Third Joint Training
"Upgrading procedure for asylum seekers"

10th November 2016, Belgrade

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PROJECT INFO

- Improvement of the Procedures for Establishing Identity of Irregular Migrants
- The project was supported by the British Embassy Skopje
- Duration: 1 May 2015 - 31 March 2016
- Beneficiary: National authorities of the MARRI Participants

PURPOSE OF THE PROJECT

- To **enhance the capacity** of the national institutions of MARRI Participants for **establishing personal identity** of irregular migrants, a prerequisite for effective migration management.

PROJECT OUTPUTS

- Developed and adopted a regional legal framework for use of joint interpretation capacities for rare languages in the Western Balkans region

- Established database of interpreters for rare languages to be used by national immigration services of MARRI Participants

ASSESSMENT - GENERAL

- **Purpose**: assessment on the <u>national legislation</u> and <u>interpretation capacity</u>, as well as the <u>existing procedures</u> for establishing identity of irregular migrants in each MARRI Participant

- **Sources:**
  - ✓ MARRI common template + questionnaire
  - ✓ Desk review (laws, policy documents, reports etc)

ASSESSMENT – LEGAL FRAMEWORK

- Regulating irregular migration, asylum, detention, readmission, legal status

- „Understandable language"

- Power to establish identity

ASSESSMENT – INTERPRETATION CAPACITIES

- Current interpretation capacities for rare languages

- (No)criteria for the selection of interpreters

Available in MARRI Participant	Language	Needed in MARRI Participant
XK, BA, RS	Arabic	MK, ME
BA	Persian - Pashtu	MK, XK, ME
BA, RS	Persian - Urdu	ME
BA	Persian - Hindi	ME
BA, RS	Persian - Farsi	ME
	Somali	MK
	Tamil	BA
	Swahili	BA
	Tigrinya	BA
RS	Amharic	BA
RS	Sinhala (Sri Lanka)	
RS	Grusian	
RS	Bengali	

AL – Albania, BA – Bosnia and Herzegovina, XK – Kosovo*, MK - Macedonia, ME - Montenegro, RS – Serbia.

ASSESSMENT - PROCEDURES

- Responsible authority

- Methods for establishing of identity

- Documents accepted for establishing identity

Country / Tapes of documents	AL	BA	XK	ME	MK	RS
Travel document		X	X	X	X	X
Identity card		X	X	X	X	X
Residence permit (T/P)				X	X	
Special personal identity card				X		X
Other official document that contains a photo and on the basis of which is possible to establish his/her identity			X		X	X
Identity card for foreigners						X

PROJECT OUTPUTS

- <u>Assessment</u> on the national legislation, interpretation capacity and existing procedures

- <u>Guidelines</u> for establishing identity of irregular migrants without documents

- <u>Protocol</u> on the use of joint interpretation pool

- Established <u>database</u> of interpreters for rare languages

MAIN CHALLENGES

- Many foreigners without documents/misuse of documents
- Use of different methods in mass influx is challenging
- Lack of interpreters for rare languages

Interpreters Pool

Name	Languages	Country	City	Phones	Rate	Type	Certified	Rating	Uploads
	pa Pashtu						Yes ○ No ○		
Test Trst		MKD	Skopje	76572	6.00 €	PerHour	No	★★★★☆ 3.5	1
Kiril Bice	Urdu	MKD	Skopje	01232422123	10.00 €	PerHour	Yes	★★★★★ 5.0	1
Borivoe Borivoevic	Pashtu	SRB	Belgrade	123456	150.00 €	PerDay	No	★★★☆☆ 3.0	2
Goran Go		MKD	Skopje	123456	10.00 €	PerHour	No	★★★☆☆ 3.0	1
Name Surname	Urdu Pashtu	SRB	Belgrade	123456789	25.00 €	PerHour	Yes	☆☆☆☆☆ 0.0	2
Name 1 Surname 2	Urdu	MKD	Skopje	+123456	25.00 €	PerHour	No	☆☆☆☆☆ 0.0	1
Joni Good	Pashtu	MKD	Skopje	+123456789	100.00 €	PerHour	Yes	☆☆☆☆☆ 0.0	1
Flora Florida	Amharic	SRB	Belgrade	+123456	10.00 €	PerHour	Yes	☆☆☆☆☆ 0.0	0
Tina Tarner	Kurdish	MKD	Ohrid	+123456789	120.00 €	PerHour	Yes	★★★★★ 5.0	0
Rich Richardson	Pashtu	MKD	Tetovo	+123456789	120.00 €	PerHour	Yes	☆☆☆☆☆ 0.0	0

