

EMN FOCUSED STUDY 2012

Establishing Identity for International Protection: Challenges and Practices

National Contribution from Sweden

Disclaimer: The following responses have been provided primarily for the purpose of completing a Synthesis Report for the above-titled EMN Focussed Study. The contributing EMN NCPs have provided information that is, to the best of their knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of an EMN NCPs' Member State.

Top-line 'Factsheet'

(National Contribution)

[Executive Summary

(Synthesis Report)]

National Contribution

About 90 per cent of applicants for international protection do not present a passport at the time of their application. The lack of documentation proving identity is a problem in the processes for international protection and forced returns. The handling of an application for international protection and the execution of a forced return is considerably prolonged when no documents or false documents are presented.

The Swedish Migration Board assumes operational responsibility for establishing the identity of applicants for international protection. When it comes to forced returns the operational responsibility is handed over from the Swedish Migration Board to the Swedish Police.

Establishing identity in the process of international protection

The process to be used to determine identity within these procedures is not laid down in legislation.

As a starting point the applicant's identity should be established when a residence permit is to be issued.

In many cases the decisions of the Swedish Migration Board include a statement about the identity often saying that the identity has not been made clear. Through interviews and in some cases language tests it can be considered probable that the applicant is from a certain state and that the nationality corresponds to that state. The ID investigation also considers other documents than passports and national identity cards that might all together give a probable identity. This can be considered sufficiently established by the Swedish Migration Board and then lead to a positive decision.

If identity cannot be established, this does not automatically lead to a rejected decision. An overall assessment of the applicant's adduced grounds for international protection is made. Identity is only one part of this assessment, although an important

one.

Forced returns

When it comes to forced returns of persons with unclear identity the Swedish Migration Board and the Swedish police face major difficulties in establishing the person's identity in order to get the valid travel documents needed for a return to their country of origin.

Established identity is in many cases not a requirement for a person to be returned but that depends on the receiving country. The problems occurring are usually due to the unwillingness of the person in question to cooperate. Problems can also occur due to lack of cooperation of the foreign representation or the inadequacy or absence of population registration system in the country in question.

Methods

The result of a fingerprint scan is given the most weight.

Language analysis to determine probable country and/or region of origin is often used to substantiate other evidence/indications of identity.

Age assessment is used primarily in the application process for unaccompanied minors stating to be under age and who have no valid documents to prove that.

In order to identify applicants with poor or mutilated fingerprints, the Swedish Migration Board has developed a technical solution based on a fingerprint scanner using Multispectral imaging (MSI) as a complementary tool. By using the MSI-tool, approximately 90 percent of all enrolments with error messages have led to successful queries to the Eurodac system.

Synthesis Report (up to 3 pages)

Section 1

The National Framework

(National Contribution: Maximum 6 pages, excluding statistics)

The Synthesis Report will provide the reader and policymakers, in particular, with insights into the scale and scope of the issue at national and EU level, evidenced by statistics. It will present an overview of which (Member) States consider, in the absence of credible documentation, the establishing of identity of applicants for international protection and for those applicants who have to be forcibly returned an issue and why. It will hence identify the extent to which (particular) challenges are shared across (Member) States.

It will subsequently analyse the extent to which the process for establishing identity in those cases is laid down in legislation across (Member) States, and the institutional framework for this process. Differences in the capacity that (Member) States have available to meet the challenges (e.g. in terms of being able to draw on expertise, access databases, or have a legal basis for using certain methods) will be drawn out.

1.1 The Challenges and Scope of the issue

Is the issue of establishing identity in the absence of credible documentation considered an issue within the framework of the procedure for:

a) international protection?; and

b) the forced return of a rejected applicant to their (presumed) country of origin?

If Yes, briefly outline for either or both of the two cases above, the main issues, challenges and difficulties within your (Member) State (e.g. no identification documents, false documents, multiple identities, applicants from certain third countries)

Yes, in both cases. The handling of an application for international protection is generally prolonged when no documents or false documents are presented since the handling of the application cannot only focus on establishing whether the applicant is entitled to international protection, but also on establishing the applicant's identity. For some countries, however, the handling time is not prolonged since it is a well-known fact that credible documentation cannot be produced e.g. Somalia. When it comes to forced returns, the authorities handling individuals whose application for asylum has been rejected and whose identity has not been established, the Swedish Migration Board and the Swedish police, face major difficulties when trying to get the valid travel documents needed for a return to their country of origin.

