.homeoffice.gov.uk)

Blog on immigration law

 [freemovement.wordpress.com](http://freemovement.wordpress.com)

Refugee Council's multilingual info site

 [languages.refugeecouncil.org.uk](http://languages.refugeecouncil.org.uk)

### Advice

Refugee Council

 [refugeecouncil.org.uk](http://refugeecouncil.org.uk)

 0808 808 2255  
(free multilingual advice)

Asylum aid

 [asylumaid.org.uk](http://asylumaid.org.uk)

Law centres

 [lawcentres.org.uk](http://lawcentres.org.uk)

Citizen's Advice

 [citizensadvice.org.uk](http://citizensadvice.org.uk)

Advice & translation, Bethnal Green

 [praxis.org.uk](http://praxis.org.uk)

Advice on European/Dublin issues

 [airecentre.org](http://airecentre.org)

Advice to migrant workers

 [kalayaan.org.uk](http://kalayaan.org.uk)

Medical Foundation, for medico-legal reports

 [freedomfromtorture.org](http://freedomfromtorture.org)

For medico-legal reports

 [medicaljustice.org.uk](http://medicaljustice.org.uk)

Hackney Migrant Centre

 [hackneymigrantcentre.org.uk](http://hackneymigrantcentre.org.uk)

Migrant Helpline

 [migranthepline.org.uk](http://migranthepline.org.uk)

Bail for Immigration Detainees

 [biduk.org](http://biduk.org)

## SPECIAL CASES

### ? WHAT IF I AM A TORTURE VICTIM?

If you are a victim of torture, you should make this clear in your interview, whatever EU state you are in. It can be very hard to talk about torture, but it is important that you declare it as soon as possible. Victims of Torture should be recognized as vulnerable persons in the EU asylum process and may be treated differently than other applicants (e.g. they should not be detained).

### ? WHAT IF I AM GAY/LESBIAN/BISEXUAL/TRANS\*/INTER\*/QUEER?

It's sometimes possible to claim asylum based on the fact that you are LGBT\*I\*Q. LGBTI (Lesbian, Gay, Bisexual, Transgender, Inter) people are recognized under EU asylum law as people facing persecution based on membership in a particular social group (Geneva Convention). When claiming asylum on these grounds, you must prove that due to your sexual orientation you will be severely punished in your home country.

Different countries have different rules on how they treat LGBT\*I\*Q migrants and on whether they can be reunited with their partners.

## GERMANY

An LGBTI applicant in Germany coming from a country that criminalizes homosexuality must show that the punishment is “unbearably severe and in every sense completely unreasonable.”

## FRANCE

An LGBTI person coming from a socially conservative country must show that the prevailing social disapproval of homosexuality also qualifies as grounds for asylum even if not there were not criminal charges.

French courts have also explicitly recognized that transsexuals form a distinctive social group for asylum purposes.

France has a list of so-called “safe” countries of origin. Several of the countries on the safe list criminalize homosexuality.

## LUXEMBOURG

Luxembourg asylum agents have decided that the persecution of LGBTI people is private, and that they could escape this by moving to a different part of their home country.

Luxembourg law recognizes the same-sex partner of the asylum applicant as a family member, but only when the country of origin recognizes the relationship.

### BELGIUM

In Belgium, sexual orientation is grounds for recognizing a claim for asylum. There is a staff member in the office of the Commissioner-General for Refugees and Stateless Persons who reviews applications for asylum based on gender, sexual orientation and gender identity.

### NETHERLANDS

Dutch asylum policy explicitly includes persecution for reasons of sexual orientation as grounds for granting asylum. Criminalization of homosexuality in the country of origin is not sufficient grounds for asylum. The Netherlands will provide subsidiary protection to those who face the grave threat of torture or degrading treatment.

Legally, LGBT people should not be deported if they can prove that they would have to hide their sexuality in their home country. Unmarried partners are recognized as family members for purposes of asylum.

### DENMARK

Denmark's asylum law does not recognize sexual orientation as a particular social group eligible for refugee status. However Denmark will grant a residence permit to an LGBT applicant who faces death or torture (including inhuman and degrading treatment) if returned to their home country. Another challenge facing LGBT applicants is that private acts

of violence against LGBT persons are generally seen as crimes, not persecution. Same-sex unmarried partners must live together to be recognized.

### SWEDEN

The Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights (the "RFSL") has been active in providing staff members of the Swedish Migration Board with training on sexual orientation and gender identity, to reduce problems that arise from lack of knowledge. In addition the RFSL maintains a visible presence in asylum centers (where asylum seekers can, but are not required to, live while awaiting a final decision on their application). The RFSL has reported cases of LGBT asylum seekers being deported to their countries of origin despite a clear risk of persecution.

Same-sex spouses and partners will be considered family members of asylum seekers.

### UK

Asylum is often denied to LGBT applicants fleeing homophobia in their countries of origin, even when those countries criminalize homosexuality. Most of the time asylum is denied even if in your asylum case you argue that it might be difficult to be discreet and private in your home country.

tances, so you might have more luck if you take a lot of short buses (instead of one bus going all the way to your destination).

If you are just trying to travel within France (not internationally!), many people ride the trains without paying. Of course, there are always risks associated with this.

### **? WHAT ELSE SHOULD I THINK ABOUT WHEN TRAVELING?**

Once you reach your destination, you must have a good story of how you got there. Remember that you may only apply for asylum in the country you first entered in Europe. So, for example, if you are applying for asylum in Sweden you should be able to explain how you got there without spending any time in other European countries.

Once you arrive, think about whether you want to immediately make your claim or wait a few days. Legally, you are usually required to make your claim as soon as possible once you have arrived, however make sure you have received legal advice before you do so. You must be able to explain why you did not apply immediately upon arrival (you were instructed by your smuggler to wait a few days, and so on). If you're not sure of yourself, contact an organization who supports refugees in making asylum claims.



## FRANCE

### ? WHERE ARE THE MOST CONTROLS?

Train stations, public transportation (ticket controls), transit places, public/tourist places, on the road, tolls.

### ? HOW DOES THE ASYLUM PROCEDURE WORK?

First, you can get in contact with the OFII (Office Français de l'Immigration et de l'Intégration – The French Office for Migration and Integration), who will give you the contact info for the official associations that can help you during the procedure. But you may want to get in contact with an independent association which is also allowed to help you and may do a better job. You can also talk to a lawyer or to make your application by yourself.

In France, the OFPRA (Office Français de Protection des Réfugiés et Apatrides - The French Office for the Protection of Refugees and Stateless Persons) takes care of asylum claims and decides whether or not to give you refugee status.

The préfecture will give you the first documents you have to give to the OFPRA and take care of the APS (Autorisation provisoire de séjour - temporary residency permit).

### There are two types of asylum applications in France:

The **normal procedure**: you have 21 days to send your application to the OFPRA.