Table 7: Overview of different methods used in EU Member States to establish identity in return procedures

Member State	Language analysis	Age assessment	Fingerprints Nat. Database	Fingerprints EU Database	Photograph Nat. Database	Photograph EU Database	Iris scan Nat. Database	Iris scan EU Database	DNA	Interview
Austria	✓		✓	✓						✓
Belgium	✓	✓	✓	✓	✓					✓
Bulgaria	✓	✓	✓	✓	✓	✓				✓
Cyprus										✓
Czech Republic			✓	✓	✓					✓
Estonia	✓	✓	✓	✓	✓	✓			✓	✓
Germany	✓	✓	✓	✓	✓	✓				✓
Greece	✓	✓	✓		✓					✓
Finland	✓	✓	✓	✓	✓					✓
France		✓	✓	✓	✓	✓				✓
Hungary			✓	✓	✓	✓				✓
Ireland				✓						
Italy	✓	✓	✓	✓	✓	✓				✓
Latvia	✓	✓	✓	✓	✓				✓	✓
Lithuania		✓	✓	✓					✓	✓
Luxembourg	✓	✓	✓	✓	✓	✓			✓ [33]	✓
Netherlands	✓		✓	✓						✓
Poland		✓	✓	✓	✓	✓				✓
Portugal	✓	✓	✓	✓	✓	✓				✓
Slovak Republic		✓	✓	✓	✓	✓				✓
Slovenia		✓		✓						✓
Spain	✓	✓	✓	✓	✓	✓				✓
Sweden	✓	✓	✓	✓						
United Kingdom	✓	✓	✓	✓	✓					✓
Norway[54]										✓