If Yes, please also indicate which of the following factors listed below contribute to the issues. Please support your answers with reference to statistics (e.g. those presented under Question 1.2 below), research or any other sources of information (e.g. media debates, case-law, policy documents, practitioners' views).

➤ *The volume of cases where no credible documentation is available to substantiate an applicant's identity is considered to be large and/or growing.*

Yes. An applicant can produce credible documentation during the process but initially, at the time of handing in an application for international protection, about 90 % do not present a passport. This has been the case for several years.

- ***The measures used to establish an applicant's identity in the absence of credible documentation are resource-intensive.***

Yes. The officer dealing with the applicant needs to spend a large amount of time interviewing and inducing the applicant to verify his or her identity. If documents are presented and they are not immediately deemed as credible, they need to be examined by specialists.

- ***The measures used to establish identity are not always successful.***

It is true that the measures used to establish identity are not always successful. Unfortunately, we are not able to present any statistics on when in the process and thanks to what methods, the measures have been successful.

- ***Decision-making on applications for international protection is difficult due to the fact that measures used to establish identity are not always successful.***

Yes, when measures used to establish identity are not successful, the decision-making depends on the credibility of the applicant, which has to be evaluated through interviews, which in turn naturally prolongs the process of handling the asylum application.

As a starting point the applicant's identity should be established when a residence permit is to be issued.

In many cases the decisions include a statement about the identity often saying that the identity has not been made clear. The most probable is that the applicant is from a certain state and that the nationality corresponds to that state.

To make such a statement the applicant has been interviewed and in some cases undergone a language test. The ID investigation also considers other documents than passports and national identity cards that might all together give a probable identity.

If the applicant for international protection, cannot prove their identity but he or she can make it probable, that can be considered sufficiently established by the Swedish Migration Board and then lead to a positive decision. Within the asylum legislation there is a fundamental principle that the asylum seeker has to make the need for international protection plausible. In order to assess the asylum claims it is necessary to decide whether the asylum seeker has made her/his identity as well the citizenship or country of origin plausible. That is important among other factors in order to establish against which country/countries the application should be assessed. If identity cannot be established, this does not lead automatically to a rejected decision. An overall assessment of the applicant's adduced grounds for international protection is made. Identity is only one part of this assessment, although an important one.

- ***A significant proportion of rejected applicants for international protection cannot be returned to their country of origin due to the fact that measures used to establish identity are not always successful.***

Yes, if the correct identity is not established, the presumed country of origin will not be able to verify it.

Established identity is in many cases not a requirement for a person to be returned but it depends on the receiving country. The problem with establishing identity is usually the person's unwillingness to present identification documents proving ID. In other cases, the problem is related to the lack of cooperation of the foreign representation or the inadequacy or absence of population registration system in the country in question.

The number of forced returns which cannot be executed due to lack of established identity can be estimated by looking at the number of persons with legally binding rejecting decisions that are still in the reception system. At the end of year 2011 there were about 12 000 persons with such status registered. Of them about 7 200 were regarded as forced returns. The average time this group had been registered within the reception system was about 850 days and thereof about 400 days as forced returnees. The number of forced executed returns in 2011 was about 2000. This can be seen as a small number compared to the stock of 7200 persons with removal orders that are still in the reception system.

List the countries of (claimed) origin for which establishing identity is particularly difficult, (i) when considering asylum applications; (ii) for implementing return

Below is a non-exhaustive list of countries where established identity is normally a requirement for citizens to be able to return and where the handling time is very long at the foreign mission and/or it is difficult to have the identity established by the foreign mission, (Note that in many cases the problem is that there is a lack of identification documents or that the documents are forged or inadequate.)