**Procédure prioritaire** (fast procedure):

\* If you come from a country which is considered safe. The list of those countries in February 2015:

Albania, Armenia, Benin, Bosnia-Herzegovina, Cape Verde, Georgia, Ghana, India, Macedonia, Mauritius, Moldavia, Mongolia, Montenegro, Senegal, Serbia, Tanzania.

\* If France thinks your presence is a threat to public order.

\* If your asylum application is considered to be fraudulent or abusive (intent of fraud, burned finger prints.)

**I** If you get a fast procedure, you'll have 15 days to make a application to the OFPRA or 5 days if you're in a detention center. Then OFPRA has 15 days (96 hours if you're in detention) to

accept or refuse to examine your application.

## DUBLIN III

France signed the Dublin III Regulation. If your fingerprints have been taken in another country in the last year, that country will be responsible for your case, and France will try to deport you there.

## ? HOW LONG DOES IT TAKE?

It's hard to say exactly: for the OF-PRA usually between 6 months and 1 year. For the CNDA (National Court of Asylum Rights) it's about the same.

## ? HOW CAN I LIVE WHILE I WAIT FOR A DECISION? DO I GET AN ALLOWANCE?

According to the law, the state has to offer you housing, most of the time in a CADA Asylum Seekers' Accommodation Center), sometimes in an hotel or in an emergency accommodation center. You'll receive some money depending on your situation (whether you are alone, have a family...). In reality, there's a big lack of housing and it may happen that you have to get by on only the ATA (temporary allocation) – 320 €/month!

If you decline or leave an accommodation, you lose any help the state may provide you.

You have the right to a free medical care from PASS during the whole procedure. 3 months after getting a temporary

residence permit, PASS can help you to get state medical help.

## APPEAL

If your claim is refused, you have one month to make an appeal at the CNDA (National Court of Asylum). You have the right to legal assistance from a lawyer.

In the case of a quick/priority procedure, you don't have the right to get legal help and while you are making the appeal, you are not protected from a possible deportation. But normally the authorities wait for a final decision on your case before they deport.

## ? WHAT IF I AM UNDER-AGE?

The legal situation of a minor who is with his or her parents or family depends on the legal situation of the parents. If their parents are evicted the minor can stay in the country with their permission.

An isolated minor can't be evicted. He or she has the possibility to join his or her relatives in another European country.

If you claim asylum, they will offer you housing in an emergency temporary shelter run by social workers. If your application is rejected, you will still have the right to stay in the country until you're 18.

If you stay illegally, you can still get a place in an emergency temporary shelter.

## ? WHAT ABOUT MY FAMILY?

If you are over 18 and in an asylum procedure, it is possible for your relatives (spouse and children) to join you. You need to be able to prove your relationship (marriage or birth certificate).

If you've been granted refugee status, your children and your spouse are allowed to enter and live on French territory.

The procedure can last a long time (up to 2 years). The family regrouping must be done through the OFII.

## ? CAN I WORK AND STUDY?

It's possible to ask for a temporary work permit after 1 year. You need a recruitment commitment or a work contract. Then you can work according to the same legal conditions as any foreigner worker. A minor between 16 and 18 can get the authorization without any conditions.

If you are granted refugee status, you are allowed to work and study as any national.

If you are under 18, you are allowed to go to school. If you are under 16, you have to.

Theoretically, it is possible to go to university during your asylum procedure. You'll need a good knowledge of French and some documentation (diplomas, etc.) for the university to examine.

If you are granted refugee status, you are allowed to study in France and receive financial help from the state if you need it. You will still need the documents that are required for the studies you want to do, as well as the necessary level of French. You can also take French classes and job training through the Pôle emploi (job centre).

## ? WHAT HAPPENS IF I AM NOT GRANTED ASYLUM OR DEPORTED?

If your application is rejected, you can appeal to the CNDA. You have 1 month to do so. It is better to present an uncompleted file than not to respect this one month dead-line (you can complete it any time before the judgment). The file has to include new facts and proofs.

For a priority procedure (procédure prioritaire), this appeal is not suspensive, which means it does not stop deportation

If your appeal is rejected, you will be informed that you have to leave the French territory, this is called OQTF -'obligation de quitter le territoire français'.

It is possible to make a re-examination application to the OFPRA. You then have to present and document new facts not included in your original, rejected application or the OFPRA will simply refuse to re-examine your application. You have 8 days to apply.

It might make sense to make other asylum applications to other embassies

of other countries – keep the receipts – to show your commitment and how serious your reasons are. It could influence a positive decision from France or another country in the future.

It is also possible to try to get a residency permit for another reason (health, work...).

Due to Dublin legislation, when France takes your fingerprints, you won't be able to seek asylum in another European country for the next ten years (unless you can go outside of the Schengen area for at least three months.)

If all your appeals have been rejected, you are in an irregular situation on French territory. You can be deported. You can also be put in a CRA (Centre de Rétention Administrative, a deportation center) or be placed under house arrest.

## ? WHERE ARE THEY GOING TO TRY TO DEPORT ME?

There are three possibilities :

\* **Dublin III** (See the section on Dublin procedures): deportation to another EU country

\* **Rejection of asylum application:** you may be deported to your country of origin.

\* In some cases a deportation cannot take place because of the situation in the country they want to deport you to. You will stay in an irregular situation.

## ? HOW EASY IS IT TO LIVE HERE WITHOUT PAPERS?

If you're in a big city, you have access to the PASS (free clinic), where you can see a doctor and receive a treatment for free. The follow-up for a pregnancy or an abortion is free in France.

In some cities, there are migrant support groups (Collectifs de Sans-Papiers) who can help you to find ways to support yourself. If you can, get some pay statements: that can help you to get regularised. Right now, the law says you can get regularised after five years. You will have to prove your presence on the territory, that you worked for a certain amount of time, that you have a certain level of French, that your kids are going to school.

You can get married. You can use an emergency shelter. You can open a bank account.

## CONTACTS

Organize against expulsion and what to do in case of arrest:

 [sanspapiers.internetdown.org](https://sanspapiers.internetdown.org)

## Sources of legal info

**Groupe d'information et de soutien des immigré-e-s** (Information and migrant support group):

 [gisti.org](https://gisti.org)

**Cimade:**

 [lacimade.org](http://lacimade.org)

**Federation of Associations in Solidarity with All Immigrants:**

 [www.fasti.org](http://www.fasti.org)

**Collectifs de sans-papiers** (Migrants support-groups)

Local groups are present in most of France, here you can find a map listing lot of them:

 [www.gisti.org/spip.php?article1506](http://www.gisti.org/spip.php?article1506)

**Ministry of the regularization of all undocumented migrants**

 [www.ministere-de-la-regularisation-de-tous-les-sans-papiers.net/joomla1.5](http://www.ministere-de-la-regularisation-de-tous-les-sans-papiers.net/joomla1.5)

**Welcome to Europe:**

 [w2eu.info](http://w2eu.info)

**Education without borders** (protection of people going to school):

 [www.educationsansfrontieres.org](http://www.educationsansfrontieres.org)

**EXTRA INFORMATION FOR ASYLUM IN FRANCE AS A WOMAN**

If you are a woman and you decide to

ask for asylum in France or elsewhere in Europe, you might want to take the following information into consideration:

The existence of persecutions specific to women is officially recognised in European asylum law, but unfortunately it is not always respected. These include domestic violence (if you are victim of severe domestic violence and you cannot expect protection from police and judiciary institutions of your country), female genital circumcision, forced marriage, rape – mainly used as a tactic of war – “honour crimes” and forced prostitution in particular.

