

Report from  
EMN Sweden  
2015:2

## Dissemination of information on voluntary return: How to reach irregular migrants not in contact with the authorities - Sweden



**Dissemination of information on voluntary return: How to reach irregular migrants not in contact with the authorities**

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Disclaimer: This publication was produced by the Swedish National Contact Point of the European Migration Network (EMN) for public dissemination within Sweden and abroad. It is based on the Swedish contribution to the EMN focused study "Dissemination of information on voluntary return: How to reach irregular migrants not in contact with the authorities", which was carried out within the framework of the EMN work programme for 2015. Since the original contribution was not considered to be user-friendly, and since some questions did not apply to the Swedish situation and therefore could not be answered appropriately, it was decided to develop a more reader-friendly format. The original version of the Swedish contribution to the EMN study can be obtained from the Swedish National Contact Point of the EMN upon request.



## Summary

Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.

This report, which represents the Swedish contribution to the European Migration Network (EMN) study “Dissemination of information on voluntary return: how to reach irregular migrants not in contact with the authorities”, looks into the Swedish rules and policies on how asylum seekers and returnees are informed on options of (voluntary) return. Primarily it focuses on the role of the Swedish Migration Agency in this regard, but it also covers the role of other public actors, notably the Police, but also NGOs, faith-based groups, migrants rights groups and other civil society actors.

Reliable statistics on the number of irregular migrants in Sweden is unavailable for the period concerned. There are estimates, but there is no break-down for individual years. Estimates published in Swedish Government Official Reports in 2010 and 2011 indicate a range of 10 000 to 50 000 irregular migrants. The number of children (unaccompanied minors) are believed to range from 2 000 to 4 000. These estimates build mainly on information from the Police and NGOs active in the field. Other subsequent publications, e.g. information on some government and NGO websites which are updated as of 2015, mention this range as well. The estimate includes both migrants who have been known to the authorities (e.g. failed/absconded asylum seekers and migrants whose legal stay in the country has expired) and those who have never made themselves known to the authorities (clandestine entries). Former asylum seekers are believed to constitute the major group of irregular migrants. Applicants subject to transfer according to the Dublin Regulation have proven to have a particularly strong tendency to abscond. The largest groups of irregular migrants are believed to be found in the metropolitan areas of Stockholm, Göteborg and Malmö. Some NGOs and several migrant-rights groups are vocal in their support of the rights of irregular migrants and migrants “sans papiers” (undocumented migrants). Statutory changes which took effect 1 July 2013 allow access to health care and dental care for undocumented migrants on the same conditions as asylum seekers. As of the same date, undocumented children were given the right to attend school.

The Swedish Migration Agency and the Swedish Police are the principal state authorities in the field of return. The Migration Agency carries out voluntary returns only, whereas the Swedish Police carries out forced returns. The files of returnees who abscond or do not return voluntarily are transferred by the Migration Agency to the Police which will then, depending on circumstances in the individual case, issue a warrant and forcibly return the person. Returnees are to bear the cost for their return travel. However, in practice the Migration Agency pays for the return journeys for nearly all returnees. There are no statistics available on how many returnees bear the cost for their own return journey. Hence, the bulk of voluntary returns administered by the Migration Agency would fall in the category of assisted voluntary return (AVR). Nationals of a limited number of countries (Afghanistan, Iraq, Morocco<sup>1</sup> and Uganda, the latter only covers unaccompanied minors) are eligible for assisted voluntary return and re-integration programmes (AVRR). The County Administrative Board

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<sup>1</sup> The Morocco Programme started 1 January 2015.

of Stockholm is responsible for a voluntary return programme that specifically targets victims of trafficking for sexual purposes and prostitution in Sweden (AVRTiPP-SWE). In addition, nationals of some twenty countries of origin (e.g. Afghanistan, Eritrea, Iraq, Somalia and Syria) are eligible re-integration support from the Migration Agency provided they return voluntarily. This is a cash grant which is paid upon arrival.

There is no state authority specifically tasked to disseminate information on voluntary return to irregular migrants (those who were either formerly known by the authorities or those whose residence is unknown to the authorities). The Swedish Migration Agency is assigned to administer voluntary returns of those who have received a final expulsion order/refusal of entry (or those who have signed a declaration of acceptance) and are in contact with the Migration Agency, i.e. migrants whose residence is known. The Migration Agency has not been engaged in projects or campaigns specifically designated to reach irregular migrants not in contact with the authorities since this falls outside the scope its operations. The Swedish Police has not been engaged in information campaigns of a general nature to reach out to e.g. absconding migrants in general or those irregular migrants that have never made themselves known to the authorities.

The Migration Agency provides information on voluntary and forced return to asylum seekers and returnees on a number of instances throughout the asylum process (in connection with the application, following a refusal of an application et cetera) and in a variety of different formats (orally via interpreter, in writing, printed, website). The website of the Migration Agency contains extensive information on return and allows for easy sharing of this information to e.g. Facebook and Twitter. Information on return is available in about a dozen languages. The website also has a function which allows the viewer to listen to the text (in English and Swedish). In addition the website provides visual presentations (narrated films in several different languages) on e.g. (voluntary) return. Guidelines, handbooks, internal instructions and other soft law publications govern the methods, timings and contents of information on return given to returnees. Return decisions to persons who have applied for asylum are as a rule communicated orally via interpreter (by Migration Agency case officers). Return decisions regarding applicants citing other grounds for entry/stay, e.g. work permit or family re-unification are generally communicated in writing. Special considerations apply to some vulnerable groups, e.g. unaccompanied minors and victims of trafficking for sexual purposes. Information on return from the Migration Agency may also be available elsewhere, e.g. on other government agency websites. Other organisations, including NGOs, have links to the Migration Agency's website on their respective websites. Typically however, web links from the latter would direct the viewer to the website of the Migration Agency rather than providing separate pages with information on (voluntary) return.

The study indicates that, apart from the Migration Agency, few other actors disseminate information on (voluntary) return. Some of the major NGOs, e.g. the Swedish Red Cross and Caritas provide information on (voluntary) return on their websites. Furthermore, the Red Cross was engaged in a project in the 2010-2012 period which, inter alia, aimed at return counselling targeting returnees to Iraq, Kosovo and Serbia. The County Administrative Board of Stockholm co-headed with IOM's Helsinki Office a project covering return for victims of human trafficking for sexual purposes and prostitution. Some NGOs and in particular migrant-rights groups are vocal in their support of the rights of irregular migrants and migrants "sans papiers", e.g. the group No one is illegal – a world without borders (Ingen människa är illegal). Few faith-based groups provide information on voluntary return. The Church of Sweden does not actively or systematically engage in (dissemination of information on) voluntary return. The same situation appears to apply for other major faith-based groups in the country. Diaspora groups and migrant organisations do not generally appear to provide

information on voluntary return. Information on (voluntary) return is not generally available in public places.

(Public) health care staff are bound by secrecy and are not allowed to pass on information regarding patients who are undocumented migrants to the Migration Agency or the Police. In the period leading up to the statutory changes which gave access to health and dental care to undocumented migrants on the same conditions as asylum seekers, several websites arguing for the rights of undocumented migrants in this regard were launched. There are a few non-profit clinics specifically designated for undocumented migrants, e.g. Rosengrenska in Göteborg (co-run by the Swedish Red Cross), but these generally do not supply information on voluntary return options as well. Primary schools do not generally inform of the option of voluntary return, but are not bound by obligation of secrecy in terms of passing on information on pupils who are undocumented. There are few, if no, examples however of schools which have supplied information on undocumented children which has reached the Migration Agency or the Police.

Particular strategies to reach out to irregular migrants not in contact with the authorities have not been developed by the Migration Agency, other government agencies or organisations in the NGO community. No particular projects or campaigns focusing on reaching this group have been carried out. To conclude, the study indicates that the Swedish Migration Agency is the primary and in many cases only source of information on (voluntary) return. While information is available from some NGOs and other organisations, many of these organisations often focus on the rights of irregular migrants (often failed asylum seekers) and migrants "sans papiers" rather than legal obligations pertaining to (voluntary) return.

On 22 March 2016, the Government proposed amendments to existing provisions concerning asylum seekers' right to assistance with a view to at create space for more asylum seekers at accommodation centres. According to the proposal the right to assistance will cease to apply for adults not living with a child when that person's refusal-of-entry or expulsion order has become final and non-appealable, or shortly afterwards. Such adults will not have a right to a daily allowance and to accommodation within the reception system for asylum seekers. Under the current rules, the right to assistance ceases only after the person leaves the country, even if there is a return decision that has become final and non-appealable. The proposal was part of a broad agreement on migration struck between the Government and four of the opposition parties (the former Centre-Right government) in October 2015 and the new provisions are expected to enter into force 1 June 2016. The Migration Agency is currently working on new guidelines on how and when asylum seekers will be informed of the new rules.<sup>2</sup>

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<sup>2</sup> See the Government's English language website for further information, available at: <http://www.government.se/press-releases/2016/03/government-proposes-amendments-to-asylum-seekers-right-to-assistance/>

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# 1 Introduction: objectives, definitions and methodology

The overall aim of this study is to inform Member States and the Commission about the different approaches employed in EU Member States and Norway to ensure that irregular migrants are informed of options for return, including voluntary and assisted voluntary return<sup>3</sup>.

