



Festival del film Locarno
Concorso internazionale

CLIMAGE PRESENTE

VOL. SPECIAL.

UN FILM DE FERNAND MELGAR



RÉALISATION FERNAND MELGAR ASSISTANTE DE RÉALISATION ELISE SHUBS IMAGE DENIS JUTZELER SON CHRISTOPHE GIOVANNONI SON ADDITIONNEL JÜRIG LEMPEN MONTAGE KARINE SUDAN ASSISTANTE AU MONTAGE PRUNE JAILLET COLLABORATION AU MONTAGE CLAUDE MURET
GRAPHISME JANKA RAHM ÉTALENNAGE PATRICK LINDENMAIER TRUQUAGE DANIEL WYSS MONTAGE SON GABRIEL HAFNER MIXAGE FRANÇOIS MUSY MUSIQUE WANDIFA ILIIE PRODUCTION DÉLÉGUÉE FERNAND MELGAR PRODUCTION EXÉCUTIVE STÉPHANE GOËL, ELISE SHUBS CHARGÉE
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LOOK NOW!



SPECIAL FLIGHT, a film by Fernand Melgar

After *The Fortress*, which portrayed the reception conditions for asylum seekers in Switzerland, Fernand Melgar takes a look at the end of the migrants' journey. Awaiting definite deportation from the Swiss territory, men are jailed at the administrative detention centre Frambois. As their request for asylum has failed, they are ordered to leave, some of them after having spent several years in Switzerland, worked, paid taxes, and started a family. Although incarceration may be as long as 18 months, the deportation is announced without warning and its implementation is imminent. Behind the closed prison doors, tension builds day by day. On one side there are wardens full of humanist values, on the other there are men at the end of their journey, defeated by fear and stress. Relations of friendship and hate, respect and revolt are formed until the announcement of deportation, which is experienced like a stab. This relationship ends mostly in distress and humiliation. Those who refuse to leave are handcuffed, tied up and forcibly put on a plane. In this extreme situation, despair has a name: special flight.

Documentary - 2011 - Switzerland - 100' - 35mm - 1:1.85 - Original version French

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SERGE, prison register number 1256

« We are being killed silently. »





THE FILM

Each year, thousands of men and women in Switzerland are imprisoned without trial or sentence. Simply because they stay in the country illegally, they may be deprived of liberty for up to eighteen months before being deported.

After *The Fortress* (awarded with the Golden Leopard at the Locarno International Film Festival), which dealt with the reception conditions for asylum seekers in Switzerland, Fernand Melgar takes a look at the other end of the chain, i.e. at the situation towards the end of the migrants' journey. The filmmaker immersed himself for 9 months in the administrative detention centre Frambois in Geneva, one of the 28 deportation centres for the paperless in Switzerland.

Frambois accommodates rejected asylum seekers and illegal migrants. Some have been established in Switzerland for years, they started a family and they work. They pay their social insurance contributions and send their children to school. Until the day the cantonal immigration authorities arbitrarily decide to imprison them to ensure their departure. The problem is that no inmate is willing to leave the country voluntarily. Thus begins a relentless administrative procedure to force them to leave.

Behind the closed prison doors, the confrontations between staff and inmates sometimes become unbearably intense over the months. On one side there is a close-knit, motivated team of wardens full of humanist values, on the other there are men at the end of their journey, defeated by fear and stress. Relations of friendship and hate, respect and revolt, gratitude and resentment are formed, until the announcement of deportation, which prisoners often experience as a betrayal, as an ultimate stab.

This "life and death" relationship, as unfortunately evidenced by the film's most dramatic episode, ends mostly in distress and humiliation. Crushed by the law and its relentless administrative spiral, those who refuse to leave voluntarily are handcuffed, tied up, forced into wearing helmets and diapers and then forcibly put on a plane. In this extreme situation, despair has a name: special flight.