**Female genital circumcision**

In Lille (one hour by train from Calais), you can find medical and social care for women who have had a circumcision. In the hospital, they can provide you a certificate that gives legal proof of your circumcision for your asylum application.

**59 – LILLE**

Hôpital Saint Vincent de Paul  
Boulevard de Belfort 59000 Lille

 03 20 87 48 48

 [www.ghicl.fr](http://www.ghicl.fr)

Dr. Richard Matis, gynecologist and obstetrician

**GAMS Nord-Pas-de-Calais**

59000 Lille

 06 87 71 67 64

 [www.federationgams.org](http://www.federationgams.org)



## NETHERLANDS

### ? WHAT LANGUAGES ARE SPOKEN THERE?

Official languages: Dutch, West Frisian, English

### ? HOW FAR IS IT FROM CALAIS?

The border of the Netherlands is 140km east of Calais. Big cities: Rotterdam (290km) and Amsterdam (360km). Trains pass through Belgium.

### ? HOW DOES THE ASYLUM PROCEDURE WORK?

You must apply within 48 hours. You can go to a police station. If you entered by land, you have to apply at the Central Reception Location (Centraal Opvanglocatie – COL), where the registration takes place. The

Immigration and Naturalisation Service (IND) is responsible for the registration of the asylum seeker. The Foreigners' Office (Vreemdelingendienst) takes note of a number of personal data. There is also an application center at the Airport, but there you have to deal with the Royal Military Police – may end up in detention.

On the day that you officially lodge your asylum application, the IND will conduct the first interview to find out your identity, nationality, and travel route from your country of origin to the Netherlands. A lawyer is automatically appointed from day one. You have a chance to review this. The second interview will cover the reasons for asylum. You will be given a translator in your dialect. Every asylum seeker is entitled to free legal assistance.

An appeal in the extended asylum procedure is suspensive (you cannot be deported during the appeal). The appeal should be made within four weeks of the rejection. After a decision in the short and extended asylum procedure of the regional court, it is possible to appeal to the Council of State, but this appeal is not suspensive.

The IND prioritises applications from Syrian nationals. This started in February 2013, but it is unclear how long it will last.

### ? HOW LONG DOES IT TAKE?

From 8 days for a short procedure to 6 months plus any appeals.

You will have to wait weeks or months

for your first interview. If your case is considered weak, you might get a decision within 8 days. That means that you will have to leave the shelter after 4 weeks. You can appeal this decision in court during this period. If you win in court, your procedure continues and you will have the right to stay longer. If your case is considered more serious, the time to make a first decision will be delayed to a few months.

### **? HOW CAN I LIVE WHILE I WAIT FOR A DECISION? DO I GET AN ALLOWANCE?**

You will be given a place to live, a weekly allowance for food, clothing and other personal expenses, public transport tickets to travel to and from the legal aid for the asylum procedure, recreational and educational activities, and the costs of medical benefits. Asylum seekers who are granted a residence permit are allowed to stay in the reception centre until COA has found a house for them. Residents of a reception center usually live with five to eight people together in a unit. Like any other person in the Netherlands, asylum seekers can visit a general doctor, midwife or hospital. The Health Centre for Asylum Seekers (Gezondheids-centrum Asielzoekers) is the first place to go for health issues.

### **? WHAT IF I AM UNDER-AGE?**

Families with children are detained for a maximum time of up to 14 days. Unaccompanied children live in small-scale shelters organized by youth

organizations. The children's residential groups usually take care of 12 children, which are under 24-hour supervision. Children of school age (under 18) are obliged to attend school.

### **? WHAT ABOUT MY FAMILY?**

Only married partners count as family. An exception applies for partners who are unable to marry in the country of origin (for example: gays and lesbians). Children under 18 may be brought.

### **? CAN I WORK AND STUDY?**

Adults can attend programs and counseling meetings depending on the stage of the asylum procedure they are in. You may work on maintenance of the centre, cleaning of common areas, etc. and earn a small wage, up to € 13,80 per week. 6 months after you have applied for asylum, you have permission to work. To use learning materials or keep in touch with family and friends, you can visit the Open Leercentrum. Asylum seekers can only work a maximum of 24 weeks every 12 months. Before you can start working, your employer must request an employment-license for you (tewerkstellingsvergunning).

### **? WHAT HAPPENS IF I AM GRANTED ASYLUM?**

If you are issued an asylum residence permit, you must attend an integration course. You may perform paid work and get education. You will be provided accommodation, which will be arranged via the Central Agency for the

Reception of Asylum Seekers (COA).

## ? WHAT HAPPENS IF I AM NOT GRANTED ASYLUM?

4 weeks after a negative decision, you have to leave the reception center.

## ? WHAT IF I GET ARRESTED?

You will be informed of your rights upon arrest, but no written list of rights is shown or presented. You have the right to interpretation and a lawyer. You can inform a relative through the lawyer.

## DETENTION PROCEDURES & RIGHTS

People in asylum procedure can be detained in the Netherlands. This can last up to 18 months and sometimes in normal prisons. Health care should be provided.

## ? HOW EASY IS IT TO LIVE HERE WITHOUT RESIDENCE PERMIT?

More and more migrants are living on the street. Very few are able to access care without NGO assistance. Migrants are often made to sign bills which they shouldn't have to pay. The government health fund CVZ (Collegie Voor Zorgverzekeringen) covers "medically necessary care" of undocumented migrants. Working

is possible; babysitting, jobs in construction, horticulture or in restaurants. The labor inspection sometimes checks companies for illegal workers. An employer can get a fine of 4000 or 8000 Euro a person. An illegal worker will not get a fine, but you can get arrested and be kept in detention. If you do work, you officially have rights under labor law. Employers may want to make use of your vulnerable position and make you work under very poor conditions or against your will (for example in the sex industry). If you are forced to work, you can report your employer to the police and you might get the right to stay under the B9 regulation for victims of human trafficking.