The study aims to identify approaches that have either targeted and/or have proven effective in reaching out to those irregular migrants who are not in contact with the authorities.<sup>4</sup> However, in order to provide a comparison, and the wider context, it will also gather information on Member State policy and practice targeting irregular migrants in general.

Several Member States and Norway have e.g. made use of campaigns to reach out to different groups of (irregular) migrants, including those not in contact with the authorities and to promote (voluntary) return. To engage diaspora communities, to conduct media campaigns and to place posters in transport hubs and other public areas are all examples of outreach activities which have been undertaken in recent years in several Member States.<sup>5</sup> So far, however, Sweden has not developed a particular approach to reach out to irregular migrants not in contact with the authorities. The tasks of the Swedish Migration Agency concerning the provision of information on return are essentially focused on those returnees who are in the system and subject to voluntary return, while the Swedish Police is assigned cases of returnees who do not return voluntarily or have absconded (i.e. forced returns). There is no public body in Sweden assigned to reach out to irregular migrants not in contact with the authorities with information on (voluntary) return. Hence, the bulk of this national report focuses on the framework, policies and practices of the Migration Agency and to some extent the Swedish Police in providing information on return to migrants who are known to the authorities and irregular migrants in general.

The report looks into the legislative framework and national policies relating to the dissemination of information, which actors are involved in the provision of information and what roles they have in the information work and the content of the information they provide. It also surveys what methods / strategies / approaches Member States use to disseminate information. The study will also explore the different tools, content and format of information provision, and – where possible - will provide an assessment of the extent to which these factors influence effectiveness.

The credibility of the Member State's (and indeed the EU's) immigration policy depends on the effective implementation of the Return Directive (Directive 2008/115/

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<sup>3</sup> From here on, all references to "information on (voluntary) return" automatically include information on voluntary return, assisted voluntary return, voluntary return, as well as forced return to the extent that information may cover legal obligations and compliance with return decisions.

<sup>4</sup> See section 1.1 for a definition of the "authorities" considered here.

<sup>5</sup> See European Migration Network Synthesis Report for the EMN Focussed Study 2015 Dissemination of Information on Voluntary Return: how to reach irregular migrants not in contact with the authorities.

EC) which states that migrants without a legal right to stay must leave the territory.<sup>6</sup> Member States are obliged to encourage (and where necessary enforce) the return of irregular migrants from the territory. Irregular migrants living in the EU are in a vulnerable situation because of their irregular situation and the limitations this can place on their access to basic rights and services.<sup>7</sup> Their presence in the country also creates challenges for the responsible authorities and the host society.

The voluntary return of migrants is preferable to forced return, both from the point of view of the migrant and from the perspective of the state, notably because it presents far fewer risks with respect to the fundamental rights of the migrant.<sup>8</sup> Voluntary return is the assisted or independent return to the country of origin, transit or third country, based on the free will of the returnee.<sup>9</sup> This includes voluntary departure, which is undertaken in compliance with the obligation to return within the time-limit fixed for that purpose in a return decision.<sup>10</sup> By contrast, forced return (i.e. removal) entails the enforcement of the obligation to return by physical transportation out of the country.<sup>11</sup> The EU's preference for voluntary – over forced – return is outlined in the recital to the Return Directive (Directive 2008/115/EC).

Member States are therefore encouraged to promote voluntary returns, both by the EU and other international bodies, such as the Council of Europe.<sup>12</sup> Indeed, the Council of Europe has recommended that Member States promote voluntary return by inter alia “providing complete information to the returnee, in a language he/she can understand, about the existing programmes of voluntary return ...”<sup>13</sup>

Where an irregular migrant is residing in state-organised facilities or at a known address, the authorities are able to maintain contact with the migrant and inform them of their options regarding voluntary return (as well as their obligations – and rights – vis-à-vis return in general). This study therefore focusses on identifying the ways in which authorities have disseminated information on voluntary return to irregular migrants with whom they are not in contact. In order to provide a comparison and a wider context, the study will also gather information on Member State policy and practice with regard to the dissemination of information on voluntary return in general.

The study covers approaches, strategies and methods to disseminate information on (voluntary) return to irregular migrants during the period 2010 – 2014.

Since 1999 the EU has been working to develop a comprehensive approach on migration and asylum. The return of third-country nationals staying illegally on the territory of a Member State is an important aspect in the fight against irregular migration and essential to the credibility of the EU common migration and asylum policy, as well as the credibility of national policies. The Hague Programme called for the development of a coherent return policy and the Stockholm Programme reaffirmed this need

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**6** Denmark, Ireland and United Kingdom do not take part in the Directive and are not bound by its rules.

**7** See, e.g., EU Agency for Fundamental Rights (FRA) “Fundamental rights of migrants in an irregular situation in the European Union”, November 2011

**8** Council of Europe (2005), available at: <http://www.unhcr.org/4d948a7d9.pdf>

**9** EMN Glossary, version 3.0.

**10** Ibid, EMN Glossary, version 3.0.

**11** Ibid, EMN Glossary, version 3.0.

**12** Council of Europe (2005), available at: <http://www.unhcr.org/4d948a7d9.pdf>

**13** Ibid, Council of Europe (2005)

by calling on the EU and its Member States to intensify the efforts to return illegally residing third-country nationals by implementing an effective and sustainable return policy.

The Return Directive, adopted in 2008,<sup>14</sup> lays down common EU standards on forced return and voluntary departure. The Directive has a two-fold approach: on the one hand, it stipulates that Member States are obliged to issue return decisions to all third-country nationals staying illegally on the territory of a Member State;<sup>15</sup> on the other hand, the importance of implementing return policy with full respect for the fundamental rights and freedoms and the dignity of the individual returnees, including the principle of 'non-refoulement' is greatly emphasised. As a result, any return may only be carried out in compliance with EU and other international human rights' guarantees<sup>16</sup>.

The Return Directive stipulates different types of return measures. First, a broad distinction can be made between voluntary and forced return, with the Directive emphasising that voluntary return is preferred, "where there are no reasons to believe that this would undermine the purpose of a return procedure". It also states that, "in order to promote voluntary return, Member States should provide for enhanced return assistance and counselling".

Indeed, to 2013, DG HOME's Return Fund offered grants to organisations and authorities in Member States implementing Assisted Voluntary Return programmes and other projects to support the voluntary return of migrants as well as policies to support forced return. Since 2014, DG HOME has been continuing to do this through the Asylum, Migration and Integration Fund (AMIF)<sup>17</sup> which has the aim of "enhancing fair and effective return strategies with emphasis on sustainability of return and effective readmission in the countries origin and transit". The Fund will also make available funding to Member States to fund voluntary return schemes, amongst other return-related activities.

## 1.1 Objectives and focus of the study

More specifically, the study aims to:

- Provide an overview of the main problems faced in Member States in disseminating information to irregular migrants who are not in contact with the authorities and provide any available information on the estimated scale of this population in the Member States;

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<sup>14</sup> Directive 2008/115/EC, available at: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32008L0115> Denmark, Ireland and United Kingdom do not take part in the Directive and are not bound by its rules.

<sup>15</sup> E.g. third-country nationals who entered the EU territory illegally (clandestinely or by using fraudulent travel documents); rejected applicants for international protection; and visa over-stayers.

<sup>16</sup> E.g. the EU Charter of Fundamental Rights, the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms, the 1984 Convention against Torture and other Cruel, Inhuman and degrading treatment or punishment and the 1951 Geneva Convention related to the Status of Refugees as amended by the 1967 New York Protocol.

<sup>17</sup> [http://ec.europa.eu/dgs/home-affairs/financing/fundings/migration-asylum-borders/asylum-migration-integration-fund/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/financing/fundings/migration-asylum-borders/asylum-migration-integration-fund/index_en.htm)

- Provide information on national approaches to disseminating information on (voluntary) return involving migration and asylum authorities, as well as other public authorities and other actors;
- Describe the role that different actors having contact with an irregular migrant play in informing them about (voluntary) return;
- Provide details on techniques and approaches that have been employed specifically to reach out to irregular migrants who are not in contact with the authorities; and
- Present evaluative material on the effectiveness of different tools and means of disseminating information on (voluntary) return, including, where available, information on the most effective ways of disseminating information from the returnee's perspective.

The study is concerned with the provision of information on (voluntary) return. This could include information on:

- Irregular migrants' options concerning voluntary return;
- Their legal obligations, including information about their status, return decisions and obligations to comply with return decisions;
- Consequences of returning voluntarily (including information on entry bans);
- Availability of and eligibility requirements for AVR schemes in the Member State;
- The role of the different actors in the process of providing information;

The study will investigate, amongst other aspects, the general content of the information provided.<sup>18</sup>

In addition, the study will also investigate the way that this information is packaged. A recent study commissioned by the Norwegian Immigration Directorate (UDI),<sup>19</sup> which researched returnee's perceptions of the information around assisted voluntary return, found that the information in Norway could improve by being e.g. more comprehensive, individually tailored (i.e. enabling opportunities for migrants to get answers to questions that are specifically relevant to him or her) and confidence based (i.e. taking place within a framework that the migrants feel familiar with, and with an approach focusing on understanding the migrant's situation). Recent research, also

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**18** That is, a categorisation of the content of the information in alignment with the bullet points above. The study will not discuss detailed information of the content.