JETON, prison register number 1289

« We must remain strong. »





FRAMBOIS

Based on the federal law on coercive measures, illegal foreigners, be they man or woman above 15 years of age, can be imprisoned for a maximum period of 18 months pending their deportation from Switzerland. Few citizens know this law, whereas they voted for it by an overwhelming majority in 1994, and all Swiss cantons adopted it without exception.

Among the 28 cantonal prisons that practice administrative detention in addition to criminal detention, Frambois is a special case. As the result of a concordat between the cantons of Geneva, Neuchâtel and Vaud, Frambois is the first institution dealing solely with measures of constraint. It is severely criticized for its high cost and relative comfort, especially by Zurich, which, conversely, applies tough methods. Yet it should be noted that Frambois has the highest deportation success rate, i.e. 86%, while Zurich just about reaches 80%.

Frambois was inaugurated in June 2004 on the outskirts of Geneva. State Councillor Micheline Spoerri made no secret of the difficulties faced by Frambois: "Its objective is to respond intelligently and humanely to a law that has the unique feature of detaining persons who have committed neither crime nor offence, in order to ensure the successful implementation of deportation. As its operation has not yet been defined in federal law, a special system of administrative detention had to be invented. The challenge was daunting."

Inside this prison world, there are 22 individual cells equipped with a refrigerator and TV. Inmates are free to leave their cells between 8 a.m. and 9 p.m. The common room on the ground floor is the central area of Frambois. It is equipped with tables, chairs and table tennis. Inmates spend most of their day there. Discussions, games, meals and even visits by chaplains take place there.



This "Frambois Concept" has a price: the construction cost CHF 4 million, funded 90% by the Confederation. Thirteen people work there. Frambois costs 280 CHF a day per inmate, i.e. nearly CHF 100,000.- a year. With a capacity of 25 inmates, Frambois accommodated 272 people in 2009. "But administrative detention is the hardest of all," says Claude, the director of Frambois. "For a convicted criminal, every day is a step towards freedom, but the prisoners here have absolutely no prospects."

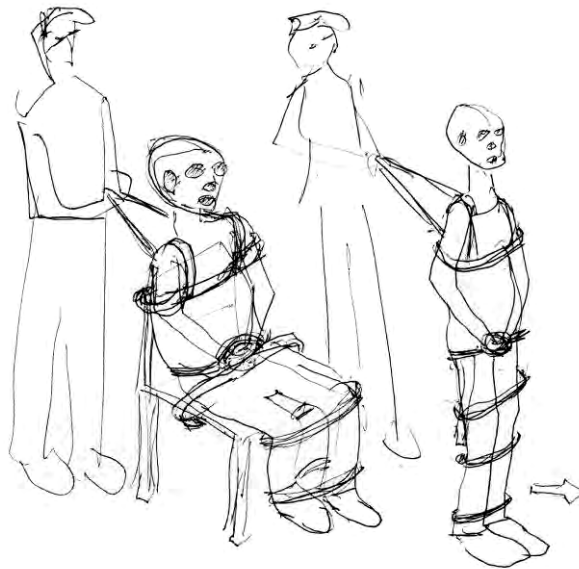
Frambois is staffed by a small, devoted team that meets every morning for discussions. Management communicates the dates of deportation or arrival; officers describe what happened during the night. "Some detainees worry us very much. When you say goodnight and lock their cell doors, you wonder if you will see them alive the next morning. We keep a close watch on them," states detention officer Adulaï. Indeed, many inmates suffer from serious depression that may lead to self-mutilation, hunger strikes or suicide attempts.

Over the months, ties are forged between staff and inmates. "We sometimes feel the injustice, but we don't discuss it with the inmates. Our job is to keep watch over them. But it's hard when you know that a guy you like is leaving and that you have no right to tell him. The next morning he is gone and you couldn't even say goodbye," admits Denis, a detention officer. When an inmate is being deported, he can be under so much stress that excessive measures are required. Cases of police misconduct have been found and three men have already died in Switzerland.

