

Charter flights – cheaper by the dozen

Even more than individual deportations, group deportations in charter flights are shrouded in secrecy. Time, place and destination are not disclosed in advance. Those to be deported are isolated from the outside world in order to avoid any chance of resistance. Whilst any unsuccessful charter deportations and the use of coercion is kept secret, every group successfully deported is celebrated by a jubilant press release from the Immigration Service.

As well as the deportation of individuals by scheduled flights, the Dutch Immigration and Naturalisation Service (IND), also hires (or charters) entire airplanes to remove unwanted immigrants and refugees in groups. The first deportations by charter date back to 1983, where a group of 25 people from Ghana were involuntarily flown to Accra. A month later, after the raiding of illegal sweatshops and coffeeshops, 95 Turkish people were also “escorted” out of the Netherlands by plane.

The use of charter flights is viewed critically in The Netherlands. The air charter company Martinair ceased to co-operate with this policy of forced group deportations in 1996, after a series of actions co-ordinated by the Autonomous Centre. Several human rights’ organisations also voiced concern. According to Schoof (former Head of the IND), deportations by charter flight ceased due to questions raised in Parliament. The number of people deported by charter is relatively small in comparison with scheduled flights. In 2002: 1.404 people were deported by charter, while 13.185 were removed on regular flights.

The IND regards charter planes as simply “the most practical solution.” Things developed rapidly in early 2002. The Ministry of Justice approved the use of two charters a month, a four-fold increase from the previous year and increasing the number of people deported per charter by a factor of 17. As the number of deportations increase, so too the efficiency and cost-effectiveness of using charter flights. Especially since the opening of “uitzetcentra”, “expulsion/deportation centers.” For example: In 2002, the cost per individual deportation on a scheduled flight totalled e9000 (Military Police escorts included). In the same year, 25 planes were chartered to deport 1, 404 people for a total of e2.449.000 – five times less the cost of deportation by scheduled flights.

Seating-plan

Deportation by charter flight is made possible through collaboration between the Dutch Military Police (KMAR), Migration Services, the Ministry of Foreign Affairs and the IND, which manages the entire process via its Department for Coordination of Removal. While it is the captain or pilot who is in command on a scheduled flight, it is the KMAR, with their duty to uphold public safety and order, who call the shots on charter flights. The IND is responsible for the transfer of rejected refugees and illegals to local authorities. The IND makes a scenario for every flight and the KMAR plans the operation. People awaiting deportation are transferred to the KMAR about three hours before departure by the Dienst Vervoer en Ondersteuning (Logistics Service or Foreigner Department). The KMAR ensures that people awaiting deportation understand that it is a very strict operation. The deportees are then contacted by their “escorts” about an hour and a half or two before departure time. Everyone is subjected to a thorough search and

if necessary, they are handcuffed by the KMAR. Each individual is accompanied by two plain-clothed KMAR escorts. Families are accompanied by three KMAR escorts. The deportees are then taken by bus to the airplane. Families board the planes first, followed by “difficult cases.” Individuals (men first, then women) are the last to board. Apart from those being deported and their two escorts, two KMAR commanders, an interpreter, a nurse and an IND representative also board the plane. Occasionally they are joined by “observers” there to keep an eye on the escorts. They travel in plain clothes on scheduled flights and in uniform on charter flights. Often a so-called IND ‘advance-party’ arrives in the destination country a few days before the deportation flight, to prepare for their arrival. Sometimes members of the IND Co-ordination Presentation Administration (CPA) remain behind afterwards, to ensure that everything goes smoothly. With the IND, the CPA functions to choose the deportation destination, hires the plane (a Boeing 767, 757, Airbus or smaller charter), and arranges all paperwork, dossiers and travel documents associated with the deportations.

Depending on the destination and nationality involved, the KMAR analyses the population to assess the safety risks before deciding on the size of the group to be deported. A “seating plan” based on the level of difficulties expected from the group and the consequent number of escorts required is then devised. Individuals are usually escorted by one or two officers. These escorts study the dossiers of their charge, including privacy-sensitive remarks about their behaviour. In special cases, e.g.: pregnant women, a doctor’s declaration of fitness to fly is included. The deportees are spread out over the plane according to the KMAR seating plan. Problem-cases are seated in the back, as far as possible from the cockpit. The cockpit and exits are secured by a row of KMAR officers. The front is allocated to the least difficult cases - often women and children.

The deportee is seated at the window, with two KMAR officers in the two adjoining seats, thus blocking exit into the aisle. The deportee does not receive any cutlery during the flight, only soft plastic utensils and cups. A deportee must use the toilet with the door open in the presence of a KMAR officer. In the event that conflict arises between a deportee and escort, the latter is replaced by an officer from the KMAR “reserve pool.” The new escort is expected to adopt a different psychological approach to smooth over the situation. Everything is aimed at de-escalation - a so-called low-level approach as the safety of the KMAR and flight personnel has high priority. Officers of the reserve pool are also generally available to replace escorts on long distance flights when the maximum on-duty time is exceeded.