**19** Stein Rokkan Centre for Social Studies, Uni Research, Bergen, "OUT-reach: Information about assisted voluntary return to irregular migrants living outside reception centers" December 2014

carried out in Norway, has further explored the provision of information on return to migrants.<sup>20</sup>

Irregular migrants generally fall into three categories vis-à-vis their relationship with the authorities:

- **Irregular migrants whose status and place of residence is known to the authorities** and who are therefore in contact with the authorities (i.e. through correspondence or because the irregular migrant is staying in organised facilities). This group includes failed applicants for international protection staying in reception facilities, irregular migrants in open and closed return facilities and irregular migrants who are subject to alternatives to detention, as well as irregular migrants who have been issued a return decision, but who are appealing the decision and/or who are still within the time period allowed for voluntary departure.
- **Irregular migrants who were previously known to the authorities, but whose place of residence is no longer known to the authorities.** This group includes failed applicants for international protection who have absconded following a negative decision on their application, visa over stayers whose address is not known to the authorities, and other irregular migrants including those subject to alternatives to detention who have absconded from the process.
- **Irregular migrants whose residence on the territory has never been known to the authorities.** This group comprises mainly those migrants who have been smuggled or trafficked into the territory and who have not registered for a residence and/or work permit. The exact scale of this group is unknown to Member State authorities, although estimates of the numbers may exist based on estimates from those found to be entering / staying irregularly for example.

The study will focus on the latter two groups – i.e. those whose whereabouts / place of residence are no longer or were never known to the authorities and who are therefore not in contact with the authorities. These two groups are inherently more challenging to reach when trying to promote voluntary return.

#### **The scope of the concept of “contact with the authorities” within the framework of this study**

This study is primarily concerned with those irregular migrants who are not in contact with the authorities responsible for ensuring their return. The authorities responsible for return includes all of those authorities with a mandate to encourage the return of irregular migrants and is likely to include migration authorities, asylum authorities, local / municipal authorities, border guards, and/or the police etc. In some Member States, other public authorities, such as healthcare and education authorities may also be involved (indirectly) in encouraging return if healthcare and education provid-

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<sup>20</sup> Stein Rokkan Centre for Social Studies (2015) based on Valenta et al. (2010) have identified three different ways in which actors can provide information on voluntary return:

- By focusing on the migrant’s overall situation: Information is provided with the idea that the migrant can take a standpoint towards the information and can assess the relevance of different information. Return is one out of several relevant topics.
- In trying to motivate the migrant to return: Information is given with clear attempts to make the migrant choose the option sought from the information provider.
- Together with pressure and threats: Information is provided with negative consequences if one does not return or threats.

ers have an obligation to notify the authorities when an irregular migrant uses their services or if the health / education authority exchanges information with migration authorities. In such a case, these authorities would therefore be included within the scope of understanding of “contact with the authorities” for the purpose of this study. Importantly, healthcare and education providers, as well as providers of other public services, such as libraries, gyms, citizens advice bureaus, etc. may be in contact with irregular migrants without notifying the authorities responsible for return and may play a role in informing the migrants of options for voluntary return. For example, they may display posters, make available leaflets and brochures, publish information on their website, etc.

## 1.2 Definitions

The following key terms are used in the study. The definitions are taken from the EMN Glossary v3.0<sup>21</sup> unless specified otherwise in footnotes.

**Assisted voluntary return:** Voluntary return or voluntary departure supported by logistical, financial and/or other material assistance.

**Clandestine entry:** Secret or concealed migration in breach of immigration requirements.<sup>22</sup>

**Compulsory return:** (more commonly known as ‘forced return’): The process of going back – whether in voluntary or enforced compliance with an obligation to return – to one’s country of origin / a country of transit / another third country, to which the third-country national concerned voluntarily decides to return and in which they will be accepted.

**Country of Origin:** The country of nationality or, for stateless persons, of former habitual residence.

**Country of Return:** In the EU context, a third country to which a third-country national returns.

**Irregular stay:** The presence on the territory of a Member State, of a third-country national who does not fulfil, or no longer fulfils the conditions of entry as set out in Art. 5 of the Schengen Borders Code or other conditions for entry, stay or residence in that Member State.

**Irregular migration:** Movement of persons to a new place of residence or transit that takes place outside the regulatory norms of the sending, transit and receiving countries.

**Organised facility:** Different forms of premises used for the detention of foreigners or the housing of applicants for international protection as described in the EMN Report on “The Organisation of the Reception Facilities for the Asylum Seekers in different Member States”.

**Removal:** means the enforcement of the obligation to return, namely the physical

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<sup>21</sup> Available at: [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/docs/emn-glossary-en-version.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/docs/emn-glossary-en-version.pdf)

<sup>22</sup> IOM Glossary 2nd ed., 2011.

transportation out of the Member State.

**Return:** The movement of a person going from a host country back to a country of origin, country of nationality or habitual residence, country of transit, or any other third country a returnee agrees to be returned to, usually after spending a significant period of time in the host country whether voluntary or forced, assisted or spontaneous.

**Return decision:** An administrative or judicial decision or act, stating or declaring the stay of a third-country national to be illegal and imposing or stating an obligation to return.

**Returnee:** A person going from a host country back to a country of origin, country of nationality or habitual residence usually after spending a significant period of time in the host country whether voluntary or forced, assisted or spontaneous.

**Reintegration assistance**<sup>23</sup>: The assistance provided by programmes with the aim of making the reintegration process of each individual returnee a success. Assistance can be provided in various forms, such as identifying opportunities for work and education, cash-in-hand handed at the time of arrival but most often takes the form of payment of goods that go towards setting up a project to sustain the livelihood of the returnee on a long term basis.

**Third-country national:** means any person who is not a citizen of the Union (including stateless persons) within the meaning of Article 17 (1) of the Treaty and who is not a person enjoying the Community right of free movement, as defined in Article 2(5) of the Schengen Borders Code.

**Voluntary return:** The assisted or independent return to the country of origin, transit or third country, based on the free will of the returnee.

Voluntary departure: Compliance with the obligation to return within the time-limit fixed for that purpose in the return decision.

### 1.3 Methodology

The study is based on common specifications decided upon by the EMN, in order to facilitate a comparison between EU Member States (and Norway). The specifications provide the questions that the study should answer, as well as an outline, common definitions and practical instructions for all participating EMN Contact Points.

The Swedish study is based primarily on a desk review of Sweden's legal framework and policies concerning the provision of information of return to (irregular) migrants and the roles of the various actors engaged in this work, primarily the Swedish Migration Agency. Several of the agency's operational guidelines, Handbooks and other sources on the subject were consulted, as well as experts in the field. Some primary data collection was carried out, particularly concerning the work of NGOs, faith-based groups, migrants rights groups and other civil society actors in Sweden in the field of provision of information on (voluntary) return. The latter review included a survey of a number of websites of such organisations as well as e-mail contacts with representatives from these and brief telephone interviews in a few instances. The Swedish Police also contributed to the study, in particular with information regarding forced

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23 VREN, *Final Recommendations, Booklet*.

return and various statistics (as indicated in the study).

This report in a more reader-friendly format is based on the Swedish contribution to the EMN study "Dissemination of information on voluntary return: How to reach irregular migrants not in contact with the authorities", which was carried out within the framework of the EMN work programme for 2015 . The original version of the Swedish contribution to the EMN study can be obtained from the Swedish EMN National Contact Point upon request.

A Synthesis report, which is a comparative report bringing together the main findings from the national reports and placing these within an EU perspective, was published. The report, entitled "Synthesis Report for the EMN Focussed Study 2015 Dissemination of Information on Voluntary Return: how to reach irregular migrants not in contact with the authorities", is based on national contributions from 25 Member States. These reports and other EMN (focussed) studies developed to date including Synthesis Reports, National Reports and Common Specifications are available at the European Commission's EMN website.<sup>24</sup>

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<sup>24</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/index_en.htm)

## 2 Overview of the national situation

### 2.1 Scale of irregular migration and of return in the Member State

**Q1.** If available, please provide any estimates of the scale of irregular migrants in your Member State 2010 – 2014.

The Swedish Police (Polisen) and the Swedish Migration Agency (Migrationsverket) report Enforcement of immigration legislation (EIL) statistics according to art. 5 and 7 of Regulation 862/2007/EC.

There are no official yearly statistics publications or estimates of the number of irregular migrants. Three Swedish Government Official Reports (Statens Offentliga Utredningar, SOU), published in 2010 and 2011, mention figures in the 10 000 to 50 000 range (10 000 to 35 000 and 25 000 to 50 000 respectively). Essentially, the reports refer to already existing estimates made by e.g. the Swedish Police and NGOs and conclude there are no other sources citing estimates which deviate from these. In referring to these secondary sources, both reports conclude that reliable statistics on the subject is lacking. The reports do not discuss in detail the methods used to make the estimates. In particular the 2010 report draws on information from NGOs as well as social partners active in the field. A review of subsequently published sources such as various websites on migration (by NGOs, social partners and other actors) indicate that the number of irregular migrants mentioned often refer to the range mentioned in these two reports, although the source is not generally stated.<sup>25</sup> Please refer to Q4.b where the findings of these two reports are discussed in more detail.