## CONTACTS

### Free Legal Aid

#### Dutch Council for Refugees

 [www.vluchtelingenwerk.nl](http://www.vluchtelingenwerk.nl)

### Free medical care (Amsterdam)

**Kruispost:** offers medical treatment to homeless and to undocumented migrants.

Oudezijds Voorburgwal 129

1012 EP Amsterdam

 020 624 90 31

fax: 020 428 83 30

 [kruispost\(at\)oudezijds100.nl](mailto:kruispost(at)oudezijds100.nl),

 [www.oudezijds100.nl](http://www.oudezijds100.nl)

**The Worldhouse** (Wereldhuis): to get an appointment with a doctor.

No medical treatments itself.

Nieuwe Herengracht 20 (near Waterloo-plein), 1018 DP Amsterdam

 06 22821472

 [info@wereldhuis.org](mailto:info@wereldhuis.org)

 [wereldhuis.org](http://wereldhuis.org)

### **For undocumented workers**

#### **Stichting LOS**

Vestigingsadres per 1 augustus 2014:  
Mauritsweg 20  
3012 JR Rotterdam

 010 7470156

 [info@stichtinglos.nl](mailto:info@stichtinglos.nl)

 [www.stichtinglos.nl](http://www.stichtinglos.nl)

### **Other**

#### **Foundation for Refugee Students:**

For help with studying university in the Netherlands

 [www.uaf.nl/home/english](http://www.uaf.nl/home/english)

### **For under 18**

 [www.nidos.nl/Default.aspx](http://www.nidos.nl/Default.aspx)



## GERMANY

### ? WHAT LANGUAGES ARE SPOKEN THERE?

The official language is German (English is often spoken in bigger cities)

### ? HOW FAR IS IT FROM CALAIS?

The German border is 340km east of Calais. Big cities: Köln (460km), Hamburg (770km), Frankfurt am Main (600km) and the capital city, Berlin (950km). Germany borders France to the east. Otherwise trains pass through Belgium and the Netherlands.

### ? HOW DOES THE ASYLUM PROCEDURE WORK?

You can submit an application for asylum at any Federal Office for

Migration and Refugees (Bundesamt für Migration und Flüchtlinge: BAMF). If you apply for asylum at another governmental agency (police, local migration authorities or foreigners' offices etc.), you will be sent to BAMF. The offices are not very friendly places and it is often better to go with somebody else.

At the Federal Office, you will be asked to provide your personal details and they will take your photograph and (for Dublin III). It is possible that you will be asked 25 questions about yourself (e.g. how you got to Germany, last place of residence). Your answers will be recorded and will be used later during the main interview (Anhörung gemäß § 25 Asylverfahrensgesetz). By law, an interpreter must be provided at both interviews (for your dialect). The transcript of each interview should only be signed if you are sure that it is correct. It is difficult to get free legal aid.

### ? HOW LONG DOES IT TAKE?

The process can take between 6-12 months.

### ? HOW CAN I LIVE WHILE I WAIT FOR A DECISION? DO I GET AN ALLOWANCE?

You will be given a restricted residence permit (Aufenthaltsgestattung). A system called EASY distributes asylum seekers throughout Germany. You will get a bed in a communal house (Erstaufnahmelager). Conditions in

these houses vary. Some are in cities, others in the countryside. You have no choice where you go and have restricted travel for the first four months. You also receive some money.

## ? WHAT IF I AM UNDER-AGE?

You will be given a place in a house with others under 18 years old. There you will have a social worker, a bed, food and some money. It is possible to receive education or job training. It is difficult to bring family members to join you. After you are 18, it is possible to be deported.

## ? WHAT ABOUT MY FAMILY?

A residence permit may be granted to your family (husband/wife/underage children) if you have also been given a residence permit. Those coming to join a member of their family also have the right to work.

## ? CAN I WORK AND STUDY?

After three months in the asylum process it is possible to apply for a work permit. This will be granted mostly in job areas where labor is needed in Germany.

## ? WHAT STEPS DO I HAVE TO TAKE?

You must apply to the Federal Employment Agency (Bundesagentur für Arbeit) for a work permit.

What happens if I am granted asylum?

With residency in Germany, it is possible to take part in free German language courses to improve your chance of getting a job. You will receive welfare until you are able to support yourself. You may travel to but not live in other European countries.

## ? WHAT HAPPENS IF I AM NOT GRANTED ASYLUM?

Toleration (Duldung): you are rejected but not able to travel or you don't have a passport for deportation or the situation in your home country makes it impossible for you to return. This is a short-term agreement for a few weeks but can be extended to several years. You are legally allowed to work but practically it is very difficult the first 4 years. It is possible to get training for a job.

If you are rejected, the Federal Office will write with the result. It is possible to appeal a rejection but you have to do it within 1 or 2 weeks in writing. You can apply for legal aid, but it may not be granted. You may have to wait up to 18 months in a closed center before deportation.

## ? WHAT IF I GET ARRESTED?

You will be informed of your rights upon arrest. A written document containing a list of rights (in German) will be shown to you. If you do not speak German, an interpreter will explain what is on the list. You will then be asked to sign a document confirming that you were informed of your rights.

You may have an interpreter for free.

## ? HOW CAN I LIVE HERE WITHOUT A RESIDENCY PERMIT?

Estimations as to the number of people without papers in Germany range from 500,000 to 1,500,000. Some come secretly to work in Germany. Others once had a residency status, but lost it. There also those who hide after their application for asylum has been refused. The living conditions of illegalised people are very poor. They cannot claim social rights such as medical help and, as illegal labourers, are exploited by their employer.



info@medibuero.de



www.medibuero.de

### Malteser Migranten Medizin

Medical practice for people without a health insurance

Aachener Str. 12, 10713 Berlin-Wilmersdorf



030 82 72 26 00



MMMedizin@malteser-berlin.de

## CONTACTS

### For Medical Aid in Germany without papers

There are medical offices in many German cities. There is a map and a list of addresses on this website:



medibueros.m-bient.com

### Büro für Medizinische Flüchtlingshilfe (Berlin)

Medical support for people without papers

Mehringhof, Gneisenastr. 2A, Hinterhof, Ausgang 3, 2. Stock, Berlin-Kreuzberg



030. 69 46 746

## More Contacts

**PRO ASYL:** independent human rights organisation.

 0049 (0)69 23 06 88

 [proasyl@proasyl.de](mailto:proasyl@proasyl.de)

 [proasyl.de](http://proasyl.de)

### **KUB (Berlin):**

Information centre, advice in many languages, meeting, legal aid

Oranienstr. 159, 10969 Berlin (the nearest u-bahn train is Mortizplatz)

 030 -614 94 00, 030 - 614 94 04,

 <http://www.kub-berlin.org/>

 kontakt @ kub-berlin .

### **Ban Ying e.V. (Berlin)**

Helping migrant women who have experienced violence, exploitation or human trafficking

Anklamer Str. 38, 10115

 030 440 63 73, or 030 440 63 74

 [info@ban-ying.de](mailto:info@ban-ying.de)

 [www.ban-ying.de](http://www.ban-ying.de)



## DENMARK

### ? WHAT LANGUAGES ARE SPOKEN THERE?

The official language is Danish. English is also widely spoken.