Table 6: Overview of different methods used in the (Member) States for establishment of identity in procedures for international protection
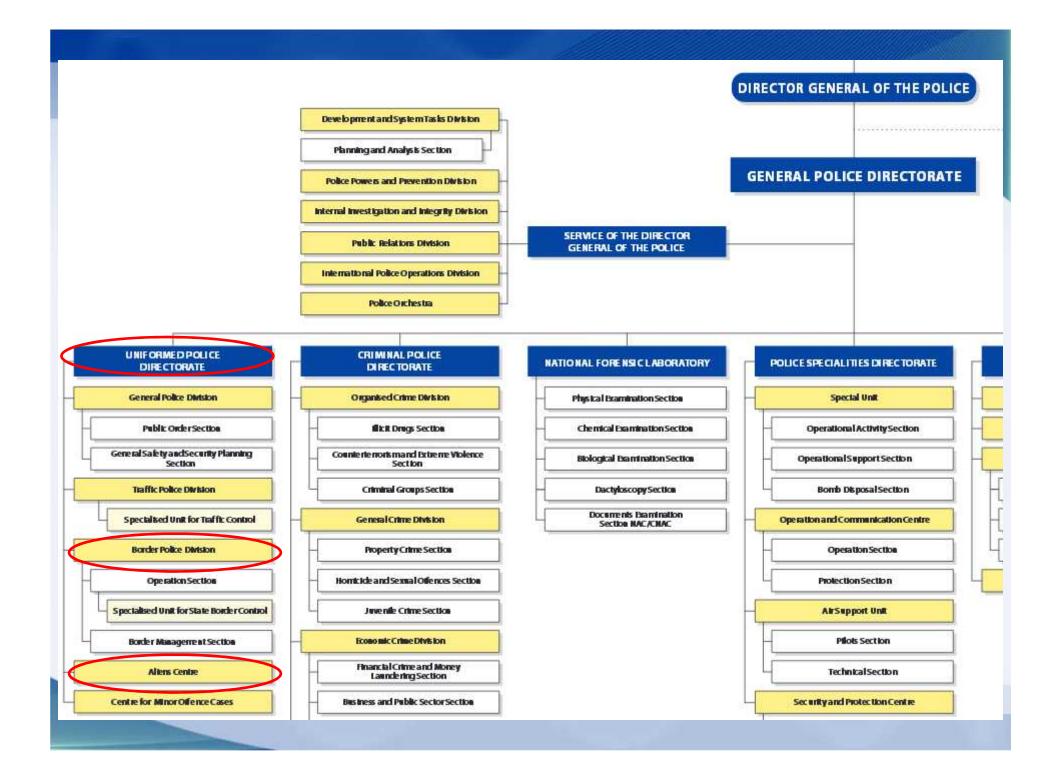
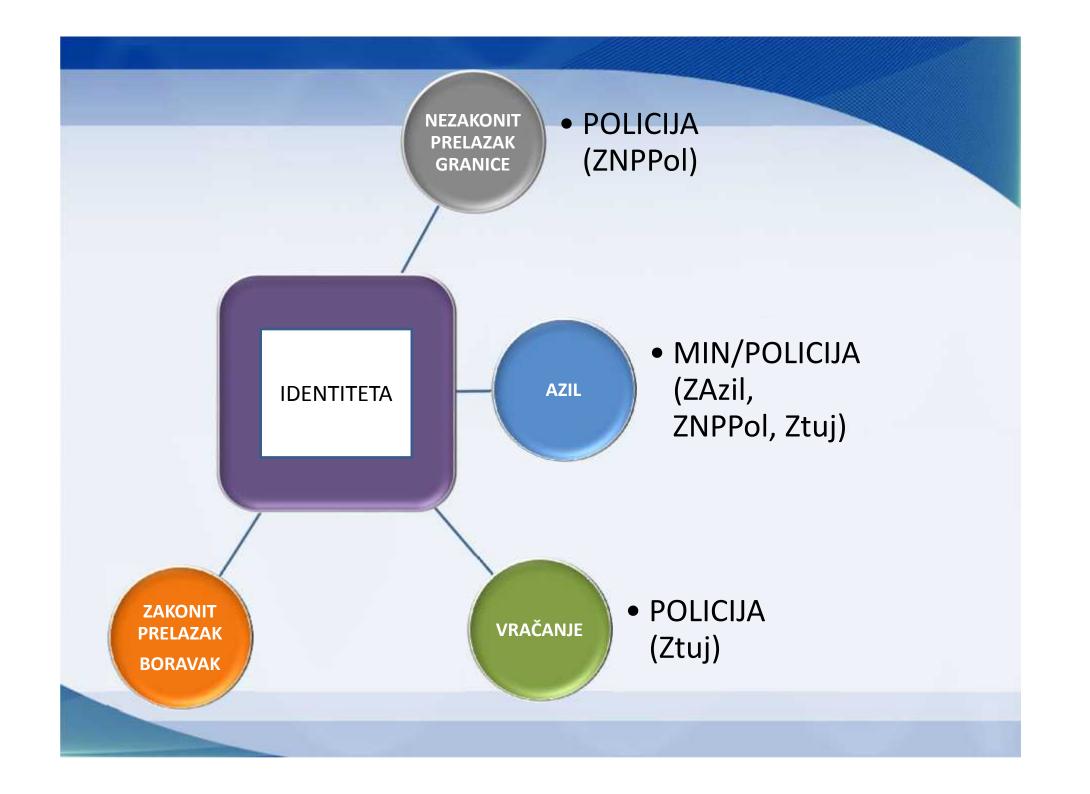| Member State	Language analysis	Age assessment	Fingerprints Nat. Database	Fingerprints EU Database	Photograph Nat. Database	Photograph EU Database	Iris scan Nat. Database	Iris scan EU Database	DNA	Interview
Austria	✓	✓	✓	✓					✓	✓
Belgium	✓	✓	✓	✓	✓					✓
Bulgaria	✓	✓	✓	✓	✓	✓			✓	✓
Czech Republic	✓ [24]	✓	✓	✓						✓
Cyprus		✓	✓	✓						✓
Estonia	✓	✓	✓	✓					✓	✓
Germany	✓	✓	✓	✓	✓	✓				✓
Greece	✓	✓	✓	✓	✓				✓	✓
Finland	✓	✓	✓	✓	✓	✓			✓	✓
France	✓	✓		✓						✓
Hungary	✓	✓	✓	✓	✓	✓				✓
Ireland	✓	✓		✓	✓					✓
Italy	✓	✓	✓	✓	✓	✓			✓	✓
Latvia	✓	✓	✓	✓	✓				✓	✓
Lithuania	✓	✓	✓	✓					✓	✓
Luxembourg	✓	✓	✓	✓	✓	✓			✓ [32]	✓
Netherlands	✓	✓	✓	✓	✓				✓	✓
Poland	✓	✓	✓	✓	✓	✓				✓
Portugal	✓	✓	✓	✓	✓	✓			✓	✓
Slovak Republic		✓	✓	✓	✓	✓				✓
Slovenia				✓						✓
Spain		✓	✓	✓					✓	✓
Sweden	✓	✓	✓	✓					✓	✓
United Kingdom	✓	✓	✓	✓	✓				✓	✓
Norway	✓	✓	✓	✓	✓	✓			✓	✓