**Q2.** Provide any estimates and/or actuals for the period 2010-2014 on:

- a.** Number of irregularly-staying third-country nationals returning by physical transportation out of the Member State, on the basis of a return decision<sup>26</sup> (forced return);
- b.** Number of irregularly-staying third-country nationals returning voluntarily within the time-limit fixed for that purpose in the return decision (voluntary departure)
- c.** Number of irregularly-staying third-country nationals returning via AVR packages (assisted voluntary return)

<sup>25</sup> Some NGOs, e.g. the Swedish Network of Refugee Support Groups (FARR) mention this range ([www.farr.se](http://www.farr.se)), as does Migrationsinfo ([www.migrationsinfo.se](http://www.migrationsinfo.se)), the Swedish Wikipedia entry on migrants "sans papiers" [papperslösa] (which indicates the 2011 Official Swedish Government Report as a source) and the Swedish Trade Unions Center for Undocumented Migrants (Fackligt center för papperslösa) ([www.fcfp.se](http://www.fcfp.se)). The website of the latter does not appear to have been updated since 2013, however.

<sup>26</sup> I.e. an administrative or judicial decision or act, stating or declaring the stay of a third-country national to be illegal and imposing or stating an obligation to return.

**d.** Number of irregularly-staying third-country nationals returning via AVRR packages (assisted voluntary return and reintegration – where different from (c))

**a.** The following numbers refer to third country nationals who were issued final return decisions and either absconded or did not return voluntarily (hence the Migration Agency transferred the files of these returnees to the Swedish Police), and consequently were subject to forced return by the Swedish Police: 2 169 (2010), 2 494 (2011), 2 893 (2012), 3 400 (2013), 2 766 (2014).<sup>27</sup>

In addition the Swedish Police forcibly returned the following numbers of third country nationals in the period: 485 (2010), 633 (2011), 608 (2012), 655 (2013), 814 (2014).<sup>28</sup>

**b.** 12 177 (2010), 10 714 (2011), 12 988 (2012), 10 611 (2013), 8 006 (2014).<sup>29</sup>

**c.** Figures for assisted voluntary return (AVR) are in effect nearly identical to the figures for voluntary returns listed under b. Failed asylum seekers are obliged to bear the costs of their return journey.<sup>30</sup> For those who do not have sufficient funds, the Migration Agency will book and pay for the ticket. In practice, the Migration Agency bears the cost for almost all return travel for returnees. There is no official statistics on how many returnees actually bear the cost for their own return travel.

**d.** In the 2010-2014 period, assisted voluntary return programmes (AVRR) were available for the following countries of origin: Afghanistan, Iraq and Uganda (unaccompanied minors only). The number of returnees granted AVRR following an application were the following: 454 (2010), 70 (2011), 0 (2012) 50 (2013), 243 (2014).<sup>31</sup>

The Afghanistan return programme (Reception and Reintegration Assistance for Afghan Returnees from Sweden) is implemented by the IOM. The project period is 1 November 2013 through 31 October 2016 and is set to target 400 returnees. The Uganda Return Programme (Enabling Safe Return of Unaccompanied Minors to Uganda) started 1 January 2014 and is on-going. The project partner is the African Network for the Prevention and Protection against Child Abuse and Neglect (ANPPCAN). The programme for Iraq (Reintegration program for Return to Iraq of Asylum Seekers in Sweden) ran from 1 November 2013 to 31 December 2014. The Project Partner was the Danish Refugee Council (DRC). The project covered 45 individuals. It could be added that a Morocco programme (Family tracing and Safe Return of Unaccompanied Minors from Sweden to Morocco) started 1 January 2015. The project partner is the Moroccan child rights organisation Bayti. The project aims to target 30 returnees.

In 2012, the County Administrative Board of Stockholm (Länsstyrelsen) and the International Organisation for Migration's Office in Helsinki (IOM) initiated the project "Assisted Voluntary Return and Reintegration for Victims of Trafficking for Sexual Exploitation and Foreign Citizens in Prostitution in Sweden" (AVRRTiPP-SWE). The

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<sup>27</sup> Source: The Swedish Migration Agency (Official Statistics).

<sup>28</sup> Source: The Swedish Police, e-mail communication 11 May 2015.

<sup>29</sup> The numbers refer to all voluntary returns administered by the Swedish Migration Agency and include returns via AVR and AVRR.

<sup>30</sup> According to Chapter 19, Section 1 of the Aliens Act (2005:716).

<sup>31</sup> Source: The Swedish Migration Board, the Support and Co-ordination Unit, e-mail communication 10 May 2015.

duration of the project was initially 14 months and it was expected to support 15 individuals.<sup>32</sup> The Stockholm County Administrative Board was assigned in 2009 by the Government to coordinate measures to counteract prostitution and trafficking in human beings for sexual and other purposes at the national level.<sup>33</sup> Other aspects of this particular project are discussed under Q.7 d. and Q.12.

Furthermore, a 2008 Ordinance (Förordning) introduced the possibility to grant re-establishment support to returnees from some countries of origin, provided they return voluntarily.<sup>34</sup> The support is limited to a cash grant, which is paid upon arrival. Currently nationals from the following countries of origin are eligible for re-establishment support: Afghanistan, Central African Republic, Chad, Democratic Republic of the Congo, Eritrea, Iraq, Ivory Coast, Liberia, Libya, Mali, Sierra Leone, all of Somalia, South Sudan, stateless persons from Gaza and the West Bank, Sudan, Syria and Yemen.<sup>35</sup>

In the 2010-2014 period the following number of returnees received re-establishment support in the individual years: 1 428 (2010), 923 (2011), 614 (2012), 433 (2013), 216 (2014).<sup>36</sup>

## 2.2 Scale and nature of irregular migrants who are not in contact with the authorities

**Q3.** As defined in introduction, this study focusses on irregular migrants whose whereabouts / place of residence are no longer or were never known to the authorities and who, therefore, are not in contact with the authorities.

Please define this group by listing in bullet points the main scenarios in which the authorities would not have contact with irregular migrants, e.g.

- migrants who have given false addresses / moved from their address,
  - persons who have entered the Member State irregularly and who are staying there without the authorities' knowledge,
  - etc.
- Migrants who have absconded immediately after lodging an application for asylum,

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**32** Polisen: Människohandel för sexuella och andra ändamål Lägesrapport 15, p.18 f. (2014), available at: [https://polisen.se/PageFiles/556154/C302985\\_Lagesrapport\\_15\\_Manniskohandel\\_C4.pdf](https://polisen.se/PageFiles/556154/C302985_Lagesrapport_15_Manniskohandel_C4.pdf)

**33** For further information, please refer to information from Länsstyrelsen i Stockholm, available at: <http://www.lansstyrelsen.se/stockholm/Sv/manniska-och-samhalle/jamstalldhet/prostitutio-nochmanniskohandel/Pages/default.aspx>

**34** Förordning (2008:778) om återetableringsstöd för vissa utlänningar.

**35** Further information available at: <http://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Adults-seeking-asylum/If-your-application-is-refused/Reestablishment-support.html>

**36** Migrationsverket: Årsredovisning 2014 (2015), p.110.

- migrants who have absconded after having been notified of a forthcoming transfer according to the Dublin Regulation to another Member State,<sup>37</sup>
- migrants who have absconded just prior to the set date for a voluntary return,
- migrants who have entered Sweden legally (with e.g. a temporary residence permit or visa) and have remained in the country after their period of legal stay has expired,
- fast track procedures for asylum seekers from the Western Balkans (primarily applications deemed as manifestly unfounded) have possibly contributed to an increased tendency to abscond among applicants in that group.<sup>38</sup>
- persons who have entered Sweden irregularly and who are staying there without the authorities' knowledge (with various backgrounds and for various purposes).
- The groups mentioned above would include persons having been subjected to a criminal offense (e.g. trafficking in human beings) as well as unaccompanied minors. Among unaccompanied minors who seek asylum, in particular applicants from Maghreb countries (Morocco) and Afghanistan have had a documented tendency to abscond.<sup>39</sup>

Please refer to Q4.b for a more detailed discussion on some of these categories.

**Q4.** If available, please provide any estimates of the scale of the two groups irregular migrants covered in this study for the period 2010-2014:

- a.** Irregular migrants who were previously known to the authorities, but whose place of residence is no longer known to the authorities (absconding).
- b.** Irregular migrants whose residence on the territory has never been known to the authorities (clandestine entry).

**a.** When an applicant is believed to have absconded, the information is entered into the database of the Swedish Migration Agency. This information can be accessed by e.g. the Swedish Police and the Migration Courts as well. The fact that the applicant has absconded is highlighted in the system. That entry is often complemented by an official note that describes the circumstances surrounding the absconding (if known) and any other relevant information.

The numbers of applicants that have absconded in the 2010-2014 are indicated below. There is no separation between asylum applicants and those who have applied for a residence permit citing other grounds (after having entered the country) or those who have had a temporary residence permit and have remained in the country after their period of legal stay has expired. There is reason to believe, however, that

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<sup>37</sup> Migrationsverket: Årsredovisning 2012, p.59, Migrationsverket: Årsredovisning 2014, p.102. <http://www.migrationsverket.se/download/18.39a9cd9514a346077212ead/1424702424160/%C3%85rsredovisning+2014.pdf>.

<sup>38</sup> Ibid.p. 65.

<sup>39</sup> EMN: Synthesis Report for the EMN Focussed Study 2014: Policies, practices and data on unaccompanied minors in the EU (2015), p. 29.

the absolute majority are asylum applicants. The numbers of applicants absconded have increased every year since 2012. 2 957 (2010), 2 735 (2011), 4 903 (2012), 6 272 (2013) and 8 159 (2014).<sup>40</sup>

**b.** The phenomenon is outside the scope of operations of the Swedish Migration Agency. There is no government agency that publishes a yearly estimate on the number of irregular migrants in the country (clandestine entries). In public and policy debates there generally does not appear to be made a distinction between irregular migrants who were previously known to the authorities and those whose residence has never been known to the authorities. Hence, estimates appear to include both categories. The term "papperslös" in Swedish usage, meaning "sans papiers" is of fairly recent date and there does not appear to be stringent popular definitions or consensus as to which migrants would fall under that category.