According to Theo Welens of the KMAR, destinations with an ‘easy’ population like Sri Lanka or Bulgaria, the deportees (75 on average); are seated together in the middle of the plane and bordered front and back by escorts. Flights carrying 100 Eastern Europeans are accompanied by an escort of 25, while flights to Africa (considered a “problematic” destination) have an average number 35-40 deportees and 80 –90 escorts.

When mass deportations are executed in collaboration with Belgium, France or Germany (so-called ‘Euro charters’), each country supplies their own escorts. The Belgian Government also includes a psychologist in their escort team. Transport takes place under KMAR regulations.

Destination Poverty

The introduction of group deportation by charter flights was legitimised by the State Secretary to Parliament who made a statement about an ‘extremely recalcitrant’ group of people that can’t be removed from the Netherlands by regularly scheduled flights when asked about a charter flight to Nigeria.... “Many foreigners that have been removed by charter were very recalcitrant. Because of this earlier attempts to remove them have failed in nearly 50% of all cases.”

First time deportations are usually done without escort and by scheduled flights. If that fails, an escorted removal follows. If the pilot of the airplane refuses to co-operate, to protect the safety of passengers and crew, a charter flight is the next option. If a charter is not an option the person is released in the Netherlands. The label ‘recalcitrant’ is fake: on the first few charters there were only labour migrants and Latin American prostitutes being deported for the first time. In early 2002, raids were carried out by the Department of Justice in order to catch Bulgarian and Romanian immigrants working illegally in greenhouses and/or involved in criminal activities. These reasons lack real substance and serve to further stigmatise and criminalize the people concerned.

Charter flight destinations are diverse, mainly Africa and increasingly Eastern Europe.

Year	number of charters	region	country
2000	3	2x Africa 1x Eastern Europe	2x Nigeria 1x Kosovo
2001	6	6x Africa	4x Nigeria 1x Congo/Niger/Togo 1x Marocco/Nigeria/Cameroon
2002	25	7x Africa 16x Eastern-Europe 1x Asia 1x South-America	4x Nigeria/Kameroen 2x Kongo 9x Bulgaria/Romenia 1x Sri Lanka 1x Surinam
2003	12	5x Africa 7x Europe	among whom 3x Nigeria among whom 4x Bulgaria/Romenia

In one charter flight, the IND paid Romanian authorities to handle the transport and escort of deportees. In 2002, a total of 25 charter flights carried 1384 escorts and deported 1404 unwanted people. In a January 2003 press-release the Justice Department stated that their goal was to increase from two to three charter flights per month. They were unable to achieve this goal due to the war in Irak (as the KMAR were needed to protect buildings), and the SARS-epidemic in Asia.

On 20 August 2003, the deportation of thirty Congolese was cancelled when Kinshasa revoked the right to land. The Justice Department bears in mind that there may be a limit to the amount of Charter flights. Assistant Secretary Kalsbeek says in a report dating February 2002: “Permission from the country of origin is need for the use of Charter

flights. We can not preclude that intensified use of charters for deportation will precipitate the countries of origin to refuse cooperation. Group deportations by charter places the country concerned and the foreign subjects involved in a peculiar position". Not much is known about violence aboard the charter flights. Complaints from those being escorted out of the Netherlands rarely (if ever), filter back through. The few stories that have managed to get through have implied that violence against deportees goes on. The KMAR suggests that deportees are generally resigned to the inevitability of their expulsion because it is clear that there is no way back. In 1996, IND executive Elting expressed a different point of view: "...we must consider whether or not to continue with the charters. People that leave by regular flights cause less unrest than those deported in large groups".

Published figures show that the KMAR use force more and more often, and that people resist deportation regularly. We fear that the KMAR may have increased the use of coercion to prevent others within the group being influenced by "rebellion."

Witnesses claim that people to be deported are cuffed and bound like packages and then carried onto the planes feet first. Deportees are often kept hand-cuffed for the duration of the flight. A Styrofoam helmet, specially developed to prevent people from banging their heads on charter flights, has yet to be used.

Euro charters.

European countries regularly cooperate to cut costs. The first 'euro charter' was introduced by the Dutch in 1995. A Martinair Airbus left Schiphol with 25 Congolese (expelled from the Netherlands), and six from Germany. Another 13 were picked up in Paris. An ASKV (Amsterdams Steun kommittee Vluchtelingen Amsterdam Refugee Support NGO) demonstration was held at Schiphol airport to draw attention and protest. In 1996, 88 people without papers (Sans Papier), were violently removed from the church where they had found asylum and then deported by a euro charter. The plane also contained 30 Congolese refugees from The Netherlands. French Union CFDT-Air France called for demonstrations against 'le charter de honte' (the charter of shame). Mass demonstrations were also held in Mali.