Algeria, Azerbaijan, Angola, Ethiopia, India, Yemen, Kyrgyzstan, Cuba (easy to get identity established, very difficult to enforce return because of Cuban law), Kuwait, Kazakhstan, Lebanon (long process), Libya, Morocco, Nepal, Somalia, Sri Lanka, Sudan, Tunisia, Uzbekistan.

For stateless persons registered in Lebanon, Jordan, Gaza and the West Bank, we usually get a reply, however, the processing time is very long. When it comes to stateless persons from Egypt, the Gulf States, Iraq and Syria, we very rarely or never get a reply, regardless of identity documents.

➤ ***Other (Member) State specific factors***

None.

If No, please provide reasons why the question of establishing identity in the absence of credible documentation is not considered an issue within the framework of the procedure for:

a) international protection; and

b) the forced return of a rejected applicant to their (presumed) country of origin.

1.2 Statistics on the Scale of the Issue

Please provide, to the extent possible, the following statistics (with their Source) along with, if necessary, an explanatory note to interpret them if, for example, the statistics provided are partial, had to be estimated (e.g. on the basis of available statistics that differs from the below, or of first-hand research) or if they reflect any particular trends (e.g. a change in policy, improved methods of establishing identity, a change in the country of origin of applicants or of rejected applicants, etc.) If statistics are not available, please try to indicate an order of magnitude. Where available, statistics from Eurostat should be used and presented annually covering the period between 2007 and 2011 inclusive.

	2007	2008	2009	2010	2011	Additional Information (e.g. Source, caveats, reasons for trends, top five nationalities, with numbers for total applicants – see below Table also)
<u>Total Number</u> of applicants for international protection	36 205	24 860	24 194	31 819	29 648	First-time applications
Number of applicants for whom <u>identity</u> was not documented at the time of application	94%	96 %	95 %	94 %	91 %	This is the number of applicants that, at the time of applying for international protection, did not present passport. They may present other documents but we have no statistics available for other documents.
Number of applicants for whom <u>identity was wholly or partially established</u> during the asylum process thereby allowing the relevant authorities to reach a particular decision on international application (e.g. grant, refuse, defer)						As a starting point the applicant’s identity should be established when a residence permit is to be issued. In many cases the decisions by the Swedish Migration Board include a statement about the identity often saying that the identity has not been made clear. Decisions also state that the most probable is that the applicant is from a certain state and that the nationality corresponds to that state. To make such a statement the applicant has been interviewed and in some cases undergone a language test. The ID investigation also considers other documents that might all together give a probable identity. There are no available statistics on the number of applicants for whom identity was wholly or partially established during the asylum process.

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Total Number of <u>Positive Decisions</u>	15639	8276	7482	8640	9088	
Total Number of Positive Decisions for applicants whose identity was not documented at the time of application						Not available
Total Number of Positive Decisions for applicants whose identity was considered sufficiently established by the decision-making authorities						If the applicant for international protection, cannot prove their identity but he or she can make it probable, that can be considered sufficiently established by the Swedish Migration Board and then lead to a positive decision. Within the asylum legislation there is a fundamental principle that the asylum seeker has to make the need for international protection plausible. In order to assess the asylum claims it is necessary to decide if the asylum seeker has made her/his identity as well the citizenship or country of origin plausible. That is important among other factors in order to establish against which country/countries the application should be assessed.
Total Number of <u>Negative Decisions</u>	8779	18344	13293	15033	15103	
Total Number of Negative Decisions for applicants whose identity was not documented at the time of application						Not available
Total Number of Negative Decisions for applicants whose identity was not considered sufficiently established by the decision-making authorities						Not available

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Total number of (Forced) ¹ <u>Returns undertaken</u> of all rejected applicants	1733	1665	2173	2169	2494	Forced returns
Number of (Forced) ² Returns of rejected applicants whose identity had to be established at the time of return						Not available
Number of (Forced) ³ Returns of rejected applicants whose return could not be executed as their identity was not considered to be sufficiently established by the authorities of the (presumed) country of origin						Not available. An indicator is the number of persons with legally binding rejecting decisions that are still in the reception system. At the end of year 2011 there were about 12 000 persons with such status registered. Of them about 7 200 were regarded as forced returns. The average time this group had been registered within the reception system was about 850 days and thereof about 400 days as forced returnees. The number of forced returns in 2011 was about 2000. This can be seen as a small number compared to the stock of 7 200 persons with removal orders that were still in the reception system.