A 2011 Swedish Government Official Report does make the distinction between persons absconding from the enforcement of a return decision (persons in hiding) and persons who are in the country without having applied for required permits. These two groups combined are referred to as migrants "sans papiers".<sup>41</sup> The report uses the collective term "undocumented migrant" to designate a person who is in Sweden without the necessary permit to stay in the country and further notes it is "the stay in the country without a permit that is the key determinant in this context, not whether the person previously has been an asylum seeker or not."<sup>42</sup> Estimates on the numbers of irregular migrants mentioned in Swedish Government Official Reports from 2010 and 2011 do not distinguish between irregular migrants previously known to the authorities and those who have never had any contact with the authorities, please see further down for more detailed discussion on the contents of these reports.

The Swedish Police notes that an indicator of the scale of irregular migrants in this category could be the total number of domestic controls of aliens and the resulting numbers of asylum claims and/or return decisions issued by the Police following the control. The factual numbers for the 2010-2014 period in this respect are shown in the table below.<sup>43</sup>

Year	Number of controls	Number of asylum claims	Number of return decisions
2010	32 865	775	1 478
2011	36 640	682	1 368
2012	42 467	670	1 213
2013	28 930	831	1 099
2014	26 428	1 169	1 272

<sup>40</sup> Source: Migrationsverket. The numbers of absconded for these particular years found in the Annual reports of the Migration Agency deviate somewhat from these due to a different statistical breakdown. See e.g. Migrationsverket: Årsredovisning 2012, p. 57, figur 36 and Årsredovisning 2014, p. 102.

<sup>41</sup> SOU 2011:48, Vård efter behov och på lika villkor - en mänsklig rättighet. Betänkande av Utredningen om vård för papperslösa m.fl. (Stockholm, 2011), p.63, 84ff,

<sup>42</sup> Ibid., p. 323.

<sup>43</sup> Domestic controls of aliens refer to Chapter 9, Section 9 of the Aliens Act (2006:716), Controls during the stay in Sweden. Such controls may only be undertaken if there is good reason to assume that the alien lacks the right to remain in the country or there is otherwise special cause for controls. Source of the statistics: E-mail communication from the Swedish Police, 11 May 2015.

In addition, various reports from government agencies, including Swedish Government Official Reports (Statens offentliga utredningar, SOU), have dealt with the estimated numbers of irregular migrants, their origins and related circumstances, as part of a wider context. Three of these reports are discussed in more detail here. In addition, there are ad-hoc reports from e.g. NGOs and trade unions that have touched upon the topic. Finally, there are a number of websites, including those of government agencies and NGOs and other actors that mention various estimates of the number of irregular migrants.

A Swedish Government Official Report published in 2010 refers to estimates from NGOs saying there are 25 000 to 50 000 irregular migrants in the country. According to the report the major group is probably failed asylum seekers that have not left the country. Another large group mentioned are those who have received an expulsion order, but where the four year statutory limitation period has passed. In addition, the report mentions individuals who have had a legal entry, but remain after the expiration of their legal stay, e.g. former holders of a work permits, students and spouses/partners of a person with a Swedish residence permit where the relationship has ended and the person has remained in the country in spite of that. According to the report it is believed that some individuals remain in the country oblivious of the fact that their legal stay has expired. Among other categories of irregular migrants mentioned are visa holders who have entered the country on a tourist visa and then remained, in the absence of controls as to whether they actually leave the country. Irregular migrants having entered the country on Schengen visas issued by other Member States is another category mentioned. Some of these are believed to have remained after the expiration of their legal stay. Finally, there are those who are exempt from the need of a visa and have entered the country on that premise and remained. The report also refers to information from social partners stating that many of those who remain in the country are working and often under poor conditions. A social partner, the Swedish Trade Unions Center for Undocumented Migrants (Fackligt center för papperslösa) estimates that at the time of writing some 4 000 persons without permits were employed in the cleaning business. Some 10 000 persons without permits were believed to be employed in blue collar jobs altogether.<sup>44</sup>

Another Swedish Government Official Report published the same year mentions a range of irregular migrants from 10 000 to 35 000. The source of the information is indicated to be a publication (Fakta om papperslösa i Sverige) from Doctors without borders (Läkare utan gränser). According to another source referred to in the report the number could be higher, 30 000 to 50 000. This latter estimate is mentioned in a report from a trade union (Fastighetsanställdas förbund) which was published following a project (RITA – Rättvis ingång till arbete) carried out by that trade union and co-funded by the Ministry for Enterprise and Innovation and the European Refugee Fund. The report estimates that the number of irregular migrant children are 2 000 to 3 000.<sup>45</sup>

A Swedish Government Official Report published the following year (2011) notes that reliable statistics on the number of irregular migrants is unavailable. Estimates from e.g. the Swedish Police, other government agencies and researchers range from 10 000 to 35 000. The report concludes that, at the time of writing, there was reason to believe there were no more than 35 000 irregular migrants in the country. Further-

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<sup>44</sup> SOU 2010:48, *Cirkulär migration och utveckling – kartläggning av cirkulära rörelsemönster och diskussion om hur migrationens utvecklingspotential kan främjas. Delbetänkande av Kommittén för cirkulär migration och utveckling* (Stockholm, 2010), p.111 f.

<sup>45</sup> SOU 2010:5, *Skolgång för alla barn*, p.56ff.

more, the report states it is unclear from which countries the irregular migrants originate. According to NGOs active in Stockholm at the time, large groups of migrants "sans papiers" in the area were from Mongolia, Bolivia and to some extent the former Soviet republics. In the Göteborg region, the Swedish Red Cross is reported to have stated that completely reliable information on the countries of origin of the irregular migrants in that area was unavailable. At the time of writing, however, the major group was believed to come from Iran. As regards the background of the irregular migrants, the report refers to information provided by a non-profit clinic in the area with a longstanding experience from working with healthcare for irregular migrants. Failed asylum seekers were mentioned as a major group as well among persons hiding from the authorities. The irregular migrants themselves often quoted political reasons or to be victims of honour crimes. The report also notes there is uncertainty about the age structure of the group of irregular migrants.<sup>46</sup>

The 2012 Government Bill which introduced statutory rights to health and dental care for irregular migrants on the same conditions as registered asylum seekers mentions that the number of irregular unaccompanied minors in the country was believed to be 2 000 to 3 000.<sup>47</sup> The Swedish National Agency for Education (Skolverket) refers on its website to a range of 2 000 to 4 000 children "sans papiers" in Sweden, no sources for this estimate are given, however.<sup>48</sup>

According to the majority viewpoint and estimates the bulk of irregular migrants in Sweden are to be found in Stockholm and the other two major cities of Göteborg and Malmö and surroundings.<sup>49</sup>

Absconding asylum seekers have been a recurring topical issue in public and policy debates for the past several years. In particular applicants subject to transfers to another Member State according to the Dublin Regulation are among those absconding.<sup>50</sup>

Several migrant advocacy groups and some NGOs are vocal in their support of the rights of asylum seekers who have gone into hiding and migrants "sans papiers". They are often critical of the current asylum and migration policies, and these include e.g. No one is illegal – for a world without borders (Ingen människa är illegal), part of the umbrella organisation the Swedish Network of Refugee Support Groups (Flyktinggruppernas Riksråd, FARR).<sup>51</sup>

**Q5.** Provide a short overview of the challenges faced in the Member State by actors involved in promoting voluntary return in reaching out to the two above-mentioned groups of irregular migrants (i.e. those who are not in contact with the authorities).

There is no state authority specifically tasked with disseminating information on voluntary return to these two groups of irregular migrants. The Swedish Migration

<sup>46</sup> SOU 2011:48, *Vård efter behov och på lika villkor - en mänsklig rättighet. Betänkande av Utredningen om vård för papperslösa m.fl.* (Stockholm, 2011), p.88 f.

<sup>47</sup> Prop. 2012/13:109, *Hälso- och sjukvård till personer som vistas i Sverige utan tillstånd*, p.32

<sup>48</sup> See [www.skolverket.se](http://www.skolverket.se)

<sup>49</sup> See footnote 45.

<sup>50</sup> See e.g. "Fler gömda flyktingar trots ny lag", *Svenska Dagbladet* 27 July 2013, "Tusentals flyktingar går under jord i Sverige", *Dagens Nyheter*, 3 May 2015.

<sup>51</sup> See e.g. <http://www.ingenillegal.org/no-one-illegal-world-without-borders>

Agency is assigned to administer voluntary returns of those who have received a final expulsion order, refusal of entry (or those who have signed a declaration of acceptance) and are in contact with the Migration Agency, i.e. migrants whose residence is known. Such returnees would be staying in reception facilities, private accommodation or detention centres, awaiting their return. The Migration Agency has not engaged in any projects or campaigns specifically designated to reach irregular migrants not in contact with the authorities since this falls outside the scope of its operations.

In case a returnee refuses to cooperate with the Migration Agency and return voluntarily, the file is transferred to the Swedish Police who will then be tasked to carry out the forced return. The same situation applies for returnees who abscond. The Migration Agency's decision to transfer these files to the Police cannot be appealed or revoked, i.e. the case will remain in the hands of the Police until the person returns.