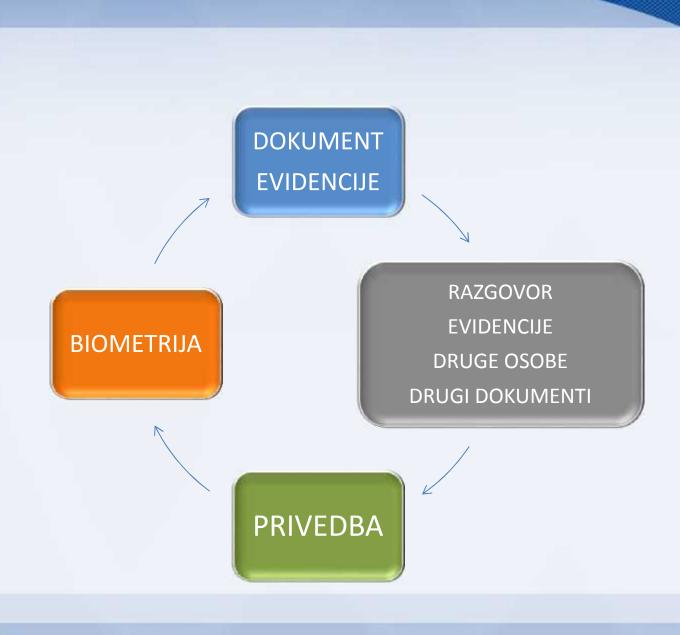# Documents accepted for establishing of identity

Member State	Passport/other ID	Birth certificate	Marriage licence/ divorce certificate	Qualification certificate	Clarifications and other documents?
Austria	✓	✓	✓	✓	Every document may contribute to the establishment of identity
Belgium	✓	✓	✓		Core documents include passport/ID, all other documents (e.g. also driver's license, death certificate) are accepted as supporting material.
Bulgaria	✓	✓			Any document is acceptable as long as it is issued in accordance with the law of the country of origin and wherein a visa can be affixed.
Cyprus	✓	✓	✓	✓	Any kind of identity document is accepted though much more weight is given to official documents i.e. passports, ID cards, birth certificates, marriage licences, divorce certificates, qualification certificates, military ID card, driver's license. Other documents constitute supporting material.
Czech Republic	✓	✓	✓	✓	Core documents include passport/ID/ travel documents. Other documents (birth certificate, marriage, divorce and/or qualification certificate) are accepted if issued in Czech Republic. They are, however, not considered crucial as they lack a photograph
Estonia	✓				Additional core documents accepted include: residence permit card, temporary travel document, seafarer's discharge book, travel document for refugee, certificate of record of service on ship, certificate of return and permit of return. Other documents (e.g. driver's license, birth certificate, marriage license) are supporting documents.
Germany	✓	✓	✓		Identification papers (passport or ID card) offer absolute certainty, provided there is an established registration system in the country of origin. The following documents are also taken into consideration: family register, driving licence, certificate of marriage or birth.
Greece	✓	✓	✓	✓	Any kind of document is accepted, with passports, travel documents and ID card (e.g. also military ID card) as core documents and other documentation (e.g. driver's license, birth certificate, divorce certificate) as supporting documents.
Finland	✓	✓	✓		Core document include passport/ID, travel documents issued by Finnish Ministry of Foreign Affairs and driver's licenses, with birth and marriage certificates accepted on a case-by-case basis.
France	✓	✓	✓	✓	"Proof of civil identity" may be achieved by any means.
Hungary	✓	✓	✓	✓	Travel document or other document by which it is possible to infer identity/nationality (e.g. party membership)
Ireland	✓	✓	✓	✓	Core documents include passports or other equivalent identification documents. Other referenced documentation such as birth and divorce certificates, marriage licences and other certificates such as qualification certificates, trade union cards and supporting letters, are considered as contributing towards building up an individual's identity.
Italy	✓	✓	✓	✓	Legal definition of "ID docs": (a) it must contain a picture; (b) must have been issued by competent authorities in IT or other countries; (c) are on paper, magnetic or electronic support. Documents accepted are: ID cards, safe-conducts, visas, certificates, party cards,