If desired, and it cannot be fitted in the Table, add further details concerning particular trends and/or notable aspects of the statistics provided.

¹ While the scope of this Focussed Study (with respect to Returns) includes only the forced return of rejected applicants, it is acknowledged that distinguishing between forced and voluntary returns in official statistics may not be possible. Where possible, do make this distinction.

² Idem.

³ Idem.

1.3 Relevant EU and National Legislation

Is the process to be used to determine identity within the procedure for international protection laid down in legislation?

If Yes, briefly specify which legislative documents, including their link to relevant EU acquis, regulate the process of identity determination in relation to the procedure for international protection.

Where possible, please refer to your National Contribution to the Organisation of Asylum and Migration Policies in the EU, rather than repeating the information here.⁴

No, the procedure is not laid down in legislation.

Is the process to be used to determine identity within the procedure for the forced return of rejected applicants laid down in legislation?

If Yes, briefly specify which legislative documents, including their link to relevant EU acquis, regulate the process of identity determination in relation to the forced return of rejected applicants.

Where possible, please refer to your National Contribution to the Organisation of Asylum and Migration Policies in the EU, rather than repeating the information here.⁵

No, the procedure is not laid down in legislation.

1.4 The institutional framework at national level

Which national authorities have the operational responsibility for establishing the identity of applicants for international protection?

The Swedish Migration Board

Which national authorities have the operational responsibility for establishing the identity of applicants for international protection who have to (be) forcibly return(ed) to their (presumed) country of origin?

The Swedish Migration Board and the Swedish Police

Does your (Member) State have a central competence centre for issues related to the determination of identity and/or verification of documents?⁶

No, but for issues related to the determination of identity and/or verification of documents concerning migration issues, the Swedish Migration Board has a unit

⁴ If however the level of detail is highly relevant, by shedding light on, for example, which elements of identity should be evidenced, what methods can or should be used to do so, what weight is to be given to the outcomes of the use of these methods, etc., it would be useful to insert the information directly in the Template.

⁵ Idem.

⁶ This may be a separate body (as in Norway) or a unit within a relevant authority.

called the Unit for document and biometric verification. The Swedish National Police Board also handles the determination of identity and verification of documents when it comes to cases with the Aliens act, e.g. forced returns.

The National Laboratory of Forensic Science can also be of assistance.

If Yes, what issues does the centre cover:

-issues relating to the determination of identity in respect of the procedure for granting international protection OR in respect of the procedure for executing the return of rejected applicants) OR in respect of both of these procedures

-issues relating to the verification of documents in respect of the procedure for granting international protection OR in respect of the procedure for executing the return of rejected applicants OR in respect of both of these procedures

The Unit of document and biometric verification covers issues relating to the determination of identity and to the verification of documents in respect of the procedure for granting international protection and for the procedure for executing the return of rejected applicants.

If Yes:

- ***Has the centre developed its own database / reference base for***
 - ***genuine documents? Yes***
 - ***false documents? Yes***
- ***Does it make use of the database iFADO (iPRADO)⁷ for checking false ID documents? Yes***
- ***Does it make use of the EDISON⁸ system? Yes***
- ***Does its tasks involve:***
 - ***Advisory services? Yes***
 - ***Development of Methods? Yes***
 - ***Training of frontline officers? Yes***
 - ***Support with difficult cases? Yes***
- ***Does it have a forensic document unit? Yes***

If No, i.e. your (Member) State does not have a central competence centre, what other institutions / systems are available to provide advisory services/other forms of support to officials responsible for establishing the identity of applicants for international protection?

See answer above.

⁷ [PRADO](#) Public register of authentic identity and travel documents online

⁸ EDISON Travel Documents System

Are the officials responsible for determining the identity of applicants for international protection authorised to access EU databases holding identity information about third-country nationals (e.g. EURODAC, SIS II, VIS, etc.)?