The primary task of the Migration Agency and the Police in relation to returns is to focus on the above-mentioned categories, i.e. those that are either known by the authorities or registered as absconded. Both authorities would focus their endeavors on a case by case basis. Information campaigns of general nature to reach out to e.g. absconding migrants or those irregular migrants that have never made themselves known to the authorities have not been practiced.

Given the situation described above it is difficult to adequately respond to the question. Since no state authority is tasked with disseminating information on (voluntary) return to irregular migrants not in contact with the authorities, it is reasonable to conclude that limited efforts have been made to reach out to these groups.

Generally speaking, these groups would be difficult to reach since the numbers and whereabouts of these individuals are not known to the authorities. Moreover, the fact that these individuals have deliberately gone into hiding or refrained from contacting the authorities make them particularly hard to reach (with information), i.e. they have generally little interest to return. A further challenge to reach out to irregular migrants outside the system could be that circumstances change quickly and invariably. Policy changes and developments at the national (and international) level probably have a direct effect on e.g. the composition of the group (countries of origin, age groups et cetera) and the whereabouts of these irregular migrants. Such campaigns would also probably require co-operation and co-ordination between various public authorities at different levels, which could be challenging.

**Q6.** Are there any other specific groups of (irregular) migrant group which actors involved in promoting voluntary return find hard to reach? If so, please describe them here.

See Q5.

### 3 National legislation and policy on the dissemination of information on (voluntary) return

**Q7.** Has your Member State set out provisions or rules regarding the dissemination / provision of information on (voluntary) return in legislation or in soft law (e.g. guidelines, policy papers, etc.)? E.g. it may have outlined obligations for certain state authorities to provide such information in asylum interviews, on issuing a return decision, or may have introduced obligations to make information available online or in public places, etc.) (Yes / No)

If so, please state the name(s) of the legislation / policy(s) and describe what it says about:

- a.** The actors involved / responsible,
- b.** The content of the information (i.e. whether it covers AVR(R), other voluntary return options, legal obligations including information about return decisions, etc.)
- c.** The timing of the information provision (e.g. on applying for international protection / for a visa) or only on becoming irregular,
- d.** Any particular provisions for vulnerable groups (e.g. victims of trafficking, unaccompanied minors, elderly people) and other specific groups (e.g. specific nationalities),
- e.** The tools of dissemination (in person (written), in person (oral), via post, via email, in a telephone call, in public spaces, etc.),
- f.** The language(s) in which the information must be given and any accessibility / quality criteria (visual presentation, style of language to be used, etc.),
- g.** Confidentiality considerations (i.e. whether the anonymity of the irregular migrant is maintained if they consult an information service).

Such provisions would be found in soft law, in particular in the form of operational guidance notes, guidelines, handbooks and similar sources at the government agencies tasked with disseminating such information. However, note that the question of interpretation is governed by the Administrative Procedure Act (Förvaltningslagen), see f.

- a.** The Swedish Migration Agency (voluntary returns), the Swedish Police (forced

returns).<sup>52</sup> The Police are responsible for enforcement of returns, but can request the Swedish Prison and Probation Service (Kriminalvården) to carry out the actual travel arrangement. The latter government agency would not be engaged in dissemination of information to returnees, however.

**b.** The information booklet mentioned below under c. and handed out to all asylum applicants give detailed information on the return process, including voluntary return, time limits fixed for voluntary return and the personal responsibility to leave the country, the possibility to receive re-establishment support (applicable for nearly 20 nationalities at the time of writing), instances where a re-entry ban can be issued and its consequences. Applicants are also informed on the consequences of not co-operating to return, i.e. that their daily allowance can be reduced and that they can be subject to supervision or detention. Applicants are also informed that if they do not return voluntarily, the Migration Agency can transfer their file to the Police which will then carry out a forced return. It is added the Police can issue a warrant in searching for a returnee and may use force to carry out the return. This booklet is available in Arabic, Albanian, Mongolian, Tigre, Bosnian, Serbian, Croatian, Persian, Pashto, English, Kurmanji Kurdish, Russian, Somali, Sorani Kurdish, Romani Arli, French and Dari. The booklets are also available at the website of the Migration Agency, [www.migrationsverket.se](http://www.migrationsverket.se).<sup>53</sup> The website also provides additional and somewhat more detailed information on (voluntary return).<sup>54</sup>

**c.** The Migration Agency's operational guidelines ("Handbok i migrationsärenden") chapter on return initially stresses the importance that the alien receives relevant information as early as possible of the fact that the fixed time period to leave the country starts when the return decision gains legal force and that the returnee bears the responsibility to be in possession of the relevant identity documents to this end.<sup>55</sup> Asylum seekers are given an information booklet that covers all major aspects of the asylum process, including information on voluntary and forced return as well as the possibility of AVRR-programmes for some nationalities. Asylum seekers whose applications are refused (issued a return decision) by the Migration Agency are again informed on voluntary and forced return in connection when receiving that decision. Asylum seekers are as a rule always informed orally about decisions on their applications (by a case officer). The Migration Agency adopted standards in 2012 that govern the number of appointments scheduled with a returnee - the first would be when the returnee is informed that the Migration Agency has refused his/her application, the second upon a confirmed decision of refusal from the Migration Court and then a further two appointments following the date when the return decision has gained legal force.<sup>56</sup>

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**52** The Swedish Police's rules regarding enforcement of return do not contain particular references to dissemination in information (Rikspolisstyrelsens föreskrifter och allmänna råd om verkställighet av beslut om avvisning och utvisning, RPSFS 2014:8, FAP 638-1), available at: [https://polisen.se/Global/www%20och%20Intrapolis/FAP/FAP638\\_1\\_RPSFS2014\\_8.pdf](https://polisen.se/Global/www%20och%20Intrapolis/FAP/FAP638_1_RPSFS2014_8.pdf)

**53** Please refer to the Migration Agency's website for further reading, available at: <http://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Adults-seeking-asylum.html>

**54** For more details, please refer to the Migration Agency's webpages entitled "Return voluntarily to your country of origin after you have applied for asylum", available at: <http://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Adults-seeking-asylum/If-your-application-is-refused/Return-voluntarily.html>

**55** Migrationsverket: Handbok i migrationsärenden – handläggning av återvändandeärenden, p.5.

**56** Migrationsverket: Beslut om standardiserade processer för mottagning, introduktion, bosättning och återvändande enligt bilaga 1, VCI 4/2012.

**d.** The Migration Agency's operational guidelines ("Handbok i migrationsärenden") on return refer to a few special procedures for unaccompanied minors that touch upon how information is given to the minor and under which conditions. As a general rule it is noted that the principal responsibility for return and reception in the country of origin cannot be put on the minor or his/her guardian, but rests with the state authority responsible. It is also stressed that the exercise of authority should be underpinned by a view where the best interests of the child are put first. More specifically it states that interviews and other appointments are to be adapted to the child and shall be carried out in the presence of the guardian. In 2011 a particular brochure on voluntary return was developed for children (5-12 years). It used a well-known Swedish cartoon (Bamse) to explain the asylum process, including return, in a child friendly way. A special issue of the Bamse magazine entitled "Bamse, Mim och Meles" was developed in co-operation with NGOs, notably the Swedish Red Cross and Save the Children, and made available in several languages. The effort was met with criticism from a number of migrant-rights groups and individual debaters. The special issue of the magazine is currently out of print.<sup>57</sup> The Particular templates for return appointments have been developed with the purpose of quality assurance and a uniform processing of unaccompanied minors.<sup>58</sup> Particular brochures aimed at explaining the asylum process to children, including voluntary return, have been developed as well. These are available in different versions for children applying with parents and for unaccompanied minors and in several different languages.<sup>59</sup>

The Stockholm County Administrative Board and the International Organisation for Migration's Office in Helsinki (IOM) published a manual in 2014 for use by e.g. government agencies and NGOs in relation to voluntary return for victims of trafficking for sexual exploitation and prostitution in Sweden. The manual was published following a 2012-14 joint project by the two organisations. It addresses in detail the various questions pertaining to providing information and often hands-on advice to these migrants.<sup>60</sup>

**e.** Asylum seekers receive both oral and written information in person during various stages of the asylum process (see c.). Since 1 December 2014, persons who apply for residence citing other grounds for entry/stay, e.g. family reunification or work and are in Sweden, are generally informed of a decision in the case, which includes decisions of removal (return decision) through a simplified procedure in writing. Some exceptions apply, e.g. for return decisions with immediate enforcement, and return decisions which include a decision on detention, where applicants are informed orally. The applicant is informed before-hand that he/she will be informed in writing and there are additional control measures in the process to ensure that the decision reaches the applicant.<sup>61</sup>

<sup>57</sup> The magazine (Swedish version) is available at e.g.: <http://np.netpublicator.com/netpublication/n04097390>

<sup>58</sup> Migrationsverket: Handbok i migrationsärenden, handläggning av återvändande ärenden, p.5ff.

<sup>59</sup> Available at <http://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Children-seeking-asylum/With-parent-.html> and <http://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Children-seeking-asylum/Without-parents.html>

<sup>60</sup> Manual för frivilligt återvändande och återintegrering för personer utsatta för människohandel och prostitution i Sverige, available at: <http://www.lansstyrelsen.se/stockholm/Sv/publikationer/2014/Pages/manual-far-frivilligt-atervandande.aspx?keyword=frivilligt+%c3%a5terv%c3%a4ndande>

<sup>61</sup> Migrationsverket: Rutinhandboken för Besök och bosättning, underrättelse om beslut.