### ? HOW FAR IS IT FROM CALAIS?

The border town Tønder is 900 km, the capital city Copenhagen 1200km from Calais. Trains cross through Belgium and Germany.

### ? HOW DOES THE ASYLUM PROCEDURE WORK?

In Denmark, you can apply for asylum in person at a police station or at the Sandholm accommodation centre near Allerød Station. You cannot apply outside of Denmark's borders. Anyone

who isn't refused at the border gets registered, photographed and fingerprinted by the police, then taken to the Sandholm accommodation centre run by the Danish Red Cross, where their application process begins. There is also a Humanitarian Residence Permit which you can apply for outside the normal asylum procedure if you suffer from a serious, documented mental or physical illness, and there is no treatment in your home country.

### ? HOW CAN I LIVE WHILE I WAIT FOR A DECISION? DO I GET AN ALLOWANCE?

Asylum seekers in Denmark are required to live in centers while their applications are processed. Children of asylum seekers are entitled to the same health care as children who are residents of Denmark. Health care expenses for adult asylum seekers are covered by the Danish Immigration Service if health care is necessary and urgent or pain-relieving. You will get free housing, food (in a cafeteria or to cook) and basic clothes. You should receive money for clothes, personal hygiene items, etc. and for food unless you live in a centre which gives free meals. You should also receive support for: necessary health care, education and other activities for adult asylum seekers, accommodation at an asylum centre, transport costs to and from meetings with officials, healthcare etc. A further allowance is available for supporting children.

## ? HOW LONG WILL IT TAKE TO GET A DECISION?

It can take between 3 months and one year, depending on your case and the number of refugees arriving.

## ? CAN I WORK AND STUDY?

If you are over 18, you can apply to the Danish Immigration Service after 6 months for the right to work while seeking asylum. Asylum seekers over 18 must participate in courses at organized by the asylum centre. There are some options to study, especially if you speak English already. Everybody will have access to basic Danish or English courses.

Children between the ages of 7 and 16 will be offered special courses. Children are taught Danish, English, and the other subjects taught in the Danish primary and lower secondary school ('folkeskole').

## ? WHAT IF I AM UNDER-AGE?

If you are alone and under 18 years, you will be given a representative who is not an employee of the Immigration Services. Your application should be processed quickly, and you will live in a special accommodation center. You only have to apply for asylum if they think you are "sufficiently mature", which the majority of the young applicants are considered to be. Otherwise, you should be granted a residence permit if you don't have family or access to public

care in your country of origin. Any information about your health or needs for special care and assistance, as well as the general situation of your country should be considered. To qualify for a residence permit, you must not have access to a reception or care centre in your country of origin.

## ? WHAT HAPPENS IF I AM GRANTED ASYLUM?

You get a temporary permit usually for five years. After the five years, it can be extended or changed to permanent if you meet a number of demands. For the first three years, you must go to an integration program in a local area, where you will be given housing, benefits and language classes. A plan for education and job training will also be made. Refugees generally have the same rights to welfare and health system as any other citizen. If you are granted a residence permit in Denmark, you will be offered intensive Danish language courses.

## ? CAN I BRING MY FAMILY?

If you are married, have a registered partner or are living with a person who has residency in Denmark, you can apply for family reunification. You can also be reunited with children under the age of 15 years old (and older, in certain cases). If you want to get married in Denmark but are illegal you need to be careful: the authorities send a list of everyone who is getting

married to the police. To apply for family reunification in Denmark, you need to fill a written form and provide the necessary documentation. You can get the application package at the Immigration Service, at the local police, the Danish embassy or the consulate in the country of origin.

## ? WHAT HAPPENS IF I AM NOT GRANTED ASYLUM?

Any refused application in the normal procedure is automatically sent to the Refugee Appeals Board. You have the right to remain in Denmark until your appeal has been decided. There is no further appeal, and if rejected, you will be asked to leave Denmark, normally in 15 days. However, if it is not possible to issue a passport or travel documents to you, you may be granted a temporary residence permit after 18 months. This is very rare, as it requires that you sign to leave voluntarily and that the police has given up on the deportation. Denmark waits for an acceptance from the home country before deporting the person.

There is one detention center in Denmark, called Ellebæk, next to the main asylum camp, Sandholmlejren. There is a maximum limit of 18 months for keeping people in Ellebæk. In most cases, the detention period is much shorter. You can also be isolated from the other people in the prison. You have the right to be visited by a lawyer, doctor or priest, and close friends and family after seeking a permit. You have the right to

work for a low wage.

## ? HOW EASY IS IT TO LIVE HERE WITHOUT RESIDENCY PERMIT?

It is very difficult to access health care or welfare systems. There are possibilities for illegal work. People may choose to live in Denmark without papers following a failed asylum application.

## ? WHAT HAPPENS IF I AM ARRESTED?

If the police think that there is any doubt about your identity, they can take you to the police station to establish your identity. You can be held for 72 hours before you see a judge. You will be given a lawyer.

## CONTACTS

### Free legal counselling

#### The Trampoline House

Thoravej 7, ground floor  
DK-2400 Copenhagen NV, Denmark

 (+45) 32 20 02 25

 info@trampolinehouse.dk

 trampolinehouse.dk

#### Asylret (Right to Asylum)

 info@asylret.dk

 www.asylret.dk

## Refugees Welcome

Dronningensgade 14  
DK-1420 Copenhagen K

 (+45) 50 55 80 11

 kontakt@refugeeswelcome.dk

 www.refugeeswelcome.dk

## RUSK

Baggesensgade 6, kld. th.  
2200 København N  
Mondays 18-19

 rusklaw.org

 28 25 53 20

 kontakt@rusklaw.org

## LGBT Denmark

Postboks 1023, 1007 København K  
**For visits:** Nygade 7, 2., 1164 København K

 lgbt@lgbt.dk

 33 13 19 48

## Lgbtasyllum.dk

Legal advice and political group working for LGBT people

 lgbtasyllum.dk

 45 71 52 33 97

 lgbtasyllumdk@gmail.com

## Danish Refugee Council - NGO

Borgergade 10  
DK – 1300 København K

 33 73 50 00

 drc@drc.dk

 www.flygtning.dk

## Clinics and places for health advice:

There is a health clinic for undocumented migrants in Copenhagen. It is run by the Red Cross, The Danish Refugee Council and the Danish Medical Association.