Yes

If No, are the officials responsible for determining the identity of applicants for international protection authorised to liaise directly with the officials who do have access to these databases?

Section 2

Methods for Establishing Identity

(National Contribution: Maximum 8 pages)

The Synthesis Report will provide an overview of the types of documents that are required for establishing identity (preferable in Table format), of the methods that can/should be used in the absence of credible documentation (preferably in Table format), and the relative weight that is given to the outcomes of the methods used (Table or narrative, depending on the responses given) across the (Member) States.

2.1 Definition and Documents required for establishing identity

What definition (if any) of identity is used with regard to (a) applicants for international protection and (b) for the return process.

There is no legal definition of the term identity in Swedish legislation. Neither can any definitions be derived from the legislative process or the legislator's intentions. According to established practice in cases concerning applications for Swedish citizenship, identity consists of name, age and normally also citizenship.

What types of documents and other information do authorities in your (Member) State accept as (contributing to) establishing the identity for applicants of international protection? For example:

- *Official travel documents: Passports, ID cards;*
- *Other documents: birth certificates, divorce certificates, marriage licences, qualification certificates, etc.*

Where possible, please indicate whether copies are accepted by relevant authority(ies) and which type of documents are considered by the national authorities as core or supporting documents. Also indicate the major issues faced concerning determining the veracity (or genuineness) of documents.

Passports, national identity cards are the best sources to determine identity. Other documents which may contribute to establishing identity are birth certificates, laissez-passer, alien's passports issued by other state than Sweden, marriage licences, qualification certificates etc. Some travel documents, such as airline tickets can be helpful in establishing identity. Main issues determining veracity of those identity documents are dependent on full access to reference documents.

What types of documents are accepted by national authorities in the (presumed) countries of origin if those applicants for international protection have to be returned, because they have received a negative decision, exhausted or abandoned the procedure? Please illustrate any differences between the documents accepted by the authorities of the (presumed) countries of origin and the documents accepted by the relevant authorities of your (Member) State.

The documents accepted vary depending on the country of origin. Some countries require more evidence or indicators than others to agree to a person returning. It is

also dependent on the form of return, whether it is done by DEPA (deportee accompanied) or DEPU (deportee unaccompanied). A birth certificate may suffice if the return is done by assisted deportation.

In Sweden, a passport is needed to determine identity. Other proof of identity such as national identity cards, birth certificates etc. are part of the assessment whether the applicant can be considered credible.

2.2 Methods used in the absence of documentary evidence of identity

The aim of this section is to investigate, for cases where aspects of the applicant's statements regarding his/her identity are not supported by documentary evidence, which methods are used by the competent authorities in the (Member) State to check the credibility of the applicant's statements. In the boxes below, a list of methods is provided. For each method listed, please indicate

- (a) whether it is used within the framework of the procedure for international protection and/or the procedure to forcibly return rejected applicants, or have exhausted or abandoned the procedure for international protection;*
- (b) whether the method is obligatory (i.e. enshrined in law), whether it is part of standard practice (i.e. used in most cases but not enshrined in law) or whether it is optional (i.e. not enshrined in law and used in some cases only). The rationale for selecting some methods as obligatory or optional may relate to national legislation, outlined in Section 1.2 (which the (Member) State can refer to in their replies);*

Do national authorities make use of:

i) Language analysis to determine probable country and/or region of origin?

- Applicants for international protection:
Yes, optional
- Return of rejected applicants for international protection:
No, if necessary it is done earlier in the application process

ii) Age assessment to determine probable age⁹

- Applicants for international protection:
Yes, optional and used primarily for unaccompanied minors
- Return of rejected applicants for international protection:
No, if necessary it is done earlier in the application process

⁹ EMN NCPs are asked to update the information provided through the EMN Comparative EU Study on Unaccompanied Minors. EMN (2010), *Policies on Reception, Return and Integration arrangements for, and numbers of, Unaccompanied Minors*, European Migration Network, May 2010. The EMN Synthesis Report, as well as the 22 National Reports upon which the synthesis is based, are available from <http://emn.sarenet.es/Downloads/prepareShowFiles.do?directoryID=115>.