WANDIFA, prison register number 1126

*« I did nothing. They arrested me, I had no papers.
I've been locked up here for over a year. »*





SPECIAL FLIGHT

Coercive measures are not intended as a punishment but as a guarantee of departure. The implementation of deportation is entrusted to specially trained police officers. In cases of voluntary departure, the police get an inmate in his cell and take him to the plane. If he does not want to leave by his own volition, a so-called "accompanied" flight is organised. In principle, the inmate is notified the day before. On the day of departure, he is handcuffed and accompanied by two plain-clothes officers on a scheduled flight to his final destination. He may, however, refuse to board.

The final possibility is a special flight chartered by the Federal Office for Migration (FOM). The only passengers aboard are the deported, police officers and FOM representatives. To avoid resistance, inmates are notified at the last moment. They are then taken to the airport where they are chained up. Tied to their chairs, equipped with a helmet and diapers, inmates are escorted into the aircraft. A special flight may take up to 40 hours, during which they remain tied to their seats. For these flights to be profitable, prisoners from different nationalities are boarded and the plane stops in several countries.

The conditions of these deportations are at the centre of controversy. Switzerland is the only country in Europe that organises such heavy chaining up. Many people condemn this practice considered inhuman and endangering the lives of those that are being deported. The Swiss Federation of Physicians opposes special flights for medical and ethical reasons. It urges doctors to refuse participation in deportations under duress, because proper medical supervision is considered impossible. Special flights have already cost three people their lives.

A special flight can cost CHF 20,000.- to a nearby destination, and up to CHF 200,000.- for long-haul flights to Africa, for example. The cost per deported person can thus be between CHF 15,000.- and 23,000.- The annual cost is estimated at approximately CHF 1.9 million. The national airline "Swiss" and the budget airline "Hello" responded positively to the tender of the Confederation. The director of "Hello" has no problem with performing this task: "Billing is done like for any other flight. Transporting a football team or asylum applicants to Nigeria comes down to the same thing!"

Although the FOM has never admitted these facts, testimonies denounce the methods it uses to carry out deportation by hook or by crook. The FOM is regularly accused of sending people to a country other than their home country by bribing local authorities.

JEAN-MICHEL CLAUDE, director of Frambois

« This is the day of your departure. Stay calm, everything will be okay. »



INTERVIEW WITH THE FILM DIRECTOR

What made you look once more into the issue of asylum?

Fernand Melgar: In the discussions that followed the screenings of *The Fortress*, I was struck by the public's unawareness of how the continual hardening of the laws on asylum and foreigners affects the lives of innocent human beings. I believe Swiss citizens no longer really know why they vote. The populism of the UDC's campaigns (UDC: Democratic Union of the Centre, a conservative political party in Switzerland) blinds voters and stirs up xenophobia. At screenings of the film in schools, the term "asylum applicant" was, for a majority of teenagers, synonymous with "offender", and asylum merely a form of abuse of the social good. So confining asylum applicants in order to deport them seemed normal to these teenagers. I considered it urgent to make a film about the unknown reality of administrative detention and deportation.

Special Flight also portrays the fate of the paperless...

FM: 150,000 paperless migrants live in Switzerland. The vast majority of them work, pay taxes and social insurance contributions. They look after our elderly, care for our children, and clean our flats and hospitals. Without them, many hotels and construction sites would have to shut down for lack of cheap labour. Both unsuccessful asylum seekers and paperless migrants live with a sword of Damocles dangling over their head: they may be arrested at any moment, imprisoned for months or years and deported from Switzerland without any form of trial. Or, the height of absurdity, they are released only to be arrested again a few months later. I realized that I needed to continue reflecting on the work initiated in *Vallorbe*; I needed to scratch the surface more to loop the loop of *The Fortress*, in an attempt to better understand this pendulum swing between hope and despair that characterizes so many of these migrant destinations.