In 2000, Martinair Manager Verbeek said that the IND would discontinue these "double drop" flights – where illegals are picked up by plane from more than one country. Instead illegals from other countries were sometimes taken by car to the airport at Schiphol. A special German official has been placed in The Hague to facilitate this operation.

On the subject of Euro charters, the European Union agreed in November 2003, that the first country of departure is responsible for arranging the escorts. The other participating countries must send two representatives each to take care of the official transferral and paperwork in the illegal person's country of origin. There should be at least as many (unarmed) escorts as persons to be deported, escorts can also be employed by private firms. More info: <http://register.consilium.eu.int/pdf/en/03/st13/st13162.en03.pdf>

In January 2004, the Netherlands, Belgium and Luxembourg agreed to collectively organise charter flights for group deportations. The European Commission has made 30 million euro available for chartered deportations from all 25 European countries. In Dutch aircraft Dutch law and jurisdiction applies.

Dutch air companies known to have collaborated with group deportations include: Martinair, Transavia and Air Holland. After protests by the Autonomous Centre,

Martinair manager Verbeek promised that their company would stop co-operating with these deportations. He reconfirmed this in 2000, and still Martinair continues to cooperate with group deportations.

On 5 November 2003, Verbeek released a public statement justifying the participation of Martinair in group deportations by saying that these flights only remove criminals: "Many charters went to Eastern Europe carrying people with criminal backgrounds according to the IND, e.g. prostitutes and pickpockets. Not that I think that prostitution is criminal. In practice Martinair has stopped charters for the IND as Transavia has taken over." The ownership of Martinair is equally divided between KLM and Nedlloyd. Early 2004 Transavia tells the Autonomous Centre that the company will keep on carrying out (charter) deportations for the Dutch state. Transavia is a subsidiary of the KLM, which itself will soon be taken over by Air France. Air Holland chartered flights for the French government in 2003.

The Ministry of Defence is also ready to help deport groups of foreigners. On 26 February 2003, Air Force commander Berlijn struck a deal with the IND in the form of KDC-10, F-60 and F-50 airplanes to accommodate the expected increase of group deportations in 2004. According to the Minister, the Air Force is cheaper than commercial flights. Military aircraft are readily available and it relieves some of the pressure from Schiphol airport. The KMAR is sceptical as obtaining flight and landing rights for military planes will be problematic in several countries. Former IND Managing Director Schoof signed the agreement, convinced that the first military flights would take place soon after. Early 2004 this has not happened yet.

In 2003 18 charters took place from the Netherlands deporting 868 refugees and migrants (from the total of 11.400 deportations with the 'strong arm' (MP) in 2003). That is less than the year before when 25 charters left with 1404 deported migrants (from the total of 12.000 deportations with the 'strong arm' in 2002).

In March 2004 two military deportation planes filled with migrants from Belgium, the Netherlands and Luxembourg left from the military airport Melsbroek near Brussels to Kosovo/Albania and Turkey/Romania. These were flights according to the Benelux Accord from January '04 when the three countries agreed to cooperate in common deportations. They functioned as European pilot projects. On May 25th '04 a eurocharter departed from Schiphol Airport with 44 illegalised persons from Togo and Cameroon. This was a common project from the UK, Germany, France, Belgium and the Netherlands. On June 16th '04 the second common deportation left from Schiphol to Bulgaria/Romania with 90 migrants aboard from France and the Netherlands. picked up during a big police raid in Amsterdam. The 55 migrants from the Netherlands were picked up during a big police raid in Amsterdam.

These two eurocharters were presented as flights according to the EU agreement from April '04 for common charters. In March '04 the majority of the European parliament protested against this agreement, "filling aeroplanes at the expense of individual treatment of the dossiers". Some 30 million euros were reserved by the EU for this charter project for the years 2005 and 2006.

Critique of charter flights

Summary of the main criticisms of forced deportation by charter flight:

- Charter flights take place unseen by the (critical) outside world, e.g. other passengers, pilots and crew. There is no independent monitoring in a charter or military craft. Charter flights have the 'advantage' over scheduled flights as there are no passengers to be inconvenienced, according to the IND. This is important because complaints from standard airline passengers precipitate the refusal by pilots and/or air companies to act as a transport carrier for deportations, thus frustrating the work of the IND.
- The air companies that run regular flights have become more critical. They don't want handcuffed, injured, or possibly dead passengers on board. They have also been known to refuse to transport people being deported for the sole reason that their paperwork and formalities are not in order.
- Force is applied more readily on charter flights in order to nip every form of resistance in the bud. The risk of resistance spreading out to the rest of the group is much bigger.
- Charters and military flights in particular attract a lot of negative attention on arrival. This increases the risks for deportees delivered into the hands of authorities that they failed to escape from originally. The people concerned return involuntarily, and may be considered as dissidents and/or opposition - a de-stabilising factor in their home country. No one can guarantee their safety. They can be followed, arrested, or their future opportunities may be barred. They can be silenced.
- Charters fly outside of regular flight schedules, which is why special landing permits are needed. The issuing of 'laissez passers' (single use travel documents) and the return to the country of origin is prepared in advance, in cooperation with that country's authorities. On arrival the group is handed over to the country's immigration authorities. In some cases money has to be paid to Immigration Services in order to get a pass. Vluchtelingenwerk Nederland (the Dutch refugee aid organisation), and Amnesty International are not in principle against charter flights as long as violence stays 'proportional'. Vluchtelingenwerk however thinks charters should be avoided if possible. IND work instructions dated from 1999 state that: 'It can be concluded from the experience of several Embassies that the less attention deportations attract (e.g.: the presence of deportee-country of origin officials, visible escort by police on the journey, reports by human rights organisations),the fewer problems are expected on arrival.' For charters that are connected to raids it can be difficult to make the number of detainees match the available seats. Sex workers union de Rode Draad (the Red Thread) suspects that in some cases the hunt was continued simply to fill up the plane.

Image building

Although only 10% of total deportations were carried out by charter flights in the peak year 2002, charters are important for the public image says the Department of Justice. "They make deportations visible to the public - 'something is being done' (plus they make most deportations run smoother)." Every successful deportation charter is followed by a jubilant, Departmental press-release, containing the phrase 'A number of them were guilty of criminal activity'.

To daily tabloid newspaper de Telegraaf this was enough to print an article, headed "mass deportation of criminal illegals" which says that the IND will soon be removing

two airplanes full of criminals per month.” (13-02-02). In the same article, Former IND Managing Director Schoof stated: ‘charter flights are important for the public image. The image in the Netherlands should be that people living here illegally are really going back. Chartered deportations also cause a lot of publicity in the country of origin which discourages those citizens to come to our country.’”

Deploying the Air Force for group deportation flights also invokes sentiments. It is partly a matter of image, confirms Schoof. “We are talking forced deportation here, not holiday trips. Expulsion with one of our holiday charter companies, including ‘on board service’ is peculiar. It should be more meagre. That would make a better image. “ A military approach would be more suited for forced deportations, according to Schoof. KMAR captain Van der Kuijl, head of the Customs Support Brigade thinks calling the deportations holiday trips’ is plain ‘showing off’ and ‘totally out of context’. He expects a lot of trouble getting flying and landing –permits for military airplanes. For this reason Van der Kuijl calls the contract with the Ministry of Defence ‘a political decision’. As of June 2003, the IND uses the word ‘government flights’ rather than ‘charters’ in their press releases, possibly to take away associations with holiday trips. Over all it seems that this policy is largely aimed at creating an image of a firm government to the Dutch public in the hopes of regaining lost confidence. Such motives have little to do with a problem-solving approach towards the ever growing migration movements in the Netherlands.

An entirely different view of migration issues is raised in countries of origin such as The Congo, where the charters full of rejected immigrants arrive. The Kinshasa newspaper “Reference Plus” headline on 22 November 2002 ran: ‘Racism strikes in The Netherlands. 22 Congolese removed from Holland.’ Followed by “outrageous, inhumane travel conditions *66 police to watch Congolese that were handcuffed for hours * these inconsolable fellow countrymen and women average between 20 and 45 years of age.’ La presse Digitalcongonet writes that the 22 people rejected the accusations of unlawfully residing in Holland, that were used to justify their scandalous deportation”, “A removal closely resembling bestiality”. Schortinghuis, Dutch Ambassador to The Congo reacts furiously in the Reference Plus: “All have been treated with the utmost respect and sensitivity (delicatesse) (...) They travelled business class and were escorted to prevent possible aggressive behaviour, and contrary to your accusations, no-one was handcuffed.” In December 2002 the Comite pour la Democratie et les Droits de l’Homme (CDDH) of Kinshasa reported that the Congolese people deported by charter flights had been shipped to a hangar in Schiphol where they were completely undressed, in full view of male and female airport workers.

The message of deterrence that these chartered deportations are supposed to bring in the countries of origin is mainly perceived as humiliation. The pictures of these people, surrounded by dozens of police, the countless witness statements about police violence, and the feeling of injustice, are generally viewed as acts of arrogance towards the entire population, causing a lot of bad feeling. The condescending indifference in which rich countries treat people from regions stricken by conflicts and poverty, reminds them of colonial rule, of exploitation and humiliation.