**f.** There does not appear to exist particular provisions regarding language use in a return context. Rather, legislation and soft law have provisions of a more general nature. As for oral information via interpreter, the Administrative Procedure Act stipulates that a government authority when needed should use an interpreter.<sup>62</sup> The act does not specify particular qualifications of the interpreter. According to the Migration Agency there is a strong presumption for use of an interpreter when dealing with a person who does not have a command of Swedish. It is also up to the Migration Agency's discretion to assess which interpreters to use and which qualifications are relevant for a particular case. Furthermore, the Migration Agency is to use a certified interpreter, if this is possible, in its exercise of authority. As a rule, for all cases pertaining to the Aliens Act (Utlänningslagen), the interpreter should be present in the room (or via video conference).<sup>63</sup> In the first hand, interpretation is to be provided in the native language (oral variety/dialect) of the applicant (returnee). In case interpretation for that language is unavailable or cannot be arranged due to time constraints or cost considerations interpretation in another language that the applicant (returnee) commands is allowed.<sup>64</sup>

As for information in writing, the information booklet mentioned under c. is available in the following languages (as of May 2015): Arabic, Albanian, Mongolian, Tigre, Bosnian, Serbian, Croatian, Persian, Pashto, English, Kurmanji Kurdish, Russian, Somali, Sorani Kurdish, Romani Arli, French and Dari. The booklets are also available at the website of the Migration Agency.

**g.** The Migration Agency can only provide general information on an anonymous inquiry. In order to receive case specific information one cannot generally be anonymous since the Migration Agency needs to assess whether someone has a right to access information in a particular case.

**Q8.** Specifically, what information does the national authority provide to the migrant when it issues a return decision, and how does it provide this information? Please specify:

- a.** The content of the information (e.g. AVR,, obligations),
- b.** The different language(s) in which the information is made available and whether it is available in the applicant's stated mother tongue,
- c.** How the information is presented visually, style of language used, etc.,
- d.** The tools of dissemination used (in person (written), in person (oral), via post, via email, in a telephone call, etc.).

If information on the above is already included in the response to Q7, please just cross-refer here.

**a.** See Q7.b.

**b.** See Q7.f.

<sup>62</sup> Administrative Procedure Act (1986:223) 8 §.

<sup>63</sup> Interpreter via telephone is sometimes used.

<sup>64</sup> Migrationsverket: Rutin för tolkanvändning vid Migrationsverket (GD 82/2008).

**c.** See Q7f. In addition, it could be mentioned that return decisions are generally written in the second person when referring to the applicant (use of the you pronoun rather than the third person pronoun or name of the applicant).

**d.** See Q7.e. Refused entry according to article 13 of the Schengen Borders Code: In addition, as regards return decisions and decisions of refusal of entry by the Swedish Police the following could be added (i.e. refused entry according to article 13 of the Schengen Borders Code). The decision of refusal of entry presented to the person and contains the following information: the reason for the decision to refuse him/her entry, the date of the decision, and who is responsible for the decision. The information is given orally to the person in his/her native tongue via an interpreter. Some border crossing points have made an information leaflet in different languages, e.g. English, Arabic, Russian and French. This information is handed out to the person, who then receives a copy of the decision in Swedish.<sup>65</sup>

**Q9.** Did the above-described legislation and policy change at all as a result of the adoption and transposition of the Return Directive<sup>66</sup>?

The Return Directive was implemented into Swedish law 1 May 2012. In connection with the transposition, information material to asylum seekers – information folders and other printed information materials as well as the standardised information given in connection with lodging an application on asylum, the asylum interview and when informing the applicant of return decision (refusal of entry, expulsion order) were revised. The implementation of the directive resulted in more focused efforts to inform applicants at an early stage of the process of the re-entry ban and what factors (objective criteria laid down in the Alien's Act) that could lead to such a decision.

**Q10.** Are any changes to legislation / policy having an impact on the dissemination of information on (voluntary) return planned for the future? If yes, please describe here.

No.

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<sup>65</sup> Source: The Swedish Police, e-mail communication 11 May 2015.

<sup>66</sup> Ireland and the United Kingdom do not participate in the Return Directive and are therefore not bound by its provisions. Norway implements the Directive as it is bound by the provisions of the Schengen acquis.

## 4 Overall national approach to disseminating information on (voluntary) return

### 4.1 Actors involved in disseminating information on (voluntary) return

**Q11.** Which national authorities responsible for the return of irregular migrants<sup>67</sup> play a role in disseminating information on (voluntary) return, either as part of the processes outlined in section 3 or otherwise

The Swedish Migration Agency and the Swedish Police are the principal and only national authorities tasked to disseminate information on return. The Migration Agency is only engaged in voluntary return and direct dissemination of information would generally be restricted to migrants in contact with the Migration Agency, i.e. those whose place of residence is known. The Migration Agency does not have a responsibility to disseminate information to irregular migrants in general in society or to engage in information campaigns to this end. The Migration Agency's website has a function for the viewer to easily share pages, including pages on information on (voluntary) return over via e-mail, Facebook, Twitter and Google +. In addition, the website allows the viewer to listen to information from the website, including information on voluntary return. The latter service is available in Swedish and English. There are also visual presentations (narrated films in several different languages) on the website, which also include information on return.

Information on return from the Migration Agency may be available elsewhere, e.g. on other government and government agency websites, and other organisations including NGOs have links to the Migration Agency's website on their respective websites. Typically however, web links from other actors would direct the viewer to the website of the Migration Agency rather than providing separate pages with information on (voluntary) return.

Booklets, leaflets and other printed media issued by the Migration Agency which, inter alia, contain information on voluntary return are e.g. handed out to applicants and are available in various facilities of the Migration Agency, e.g. receptions and waiting halls. Printed media from the Migration Agency which contains information on voluntary return can be available elsewhere too, for instance at police stations and Swedish missions abroad.

The Swedish Police has the task to carry out forced returns.

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<sup>67</sup> See Section 1.1 of the Background to this Common Template for a definition of these authorities.

**Q12.** Which other actors disseminate information on (voluntary) return; what roles do these actors have and what is the rationale for their involvement in disseminating information on (voluntary) return?

In the following table (table 1) the roles of other actors in disseminating information

Table 1. Other actors disseminating information on (voluntary) return, their role and the rationale for their involvement

Actor	Y/N
NGOs / IOs dealing with return counselling and/or implementing AVR schemes Swedish Red Cross (Svenska Röda Korset) Caritas Sverige The County Administrative Board of Stockholm (Länsstyrelsen)/International Organisation for Migration's (IOM) Helsinki Office.	Y
Other NGOs / civil society organisations (e.g. migrant rights groups, migrant-led organisations and other advocacy groups) The Swedish Network of Refugee Support Groups (Flyktninggruppernas Riksråd, FARR), and sub-groups such as No one is illegal – a world without borders (Ingen människa är illegal) are two examples of several migrant rights groups.	N
Diaspora groups	N
Faith-based groups The Church of Sweden (Svenska kyrkan) Sociala Missionen (A Stockholm-based NGO, with origins in the Methodist and Baptist Churches)	N/Y

68 Source: E-mail communication from the Swedish Red Cross 27 May 2015.

69 <http://www.lansstyrelsen.se/stockholm/Sv/manniska-och-samhalle/jamstalldhet/prostitutionochmanniskohandel/Pages/default.aspx>

70 Source: E-mail communication from Sanna Vestin, chairman of FARR, 23 May 2015.

71 Source: E-mail communication from the Church of Sweden, councillor Sofia Sjöberg, 28 April 2015.

72 Source: Review of website and telephone interview with Lena Rösell, counsellor at Sociala Missionen, 27 May 2015.

are briefly described. Any contracts that the actors have with the national authorities are mentioned as well as any partnerships between national authorities and (e.g.) specific communities, diaspora groups or faith-based groups to promote voluntary return.

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### **Role that the actor plays in disseminating information voluntary return and nature of /rationale for involvement**

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The Swedish Red Cross offers general information on return and individual return counselling (and information on Migration Agency AVRR-schemes to those eligible) to returnees (including failed asylum seekers and other irregular migrants). Contact information sheets and brochure on (voluntary return) available at the website and at Red Cross contact points ("Kupan", cafés/second hand shops) ([www.redcross.se](http://www.redcross.se)).<sup>68</sup>

Additional comments: The Swedish Red Cross was responsible for a return project in 2010-2012 (Svenska Röda Korsets Nätverk för Återvändande), which targeted returnees to Iraq, Serbia and Kosovo, and included return counselling and reintegration support and follow-up of their post-arrival situation in the country of origin. An additional return project in the 2010-2012 period targeted returnees to Kosovo in need of psychotherapy/counselling (Projekt Psykoterapeutisk behandling i Kosovo). These projects were co-funded by the European Return Fund.

Caritas mentions voluntary return on its website ([www.caritas.se](http://www.caritas.se)).

Stockholm's County Administrative Board and IOM's Helsinki Office co-headed a project on voluntary return for victims of human trafficking for sexual purposes and prostitution. The County Administrative Board was then appointed by the Government to coordinate measures to combat trafficking for sexual purposes in the 2011-2015 period. Their website does mention that return is part of this project but the information is not aimed towards returnees specifically.<sup>69</sup>

Comments: A desk review of the websites of several of these organisations indicates that very few of these provide information on voluntary return.