How did you discover Frambois prison?

FM: When shooting *The Fortress*, I befriended Fahad, a young Iraqi translator threatened with death, who took refuge in Switzerland. He was arrested immediately after receiving the negative decision of his asylum request, in order to be deported. Visiting him in Frambois, I discovered the most profound human anguish that I have witnessed in this country. Fahad told me of his companions in misfortune: innocent men destroyed by their incarceration, fathers torn from their children, illegal workers worn out by years of hard labour, and young men on the verge of suicide, broken in their search of a better life. All were treated like criminals, whereas their only offense was not having a residence permit in Switzerland. Some were locked up for months, although there was no readmittance agreement with their country of origin to return them. They were at the mercy of an arbitrary cantonal immigration service. A few months later, Fahad's brutal deportation by special flight shocked me. Six Zurich policemen turned up in his cell in the middle of the night, chained him up and took him away. He bore the physical and psychological marks of manhandling and humiliation for a long time afterwards.

How did you get permission to film in such a location?

FM: Frambois is a joint administrative detention centre of the cantons of Geneva, Neuchâtel and Vaud. I contacted the state councillors in charge. After lengthy discussions, I gained their trust. All agree that *The Fortress* opened a positive public debate, and they consider it necessary to continue this work on the issue of asylum and migration beyond all populist discourse. I obtained from them and from the Frambois management the necessary authorisations to unrestrictedly film life at Frambois as well as the work of the judicial body and the police of the cantons concerned.

How did you manage to convince the prisoners to appear openly?

FM: Before the shoot, I spent a lot of time with Frambois inmates, whom I encountered by the by during my visits. Gradually, I gained their trust and they started confiding in me. Feeling rebellious and forgotten by the outside world, almost all of them agreed to participate in the film. They knew that it was not going to change their personal situation, but it was a way for them to be heard and to witness a situation that seemed unfair to them.

What about the Centre's staff?

FM: The director of Frambois immediately agreed and encouraged his team to participate in this project. He even defended it with his superiors. Prison wardens are often perceived in a bad light, whereas he believes they perform important social work in a situation that is very difficult to handle. This film was an opportunity to showcase their work. As far as Frambois staff was concerned, my objective approach towards the institution shown in *The Fortress* motivated them to appear in the film.

What particular aspect left the greatest mark on you during the shoot?

FM: We had close ties with almost all inmates. We spent several months with them and knew their history, their family and their fears. When the police came to get them at Frambois to put them aboard a special flight, we were present for the shoot, but we could never say goodbye. Their distressing last gaze still haunts me today.

Why is there no picture of them being tied up or forced to depart in your film?

FM: Detention is a cantonal matter, whereas the organisation of special flights is the responsibility of the Federal Office for Migration (FOM). I therefore requested their permission to shoot in the airport lobby where the deportees were chained up before being boarded. At first, I received no response from the FOM. Following my repeated requests, the FOM press service told me about a federal order that prohibited filming a person in a humiliating or degrading situation. Given the absurdity of such a response, especially in view of the fact that the deportees had given me their permission to film them, I asked for a copy of this order. I am still waiting for it.

*Yet the FOM gave you permission to shoot *The Fortress*...*

FM: That's true. But to my amazement, the former head of communications of the FOM, now the right-hand man of Federal Councillor Ms. Widmer-Schlumpf, informed me that he sincerely regretted having given me his permission to shoot *The Fortress*.

Do you know what became of these detainees after their deportation?

FM: After each departure by special flight, we called them to see how their journey had gone. All their testimonies were overwhelming. Not only did they feel thrown out by Switzerland like trash bags, but they also suffered the physical and psychological consequences associated with being chained up. Some were arrested or divested on arrival by the police of their country, sometimes under the very nose of the Swiss representatives. So we decided to continue seeing them in their home country and filming their lives after their deportation. These portraits will be presented in 2012 as a web documentary co-produced by RTS and ARTE.