iii) Fingerprints for comparison with National and European databases

National Database

- Applicants for international protection:
Yes, part of standard practice
- Return of rejected applicants for international protection:
No, it is done earlier in the application process

European databases

- Applicants for international protection:
Yes, part of standard practice
- Return of rejected applicants for international protection:
No, it is done earlier in the application process

iv) Photograph for comparison with National and European databases

National Database

- Applicants for international protection:
Sweden has no automated face recognition system
- Return of rejected applicants for international protection:

European databases

- Applicants for international protection:
No automated comparison available.
- Return of rejected applicants for international protection:
No automated comparison available.

v) Iris scans for comparison with National and European databases

National Database

- Applicants for international protection:
No
- Return of rejected applicants for international protection:
No

European databases

- Applicants for international protection:
No
- Return of rejected applicants for international protection:
No

vi) DNA analysis

- Applicants for international protection:
No, only used in some cases concerning family reunification.
- Return of rejected applicants for international protection:
No.

vii) Interviews to determine probable country and or region of origin (or other elements of identity, such as faith and ethnicity)¹⁰

- Applicants for international protection:
Yes, part of standard practice and part of the asylum investigation
- Return of rejected applicants for international protection:
No, it is done earlier in the application process

viii) Other (please describe, e.g. type of co-operation with or contacts in third countries), related to

- Applicants for international protection:

In order to identify applicants with poor or mutilated fingerprints, the Swedish Migration Board has developed a technical solution based on a fingerprint scanner using Multispectral imaging (MSI) as a complementary tool. Multispectral imaging looks at and beyond the skin surface to the subsurface foundation of the fingerprint ridges. Different wavelengths of visible light interact with the skin in different ways, enabling significantly enhanced data capture

By using the MSI-tool, the Swedish Migration Board has reached successful queries to the Eurodac system with approximately 90 percent of all enrolments with error messages received in the normal business flow.

- Return of rejected applicants for international protection:
No

If possible, outline briefly the rationale behind the method(s) indicated above used in your (Member) State, e.g. why some method(s) been used in preference to others, is there a hierarchy or order of methods followed, any research conducted providing evidence of the method's reliability.

The investigation is made by gathering all pieces of evidence that can establish a person's identity. An identity can thus be established either by one or a few pieces of evidence or by putting together a larger number of documents etc. if they all point in the same direction

¹⁰ This would depend on the elements included in your national definition of "identity" used within the procedures covered by this Study. See Section 2.1.

Section 3

Decision-making Process

(National Contribution: Maximum 3 pages)

The Synthesis Report will describe how the different methods are combined to establish an identity and how the outcomes of attempts to establish identity are then used in making a decision on international protection and forced return. To the extent possible, the Synthesis Report will draw out commonalities and differences across (Member) States.

3.1 Status and weight of different methods to determine identity

On the basis of the information gathered by the methods outlined in Section 2, how then is a decision on identification made, e.g. are some methods given more weight on their reliability than others; does there need to be consistency between the results from some of the methods used? Briefly outline whether the results from the different methods will have different status and/or will be given different weights, and whether this is laid down in legislation, policy or practice guidelines.¹¹

The result of a fingerprint scan is given the most weight. By searching fingerprints through national and European databases we can see if the applicant has applied for a visa to another country, if the applicant has applied for international protection in another Schengen State or if the applicant has previously applied for international protection in Sweden. The sources can in turn be used to establish identity. Scanning of fingerprints is standard procedure for any applicant of international protection. In order to identify applicants with poor or mutilated fingerprints, the Swedish Migration Board has developed a technical solution based on a fingerprint scanner using Multispectral imaging (MSI) as a complementary tool. Multispectral imaging looks at and beyond the skin surface to the subsurface foundation of the fingerprint ridges. Different wavelengths of visible light interact with the skin in different ways, enabling significantly enhanced data capture

By using the MSI-tool, approximately 90 percent of all enrolments with error messages have led to successful queries to the Eurodac system.

