



APPELLANT

, date of birth 14 October 1978

Representative and public counsel: Johanna Wennberg, Member of the Swedish Bar Association

RESPONDENT

Swedish Migration Board, Litigation Unit in Gothenburg

ORDER APPEALED

Swedish Migration Agency's decision of 3 September 2018, reg. no

MATTER

Residence permit under the Aliens Act (2005:716), abbreviated as A1A;
now the question of translation of documents and witness evidence

RULING OF THE MIGRATION COURT

The Migration Court rejects the claim for translation. The

Migration Court rejects the claim for witness evidence.

is given the opportunity to supplement the
investigation with the evidence he wishes to provide in the case no
later than 10 February 2020.

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08:00–16:00

CLAIMS ETC.

is appealing the decision of the Swedish Migration Agency to reject his application for a residence permit etc. and to expel him to his country of origin. He is, at the same time, presenting claims that the Migration Court have documents submitted translated and that Martin Uggla be examined orally as an expert on matters including the situation of opposition activists in Belarus.

REASONS FOR THE RULING OF THE MIGRATION COURT

Translation

has submitted an extensive quantity of documents. The great majority of them have been translated. What remains for the Migration Court to consider is whether a party certificate, printouts from Facebook-like pages, documents submitted by the appellant's wife, a certificate from a human rights organisation, a certificate from a prosecutor, a police report and audio files submitted should be translated.

The Migration Court makes the following assessment. All the documents are copies or printouts of varying quality. The content of quite a number of the documents is unknown and is only said to support the alleged threats.

Through his counsel, has previously had the opportunity to specify the content of the documents in more detail. However, no more detailed specification has been given of the content of the documents; instead he has maintained what they are intended to show.

As regards the audio files, they must be considered to be of limited probative value since they cannot be traced to specific individuals. In view of what has been stated about the content of the documents and what has emerged after the previous translations have been made, the Migration Court considers, on the basis of the importance of the documents for the final examination, that there is no reason to translate the remaining documents submitted.

Witness evidence

The Court has to ensure that nothing unnecessary is included in the case. A redundant investigation may be dismissed (Section 8, third paragraph of the Administrative Court Procedure Act).

The oral evidence that wants to provide in the case is redundant since the assessment made is that the evidence could be presented in writing.

Further processing of the case

The Migration Court will hold an oral hearing in the case at a time that will be announced later. Before that oral hearing, should be given the opportunity to supplement the investigation with the evidence he wishes to provide in the case.

This decision may only be appealed in conjunction with an appeal of the Court's final ruling in the case

Linda Widenström
Judge

The reporting lawyer in the case has been Malin Byttner.