FRAMBOIS, february 2010



WHAT HAS BECOME OF THEM?



Geordry

Geordry, the son of an assassinated opposition leader, had to flee from Cameroon and applied for asylum in Switzerland. His reasons for persecution were considered unlikely. Following a negative decision, he was imprisoned in Frambois. Deported by special flight to Yaoundé, he was imprisoned shortly after his arrival at the central prison Kondengue, notorious for its torture practices. For obscure reasons, the incriminating evidence of his application for asylum in Switzerland was handed over to Cameroon.



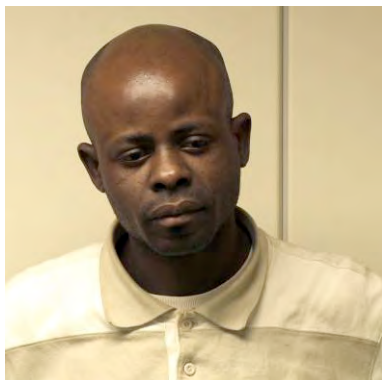
Ragip

Former seasonal worker Ragip worked in Switzerland for 20 years, where he paid taxes and social insurance contributions. After his deportation by special flight to Kosovo, the worry about his three children and his wife living in hiding in Switzerland was eating away at him. At the request of the Geneva Immigration Service, which wanted to deport the rest of the family, the Department of Public Education did not hesitate to give them the address of his children enrolled in public school.



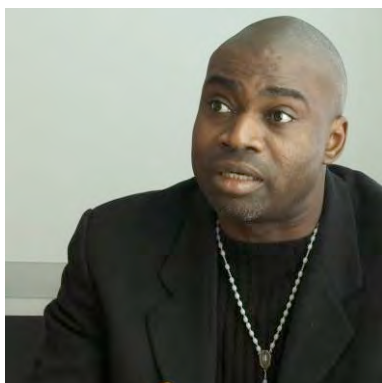
Jeton

Jeton, a Kosovo Roma refugee in Germany, was arrested and jailed for staying illegally in Switzerland during his marriage procedure. Following the death of a Nigerian applicant, special flights were temporarily suspended and Jeton was released from Frambois. He joined his bride and married her in extremis in December 2010. He then benefited from a family reunification status, and therefore provisional admission to Switzerland. Since 1 January 2011, Switzerland has prohibited marriages of paperless migrants, even to a Swiss spouse, on its territory.



Serge

As an unsuccessful asylum applicant, Serge was returned to Kinshasa by special flight and robbed, by the local police, of all his baggage and money on arrival. Traumatized by this theft, with no money, no family and no ties there, he lives in utmost misery. Over the past year, he has regularly gone to the Swiss embassy to try to recover the money he contributed to social insurance while working in Geneva. He has no news of his daughter who has remained in Switzerland.



Julius

On his special flight, Julius kept repeating to the Zurich police officers in charge of chaining him up that he had a knee problem. Following the death of the Nigerian man, who had died next to him at the airport, Julius was released. He has been suffering serious physical consequences related to being tied up too tightly. In addition, his tendon broke. At the end of 2010, he underwent a first knee operation, but he may remain partially disabled.



Alain

Alain, a threatened unionist, fled the DRC and requested asylum upon his arrival in Geneva. He was never going to see Switzerland any other way than through prison bars. After being locked up for two months at the airport during asylum proceedings, he was taken to Frambois after receiving a negative response. Deported eight months later, he took refuge in Angola. He said that the Swiss police sent his asylum request file to the Congolese authorities, which contained compromising information about himself and his family.