Rewentlowsgade 10  
1651 København V

The Trampoline House also provides medical advice usually on Wednesdays from 4-6 pm. (see address above)

## For under 18 years:

**Save the Children Denmark** (Red Barnet)

Rantzausgade 60  
2200 Copenhagen N  
Denmark

 0045 35.36.55.55

 SK@redbarnet.dk

 www.redbarnet.dk



Office (Office des étrangers / Dienst Vreemdelingenzaken) or Federal Police (Police Fédérale / Federale politie). The Office of the Commissioner General for Refugees and Stateless Persons (Commissariat général aux réfugiés et aux apatrides / Commissariaat-generaal voor Vluchtelingen en Staatlozen) examines the application and decides whether to give refugee status, subsidiary protection status or to refuse the application. You will be interviewed and given a questionnaire (you must request an interpreter – a lawyer or trusted person may be with you). You can have access to legal assistance.

## BELGIUM

### ? WHAT LANGUAGES ARE SPOKEN THERE?

There are three official languages: French, Dutch, German

### ? HOW FAR IS IT FROM CALAIS?

The border of Belgium is 60km east of Calais. The next big city is Bruges (110km) and the capital city is Brussels (200km).

### ? HOW DOES THE ASYLUM PROCEDURE WORK?

An asylum application must be lodged within 8 days of arrival at the Aliens

### ? HOW LONG DOES IT TAKE?

At least six months for the first application.

### ? HOW CAN I LIVE WHILE I WAIT FOR A DECISION? DO I GET AN ALLOWANCE?

During the process, you will get a place to stay at a reception center through FEDASIL (between 75 to 800 beds). You should also get food, clothing, a daily allowance, medical, social and psychological support, access to legal representation, interpretation and training. You will be given a medical examination and an information leaflet about your rights. After 4 months, you should be given a place in a house. Access to general medical care should be given through Urgent Medical

Assistance CPAS/OCMW. You need to give a house address or regular sleeping place. They should give you a certificate to go to the doctor. In some cities, NGOs provide other options for health care.

## APPEALS:

The Dublin III and appeal system in Belgium has been criticized for violating human rights. Appeals must be filed in 10 (fast procedure) or 30 (normal procedure) days to the Council for alien law litigation: CALL (Conseil du contentieux des étrangers: CCE / Raad voor Vreemdelingenbetwistingen: RvV).

A second appeal can be made to the Council of State: CS (Conseil d'Etat:CE) / Raad van State:RvS).

## ? WHAT IF I AM UNDER-AGE?

Children under 18 years old and their families will not be detained. Children must attend school up to 18 years of age and should receive basic Dutch lessons. Even if you are an illegal resident, you can receive certificates for exams. Unaccompanied children will receive a tutor from the State to represent the child legally.

## ? WHAT ABOUT MY FAMILY?

It may take a long time to bring family to join you. Family is defined as: your wife/husband or 'registered' partner, your child under 18 years of age, your adult child with a disability,

or if you are an unaccompanied minor refugee, your parents. Polygamy is not recognized, children of different partnerships will be recognized.

## ? CAN I WORK AND STUDY?

6 months after applying for asylum, you can request to work. If you are under 18, you have the right to go to school. Adults without legal papers are not allowed go to secondary school. If you are under 18, the school can not refuse to sign you up. The school receives subsidies and you are covered under the school's insurance. If you can't pay the costs for school, you can talk about it with your school or with the OCMW.

**Study:** There is no specific law in Belgium for the rights and duties of adults without papers at university and college. You can request to study at the university itself – each university has a different procedure.

**Work:** People who have a temporary residence permits can work if they ask for an 'arbeidskaart' (work permit). This work permit is valid as long as their temporary residence is valid. With this work permit (work permit C), only some jobs are allowed. The employer has to ask for work permission (not the employee) from 'de dienst Economische Migratie in de provincie'.

If they refuse to give you a work permit, you can appeal.

## ? WHAT HAPPENS IF I AM GRANTED ASYLUM?

Recognised refugees do not need a work permit. They can work under the same conditions as Belgians.

## ? WHAT HAPPENS IF I AM NOT GRANTED ASYLUM?

You will be asked to return to a reception center to await transfer/deportation (30 days).

## ? WHAT IF I GET ARRESTED?

You have the right to remain silent, to be informed of your rights and charges against you, and to have a free translator. You can request legal aid.

## DETENTION PROCEDURES & RIGHTS

You will be detained in Belgium if the police meet you entering on the border. You can be detained from two to eight months in some circumstances. You can also be detained if you do not follow asylum application procedure or if you have applied for asylum in another country before. These closed centers are managed by the Foreigners' Office.

## ? HOW EASY IS IT TO LIVE HERE WITHOUT PAPERS?

It is possible to survive in Belgium and

find work without papers.

## CONTACTS

### For Medical Aid

#### Medimmigrant

Gaucheretstraat 164  
B – 1030 Brussel

☎ +32 (2) 274 14 33  
fax: +32 (2) 274 14 48

✉ [ecr@medimmigrant.bemedimmigrant.be](mailto:ecr@medimmigrant.bemedimmigrant.be)

### Working

**ORCA** – Organisatie voor Clandestiene Arbeidsmigranten (Organisation for Undocumented Migrant Workers)

Gaucheretstraat 164  
B – 1030 Brussel

☎ +32 2 274 14 31  
fax: +32 2 274 14 48

✉ [info@orcasite.be](mailto:info@orcasite.be) or [orcasite.be](mailto:info@orcasite.be)

### Belgian Refugee Council:

Asylum service is available weekdays between 14h and 17h to answer your questions on the procedure for asylum seekers. Can also help with people in detention and family reunification.

Rue des palais 154  
1030 SCHAERBEEK

☎ 02/537 82 20

✉ [info@cbar-bchv.be](mailto:info@cbar-bchv.be) or [cbar-bchv.be](mailto:info@cbar-bchv.be)

english, french, dutch

**Aide aux personnes déplacées** (Displaced Persons' Aid)

Rue du Marché 35

B – 4500 Huy

Contact: Régine Thiebaut

 +32 (0) 85 21 3481

fax: +32 (0) 85 23 0147

 [apd.hvo.holsbeek@belgacom.net](mailto:apd.hvo.holsbeek@belgacom.net)

 [aideauxpersonnesdeplacees.be](http://aideauxpersonnesdeplacees.be)

**State Run**

Office of the Commissioner General for  
Refugees and Stateless Persons

 [www.cgra.be](http://www.cgra.be)



## SWEDEN

### ? WHICH LANGUAGES ARE SPOKEN THERE?

The official language is Swedish. English is commonly spoken.

### ? HOW FAR IS IT FROM CALAIS?

The border of Sweden is 1200km overland from Calais to the north-east. The first big town across the border is Malmö. To Stockholm, the capital city, it is 1800km. Train routes run through Belgium, Germany and Denmark.

### ? HOW DOES THE ASYLUM PROCEDURE WORK?

When you reach the borders of Sweden (including airports), you can say that you wish to claim asylum. You will

then be taken to one of the Migration Board's application centres.