Language analysis to determine probable country and/or region is often used to substantiate other evidence/indications of identity. This method can be used in the process to determine to what country a person with a rejected application for international protection should be returned.

Age assessment is used primarily in the application process for unaccompanied minors stating to be under age and who have no valid documents to prove that.

¹¹ Member States may differ significantly in how they deal with applicants for international protection whose statements regarding their identity are not supported by valid documentary evidence, not only in the methods they can or should use, but also in the weight they give to the outcomes of some methods. The aim, therefore, is to highlight these differences, should they exist.

Is a “grading” structure or spectrum used to denote the degree of identity determination (e.g. from “undocumented,” over “sufficiently substantiated” or “has the benefit of doubt” to “fully documented and verified”)? If Yes, outline what this is.

There is no formalized grading structure of identity determination. The identity may be sufficiently substantiated or fully documented but we do not classify them as such.

Are any future measures considered with regard to setting up or further elaborating a “grading” structure? If Yes, outline what these are.

There are no such plans at the moment.

3.2 Decisions taken by competent authorities on basis of outcomes of identity establishment

3.2.1 For the consideration of the application for international protection

What are the potential decisions that can be taken by the competent authorities where identity has been established (even partially) to inform the overall decision taken? For example, does the outcome of identity establishment influence a recommendation to “grant international protection,” “refuse international protection,” “defer decision”?

The establishment of identity does not exclusively give a different outcome of a decision. The decision is based on an overall assessment where identity plays one part.

How important is establishing identity relative to other factors used in making an overall decision? For example, if identity cannot be established, does this de facto lead to a rejected decision? Are other factors such as gender, suspected country of origin, given more weighting than identity determination in some cases?

If identity cannot be established, this does not lead de facto to a rejected decision. An overall assessment of the applicant’s adduced grounds for international protection is made, where identity is one part of it, although an important one. In order to assess the asylum claims it is necessary to against which country/countries the application should be assessed. If country of origin can be established but not identity, the application can still be approved.

3.2.2 For the return to country of origin

What are the potential decisions that can be taken by the competent authorities where identity has been established (even partially) to inform the overall decision taken? For example, does the outcome of identity establishment influence a recommendation to “defer return”?

Not applicable.

Are the results of the work to establish identity during the international protection process available for work to prepare for forced return?

Yes.

If 'yes': please describe the type of supplementary steps that may be needed with respect to identity documentation before the authorities in the receiving country are prepared to accept the return.

Supplementary steps needed vary according to (presumed) country of origin. Different countries require different levels of certainty when it comes to what is considered a sufficiently established identity.

If 'no': please describe the type of steps that may be needed with respect to identity documentation before the authorities in the receiving country are prepared to accept the return.

Section 4

Conclusions

(National Contribution: Maximum 2 pages)

The Synthesis Report will outline the main findings of the Study and present conclusions relevant for policymakers at national and EU level.

With regard to the aims of this Focussed Study, what conclusions would you draw from your findings? What is the relevance of your findings to (national and/or EU level) policymakers?

There are several challenges for succeeding in the process of establishing identity in the processes for international protection and forced returns. Since only about 10 per cent of all applicants for international protection submit their passport at the time of handing in their application, a lot of time and effort is needed to establish identity. According to the Swedish Migration Board's assessment, most asylum seekers have no motivation to submit their passport or other identity document. There are several reasons for this. One is that they have very little to gain on presenting ID. Many have heard from others, at home or in Sweden, that they may be sent home quickly if they show their passport. Instead they make an effort of presenting a credible story to substantiate grounds for asylum and hope for a positive decision. Another reason for not presenting a passport is that a passport containing a visa stamp may indicate that the case should be tried under the Dublin Regulation. A passport may also show that the applicant has an exit permit from their country of origin, where required, which may affect the credibility of the assessment. Finally, applicants from Afghanistan may not be able to submit a passport or other credible document stating identity due to the inadequate population registration system. For applicants from Somalia, that is even more so the case.

Not being able to establish identity is a problem both for the person in question who will have trouble settling in his or her new country since established identity is crucial in order to e. g. obtain citizenship or to be joined by family members and also for the state in terms of national security.