ALAIN, prison register number 1253

*« I am a union member wanted by the police in my country.
But it is here that I experienced life in prison.
And it was Switzerland that tied me up and handed me over to my tormentors. »*



FERNAND MELGAR – biofilmography



Fernand Melgar was born into a family of Spanish unionists exiled to Tangiers (Morocco). His parents smuggled him in with them when, in 1963, they emigrated to Switzerland as seasonal labourers. In the early eighties, he cut short his business studies in order to found, together with several friends, Le Cabaret Orwell in Lausanne, soon a mecca for French-speaking Switzerland's underground culture; later, he created the internationally renowned rock music venue La dolce Vita, also in Lausanne. After endowing the latter night spot with a programme of creative video projections, he became a self-taught, freelance film director and producer. In 1983, he began putting together various experimental films and iconoclastic reportages for television. In 1985 he joined Climage (*), a collective to which he belongs to this day, and under whose auspices he has realized around a dozen documentaries, now considered as benchmarks on the topics of immigration and identity. He has also edited several of Jacqueline Veuve's films, including

her *Le Journal de Rivesaltes*, awarded the 1998 Swiss Film Prize. His documentary – *EXIT, the Right to Die* – has garnered several international awards, including the prestigious 2006 EbU Golden Link Award for the best European Co-Production, and the 2006 Swiss Film Prize. Winner of the screenplay competition launched by Télévision Suisse Romande (French-speaking Switzerland's broadcasting centre) in 2007. In 2008, his most recent documentary *The Fortress* becomes the Golden Leopard in the International Film Festival Locarno.

(*) Created in 1985, Climage groups together several individualists who have similar ideas on independent and engaged filmmaking. Today, Climage has become one of French-speaking Switzerland's most prolific producers of documentaries. Its films have won awards at numerous festivals, and are broadcast by television stations around the world.

LA FORTERESSE (THE FORTRESS) 2008, doc 90'

Léopard d'Or – Cinéastes du Présent Festival de Locarno, Grand Prix – Cinéma Vérité Téhéran, Prix du public – Festival dei Popoli Florence, Grand Prix – RIDM Montréal, Nomination meilleur documentaire – Prix du Cinéma suisse, Mention spéciale du Jury – BAFICI, Prix d'excellence – Yamagata, etc.

EXIT, Le droit de mourir (EXIT, The right to die) 2005, doc 85

Prix du Cinéma Suisse 2006, Golden Link UER du meilleur documentaire européen, mention spéciale du Jury au Festival International du Film Francophone de Namur, mention d'honneur au Full Frame Festival, etc.

PREMIER JOUR (FIRST DAY) 2000-2003, 10x 10',

Avant-première à Visions du Réel, Nyon. Primé à Cinéma Tout Ecran, Genève et au Kurzfilmtage, Winterthur. Nomination au Prix du Cinéma Suisse.

REMUE-MÉNAGE (STORM IN A C-CUP) 2002, doc 60'

Primé à Traces de vies 2003, Clermont Ferrand. Compétition internationale à Visions du Réel 2003, Nyon – Leipzig Film Festival 2003 – Chicago Film Festival 2003 – RIDM Montréal 2003

CLASSE D'ACCUEIL (INDUCTION CLASS) 1998, doc 56'

Primé à Genève aux Rencontres Médias Nord-Sud

ALBUM DE FAMILLE (FAMILY ALBUM) 1993, doc 56'

Primé à Genève aux Rencontres Médias Nord-Sud

TECHNICAL SPECS

Director and producer	Fernand Melgar
Director assistant	Elise Shubs
Image	Denis Jutzeler
Sound	Christophe Giovannoni
Editing	Karine Sudan
Editing coaching	Claude Muret
Designer	Janka Rahm
Grading	Patrick Lindenmaier
Sound editing an mixing	Gabriel Hafner, François Musy
Music	Wandifa Njie
Executive production	CLIMAGE / Stéphane Goël, Elise Shubs
Coproduction	RTS / Unité des films documentaires : Irène Challand, Gaspard Lamunière SRG SSR / Alberto Chollet, Urs Fitze ARTE G.E.I.E / Unité documentaire : Annie Bataillard, Christian Cools
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