### ? HOW LONG WILL IT TAKE TO GET A DECISION?

The average length of the asylum procedure is currently 147 calendar days. If your case is considered to be particularly weak, you may also receive a decision more quickly.

### ? HOW CAN I LIVE WHILE I WAIT FOR A DECISION? DO I GET AN ALLOWANCE?

You will get a place in an apartment, in a normal housing area or at a centre. Asylum seekers can choose to live at a centre, but in that case they will need to move to a town where the Migration Board can offer them a place.

If you have money, you must pay for the accommodation. If not, the accommodation is free. Single persons need to share a room. A family can have its own room, but must expect to share an apartment with other people. It is possible that you will be moved around during the processing period.

During the asylum processing period, you will have a monthly allowance. This is supposed to pay for: clothes, medical care, dental care, toiletries, other products and leisure activities (however, medical care is partly subsidized). If asylum seekers are granted a daily allowance by the Migration Board, they receive a bank card where the money

is deposited. Asylum seekers can apply for extra allowances for expenses that are necessary for a minimum living standard, such as cost of winter clothing, glasses, etc. The allowance is relatively low (€252 for a single adult). You are also usually allowed to work while you wait for a decision.

## **? CAN I WORK AND STUDY?**

■ While you are waiting for a decision on your case you can study or you can get a work permit. If you receive a positive answer in the form of a permanent or temporary residence permit, you can also work and study in Sweden like other citizens. In Sweden, studying is free if you have a residence permit for asylum.

## **? WHAT HAPPENS IF I AM GRANTED ASYLUM?**

If your application is approved you may be eligible for Swedish language courses.

If you are granted a residence permit, and are entitled to an introduction plan and the Public Employment Service can help you to get housing.

If you get a residence permit on the basis of employment, you must arrange your own housing. If you find your own place to live, you must pay the cost of the accommodation. If you can't afford it, you can move to one of the Migration Board's centres.

## **? WHAT HAPPENS IF I AM NOT GRANTED ASYLUM/ DEPORTED?**

The Migration Board prefers it if you leave Sweden on your own and will schedule a meeting with you to discuss your departure. It may try to make you leave, but cannot do so until at least 3 weeks after the deportation order has been sent. If you do not cooperate, they will turn over your information to the police. If you had the right to work before, you are no longer allowed after asylum has been refused. If you have had a normal job and paid taxes you might be able to continue doing this (if your employer does not discover or care about your change of status). The taxation authorities do not automatically disclose information to the police about individual workers. However, the taxation authorities and the police sometimes check work and residency permits in workplaces.

## **DETENTION PROCEDURES AND RIGHTS**

You can be detained to find your identity, to see if you will be allowed to stay or if you should be deported. You should only be detained before a deportation if they have reason to believe you will go into hiding.

Detention to confirm your identity cannot be longer 48 hours. For all other reasons, detention can last from two weeks up to two months.

## ? WHAT IF I GET ARRESTED?

If you are detained by the police, you should receive information about your rights in writing (if you do not speak Swedish, translations are available in many languages). You may have a lawyer and interpreter. You may inform a relative.

## ? IS IT POSSIBLE TO LIVE HERE WITHOUT A RESIDENCE PERMIT?

Migrants have legal access to certain health care, defined as “health care that cannot be deferred”- some hospitals understand this differently.

Health care workers are supposed to treat you confidentially, without giving information about you to other authorities (the only exception is if the police are looking for you and specifically ask for you at the hospital).

In Sweden, each school can choose whether foreign children can study there or not. As an ‘illegal’ adult, you have no right to education. You may be able to join a folk high school, “folkhögskolor”.

The police have the right to check your ID documents, if they have reason to believe that you are residing in Sweden without a permit. They usually ask for ID during other routine procedures, such as traffic controls or inspections of restaurants.

If you have a black-market job, then you

do not have any employment security or right

to sick leave. You do however always have the right to a reasonable pay on time. The SAC labor union can help you with this.

## CONTACTS

### No One is Illegal – Sweden

#### Uppsala

✉ uppsala@ingenillegal.org

📞 073 95 96 150

#### Stockholm

✉ stockholm@ingenillegal.org

📞 0707 33 61 07 (This phone number is only for legal advice)

#### Östersund

✉ ostersund@ingenillegal.org

#### Göteborg

✉ goteborg@ingenillegal.org

✉ momo@ingenillegal.org

📞 0704 37 75 24

#### Norrbottnen

✉ norrbottnen@ingenillegal.org

Health centers that give free care for asylum seekers and undocumented persons:

### **Läkare i Världen i Stockholm** (Médecins du Monde Sweden)

 08-6646687

 [lakareivarlden.org](http://lakareivarlden.org)

### **Svenska Röda Korset** (Swedish Red Cross)

Stockholm

 0709 406723

 9 30 11 30

 [www.redcross.se](http://www.redcross.se)

### **Rosengrenska stiftelsen** (Göteborg)

(Health Care Center)

 0704 066670

 [kliniken@rosengrenska.org](mailto:kliniken@rosengrenska.org)

 [www.rosengrenska.org](http://www.rosengrenska.org)

### **Deltastiftelsen** (Malmö)

(Health Care Center)

For questions, interest or other:

 [deltastiftelsen@gmail.com](mailto:deltastiftelsen@gmail.com)

 [www.deltastiftelsen.se](http://www.deltastiftelsen.se)

### **Liljengrenska** (Varberg)

(Health Care Center)

Hotline, every night 18.00-19.00

 0768 939593

 [liljengrenska@hotmail.com](mailto:liljengrenska@hotmail.com)

### **Porten** (Borås)

(Health Care Center)

Hotline, Wednesdays 17.30-19.00

 0735 632080

 [krook99@gmail.com](mailto:krook99@gmail.com)

### **Tinnerökliniken**

(Östergötland Linköping/Norrköping)

Answering machine for patients 0733-225887

 [info@paperslosa.se](mailto:info@paperslosa.se)

You can find more information on Asylum in Sweden in English, Arabic, Spanish and Swedish here:

 [www.ingenillegal.org/node/357](http://www.ingenillegal.org/node/357)



## AUSTRIA

### ? WHAT LANGUAGES ARE SPOKEN THERE?

German is the official language. English may be understood in bigger cities.

### ? HOW FAR IS IT FROM CALAIS?

The border of Austria is 1050km overland from Calais to the south-east. The first big town across the border is Innsbruck. To Vienna (Wien), the capital city, it is 1300km. Train routes run through Germany or Switzerland.

### ? HOW DOES THE ASYLUM PROCEDURE WORK?

To apply for asylum, you can go to one of the three Erstaufnahmestelle (EAST, First Acceptance Centers): at the airport

(for people arriving by plane) in Vienna/Schwechat; in Traiskirchen, near Vienna; or in Thalham, Upper Austria (near Salzburg, Wels, and Linz). If the police pick you up, you can also ask for asylum at the police station. State very clearly that you are applying for asylum (“Ich moechte Asyl!”) and repeat it if you are transferred! They will search you and ask for your name, date of birth, citizenship and language. Your fingerprints will be taken. They will ask why you left your country, where you have traveled from and how you came to Austria. After this, they should take you to the Erstaufnahmestelle.