Member State	Passport/other ID	Birth certificate	Marriage licence/ divorce certificate	Qualification certificate	Clarifications and other documents?
					etc.
Latvia	✓	✓	✓	✓	Passport and ID cards are accepted as core documents (visas and residence permits are also accepted), whilst all other documents (e.g. birth certificates, marriage licences, qualification certificates, court decisions, party cards) are considered supporting documents.
Lithuania	✓	✓	✓	✓	All documents submitted by an asylum seeker are considered as relevant.
Luxembourg	✓	✓	✓	✓	Core documents include passport, ID card, with all other types of documents (e.g. birth certificate, marriage license, divorce certificate, driver's license, military record, military card, qualification certificate, journal extracts) are treated ad supporting material. Copies can be submitted, but generally the authorities require originals.
Netherlands	✓	✓	✓	✓	Any kind of identity document is accepted though much more weight is given to official documents for example passports, ID cards, birth certificates etc.
Poland	✓	✓	✓	✓	Core documents include ID card, passport, travel document, or other doc containing a photograph and considered authentic, while birth, marriage and other certificates are accepted as supporting material.
Portugal	✓	✓			
Slovak Republic	✓	✓	✓	✓	Passport or ID card constitute core documents, and other documents (e.g. birth, marriage and divorce certificates, qualification certificates, membership cards) serve as supporting material
Slovenia	✓				A third-country national can prove his/her identity with a travel document, identity card, passport, residence permit or any other public document issued by a state authority which includes a photograph.
Spain	✓	✓	✓	✓	Any document is accepted as supporting an applicant's identity claim
Sweden	✓	✓	✓	✓	Passport or ID card constitute core documents, with birth certificates, laissez-passers, alien's passports issued by other state than Sweden, marriage licences, qualification certificates, airline tickets, etc. as supporting material.
United Kingdom	✓	✓	✓	✓	Applicants are expected to produce their passport or anything else available to establish their identity, nationality and means of entry to UK.
Norway	✓	✓	✓		Core documents include passport and ID card, other documents, such as driving license, ID card for students, birth and marriage certificates, proof of citizenship are considered as supporting material.

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Specialised Unit for Traffic Control	General Crime Division	Documents Examination Section NAC/CNAC	Operation and Communication Centre
Border Police Division	Property Crime Section		Operation Section
Operation Section	Homicide and Sexual Offences Section		Protection Section
Specialised Unit for State Border Control	Juvenile Crime Section		Air Support Unit
Border Management Section	Economic Crime Division		Pilots Section
Aliens Centre	Financial Crime and Money Laundering Section		Technical Section
Centre for Minor Offence Cases	Business and Public Sector Section		Security and Protection Centre

To be discussed

- Methods
- Procedures
- Documents
- Questionnaires/Screening paper
- Fingerprinting
- Photo
- Issuing of ID document / recognition