### ? HOW LONG DOES IT TAKE?

The acceptance procedure can last weeks or even months. After the main interview, you will get the first decision in a few weeks or months. If you are refused, you have the possibility to make an appeal (check the deadlines!!)

### ? WHAT HAPPENS IF I AM GRANTED ASYLUM?

Independently of the asylum decision, you may get a one-year visa (subsidiärer Schutz), which can be prolonged every year (watch the deadlines), if you cannot be sent back to your country of origin. You will be allowed to work and get access to social care.

## ? HOW CAN I LIVE WHILE I WAIT FOR A DECISION? DO I GET AN ALLOWANCE?

Austria's Basic Care system (Grundversorgung) should give asylum seekers and other foreigners outside of the regular social system accommodation, food and medical care. Basic Care is provided in two ways: (a) sheltered accommodation (b) maintenance grants for people living on their own. At a sheltered accommodation, the program includes housing, health insurance, food and pocket money (€40/month). If you live on your own, the program includes health insurance, a€180 for maintenance and €110 for rent. In reality, financial support to live alone is not granted very often. If you are convicted of crimes or have an income, Basic Care can be reduced. To apply for Basic Care, go to a service point with your documents and make an appointment. If you choose to stay in a different place than you've been sent to, you will get no benefits (Grundversorgung).

## ? CAN I WORK AND STUDY?

**Study:** Children under 15 must attend school, regardless of residence status. But children may be refused, especially in the centers/camps. Work training is more difficult. Danaida (<http://www.danaida.at>) offers free German language and literacy courses for foreign women, as well as cooking and computer classes.

**Work:** You are not allowed to work legally in Austria during your asylum procedure. If you get caught working illegally, it can lead to detention and deportation so be careful! 3 months after applying for asylum, if you find somebody who would give you work, this person can apply for a working permit (Beschäftigungsbewilligung) under certain conditions.

## ? WHAT HAPPENS IF I AM GRANTED ASYLUM?

If you are granted asylum or subsidiary protection, you have full access to the Austrian labor market. You have to register with the state job centre (Arbeitsmarktservice) where you can also get a German course. They will look for jobs for you, but you will want to look on your own as well. It can be difficult to get a job in Austria. Lots of workplaces demand good German skills and some people will not hire migrants.

## ? CAN I BRING MY FAMILY?

If one member of a family has been granted asylum or protection, the others should get it, too (unless they have criminal charges in Austria). If your family member has been granted asylum or protection, you can apply for an entry visa to Austria in your home country and the officials will review your claim. Visas are good for 4 months.

Parents of under-age children, marriage partners, under-age children and under-age children from other partners

count as family members. Marriage partners must be married in the home country, otherwise different rules apply.

## **? WHAT HAPPENS IF I AM NOT GRANTED ASYLUM?**

If you are taken to the deportation prison (Schubhaft), you have the right to call a friend and your lawyer. If you receive an appointment for deportation, tell your friends and a lawyer immediately. Keep in mind that once you are in police custody, police might not let you call your lawyer (especially if they are going for a very quick deportation process on the same or the following day). Deportation is not allowed if you are threatened with persecution or subject to inhumane penalties, the death penalty or torture in the country of destination. You can appeal the decision. (Deportations can be postponed for up to one year each time). Doing this does NOT guarantee that the deportation will be halted by police!

## **DETENTION PROCEDURES & RIGHTS**

If you are issued a deportation order and you do not leave, you can be placed in detention pending deportation. They can also hold you while checking your status or if they expect a deportation. This should not last long, but you may be held for up to 10 months within 18 months. You have the right to make a complaint during the entire period of

your detention and for 6 weeks afterwards.

## **DETENTION OF FAMILIES AND CHILDREN**

There is a detention center for families (Familienunterkunft) outside of Vienna. This detention is only imposed for a maximum of 48 hours before deportation.

The UNHCR has criticised the lack of medical care and legal support in Austrian detention centers. Austria's detention policies are much broader than other EU countries.

## **? WHAT IF I GET ARRESTED?**

Anyone who is arrested in Austria has the right to be told why they are being arrested in a language they completely understand. If you ask, they must inform a friend and your lawyer of your arrest. The arrest must also be reported to the embassy or consulate of your native country.

## **? HOW CAN I LIVE HERE WITHOUT A RESIDENCY PERMIT?**

Rejected asylum seekers may spend short periods in shelters maintained by NGOs, which mainly cater to the needs of asylum seekers. Landlords have to make sure their tenants are registered. But there are several associations that

rent to undocumented people. People without papers aren't eligible for public health insurance. You should have access to emergency services, but will be expected to pay yourself. In general access to health care is difficult in Austria, especially outside big cities or in detention.

## CONTACTS

### Working

There is trade union advice center for undocumented workers called UNDOK at the union ÖGB, which provides advice in multiple languages to workers without papers.

#### ÖGB (Catamaran)

Lift D, 1. Stock, Raum 1913  
Johann-Böhm-Platz 1, 1020 Wien

 [www.undok.at](http://www.undok.at)

### Legal Help

#### Asyl in Not

(provides legal advice)  
Währinger Straße 59/2/1, 1090 Wien

 01 408 42 10

 [office@asyl-in-not.org](mailto:office@asyl-in-not.org)

#### Deserteurs und Flüchtlingsberatung

Provides assistance in making appeals for rejected asylum seekers. Offers German classes and counseling service.

Schottengasse 3a/1/59, 1010 Wien

 0043 1 533 72 71

 [deserteursberatung@utanet.at](mailto:deserteursberatung@utanet.at)

 [www.deserteursberatung.at](http://www.deserteursberatung.at)

#### Caritas Flüchtlings und Migrantenberatung

Keplerstrasse 82, 8020 Graz

 0043 316 8015 0

 [office@caritas-graz.at](mailto:office@caritas-graz.at)

 [www.caritas-graz.at](http://www.caritas-graz.at)

#### Zebra

Information and counseling on legal questions, accommodation, medical treatment.

Granatengasse 4/III, 8020 Graz

 0043 316 83 56 30 0

 [office@zebra.or.at](mailto:office@zebra.or.at)

### Health care for persons without papers or insurance, free of charge

#### Krankenhaus der Barmherzigen Brüder

Große Mohrengasse 9, 1020 Vienna

 0043 (0)1 21 121 0

 [www.barmherzige-brueder.at/](http://www.barmherzige-brueder.at/)

**MAIZ** (they are not a hospital but they can tell you where to go)

Hofgasse 11, 4020 Linz

 0043 (0)732 77 60 70