FARR is typically approached by persons who do not wish to return voluntarily. Counselling to failed asylum seekers and other irregular migrants can touch upon various aspects of (voluntary) return, but it is a minor topic. FARR does not encourage failed asylum seekers to abscond/go into hiding. Information on (voluntary) return is generally provided orally or in email conversations.<sup>70</sup>

Comments: A desk review of the websites of some of the major diaspora groups indicates that these generally do not contain information on (voluntary) return.

The Church of Sweden is engaged in various activities relating to migration and asylum, mainly various support measures and initiatives for asylum seekers ([www.svenskakyrkan.se](http://www.svenskakyrkan.se)). Their website does not contain information pertaining to (voluntary) return, however. According to information from the Church of Sweden, it does not specifically engage in any activities pertaining to return. Occasionally the church receives queries from returnees on the presence of organisations supporting returnees or sister churches in their countries of origin. Such queries would be handled on an ad-hoc basis.<sup>71</sup>

Sociala missionen offers return counselling and other forms of support initiatives for returnees who approach the organisation ([www.socialamissionen.se](http://www.socialamissionen.se)).<sup>72</sup>

Comments: A desk review of the websites of a number of churches/religious denominations and other faith-based groups based in Sweden indicate that while some of these do touch upon issues on migration and asylum on their websites, return is generally not mentioned.

*cont.*

Migrant-led groups	N
Other community groups	Not to the best of our knowledge.
Libraries	N
Social / health / education services	N
Public healthcare	
Drop-in clinics designated for asylum seekers and/or irregular migrants (e.g. Rosengrenska stiftelsen- Göteborg, Läkare i världen-Stockholm and Tinnerökliniken-Linköping).	
The Swedish National Agency for Education (Skolverket), Primary schools	
Case workers	Y
Migration Agency primarily	
Legal advisors	Y/N
The Swedish Refugee Advice Center (Rådgivningsbyrån för asylsökande och flyktingar)	
There are a few law firms that specialise in providing legal assistance to asylum seekers, e.g. Stockholms Asylbyrå.	
Ombudsman / citizens advice bureaus	Not to the best of our knowledge.
(Advisory services of) trade unions / employer associations	N
The Swedish Trade Unions Center for Undocumented Migrants (Fackligt center för papperslösa, FCFP)	

**73** <http://www.1177.se/Stockholm/Regler-och-rattigheter/Vard-i-Sverige-om-man-ar-asylsokande/#section-0>

**74** Source: E-mail communication from Region Skåne, 28 April 2015.

**75** For further reading, please refer to Skolverkets guidelines to schools, available at: <http://www.skolverket.se/regelverk/mer-om-skolans-ansvar/papperslosa-barn-1.205221>

See under diaspora groups above.

Comments: The phenomenon has not been explored, but we deem it very unlikely that any libraries in Sweden are engaged in disseminating information on voluntary return.

Comments: Statutory changes which took effect 1 July 2013 gave undocumented migrants the same right to health care and dental care as registered asylum seekers in Sweden. Public healthcare in some regions offered this possibility already prior to that date along with a few privately/NGO-run non-profit clinics specifically aimed at irregular migrants. Public healthcare institutions (hospitals, clinics) do not generally inform patients who are irregular migrants on the possibility of voluntary return.

The public health care web portal in Sweden (Vårdguiden) has information in several languages (English, Persian, Turkish, Arabic, Spanish, Albanian, Finnish, Polish, Sorani Kurdish, Kurmanji Kurdish, Russian, French, Bosnian, Croat, Serb, Somali, Tigre and sign language) directed at undocumented migrants regarding their statutory rights to health care under certain conditions. There is some very basic mention of the terms "asylum" and "expulsion order", but no information on options of voluntary return.<sup>73</sup> There are (regional) guidelines for medical staff as well, but these do not address migration related aspects, including the option of voluntary return or e.g. how staff should respond to questions about voluntary return or related migration matters from patients.<sup>74</sup>

Public healthcare doctors and other staff are bound by secrecy and are not allowed to inform the Migration Agency or the Swedish Police on patients that are irregular migrants (that could be absconded and/or issued a warrant by the Police in order to enforce a final return decision).

The websites of non-profit clinics are wholly focused on the rights to health care of irregular migrants and do not contain information on return. Some, e.g. Rosengrenska stiftelsen, specifically underlines that (public) health care staff are not allowed to pass on information on patients to e.g. the Migration Agency or the Police ([www.rosengrenska.org](http://www.rosengrenska.org)).

Statutory changes which took effect 1 July 2013 gave undocumented children right to attend primary school. Schools do not generally inform parents of undocumented pupils on options of voluntary return. The Swedish National Agency for Education (Skolverket) has developed guidelines to schools on various aspects in relation to undocumented pupils, but these do not seem mention the question of information on voluntary return.<sup>75</sup>

Migration Agency case workers (and other staff, notably reception centre officers) inform in particular asylum applicants on the subject of (voluntary) return at several instances throughout the asylum process. In addition, the Migration Agency has a number of units for assisted return.

Comments: The Swedish Refugee Advice Center is a non-governmental organisation, which provides refugees and asylum seekers with professional legal assistance. The Swedish Refugee Advice Center is supported by a number of NGOs. Current members are Caritas, Save the Children, The Swedish Free Church Council, the Church of Sweden and Stockholm's episcopate. Their website has detailed information on the asylum process, but does not provide particular information on (voluntary) return ([www.sweref.se](http://www.sweref.se)).

Comments: The FCFP was established to safeguard the rights on the labour market of irregular migrants (migrants "sans papiers"). Their website ([www.fcfp.se](http://www.fcfp.se)) does not provide any information on voluntary return and the organization appears to be dormant since 2013. Some other trade unions such as the blue collar Swedish Trade Union Confederation (Landsorganisationen, LO) takes a similar stance in favour of the rights of migrants "sans papiers" on the labour market. LO's website ([www.lo.se](http://www.lo.se)) does not contain information on (voluntary) return).

cont.

Embassies (third-country and EU)	N
Shopkeepers / Internet café workers / etc.	N
Other actors (specify)	Not to the best of our knowledge.

76 Source: E-mail communication, Swedish Migration Agency's Support and Co-ordination Unit, 27 May.

Comments: A desk review of the embassy websites (English versions mainly) of some of the major countries of origin for asylum seekers indicates that these do not appear to provide information on (voluntary) return.

Collaborative Interview Project- Improved identification through dialogue (CIP) is a project run by the Swedish Migration Agency with the Swedish Police as a project partner. The project focuses on countries of origin where it has proved difficult to obtain travel documents for returnees. Delegations from third countries (embassies) are involved. It should be noted the project only covers returnees in contact with the authorities.

The Migration Agency has informed, inter alia, Iraq's Stockholm Embassy on the re-integration programme for Iraq at a meeting at the embassy. The Iraqi embassy was given a number of leaflets on the programme which would be made available in the waiting hall.<sup>76</sup>

Comments: The phenomenon has not been explored, but we deem it unlikely to be of any importance or impact. It should be noted too that internet cafés are increasingly rare in Sweden as most people, including many asylum applicants, have smart phones with internet access.

## 4.2 Tools used to disseminate information on (voluntary) return to irregular migrants not in contact with the authorities

**Q13.** Provide information on the tools through which information on (voluntary) return is made available in your Member State.

Table 2. Tools used in the Member State for disseminating information on (voluntary) return

	Y/N	Description (please be brief, using bullet points) including whether this is a current, past or future tool
Leaflets / brochures	Y	Information booklet "Applying for asylum in Sweden" given to asylum applicants upon lodging their application, includes major points of asylum process, including voluntary and forced return, additional printed media from the Migration Agency. Brochures with information on AVRR opportunities (current tool). Brochure available in applicant's mother tongue.
Leaflets / brochures	Y	Contact information sheet on return queries to the Swedish Red Cross and specific brochure on (voluntary) return. The latter is available on the website of the Swedish Red Cross, see right, in a number of languages.
Poster campaigns	N	
Media campaigns	N	
Websites	Y	Link to the brochures on Migration Agency's website. In addition websites of other actors, please refer to Table 1. for some examples.
Dedicated social media pages (e.g. Facebook page for returnees or for diaspora groups)	Y	E.g. Facebook account of organisation which, inter alia, receives questions pertaining to (voluntary) return. <sup>77</sup>
Online discussion forums	Not to the best of our knowledge.	
Helplines / info lines	No national helpline, see box to the right, however.	
Drop-in clinic (face-to-face)	N	Note: (Public) health care staff bound by secrecy and are not allowed to pass on information on patients that are irregular migrants to the Swedish Migration Agency or to the Swedish Police. For further information, please refer to Table 1.
Community visits and	Not to the best of our knowledge.	
Other tools	Not to the best of our knowledge.	

<sup>77</sup> Source: E-mail communication from Sanna Vestin, FARR Chairman, 23 May 2015.

The following table (table 2) briefly describes the tools used, e.g. what the information source is, the actor(s) responsible for (a) funding /developing the tool and (b) delivering the information and link to further information.

Actor(s) designing / funding	Actor(s) managing / delivering	Link to further information
Swedish Migration Agency, Implementing organisations are designing.	Swedish Migration Agency, Leaflets handed out by case workers at individual counselling meetings.	Available as PDF at <a href="http://www.migrationsverket.se">www.migrationsverket.se</a>
Swedish Red Cross	Swedish Red Cross	<a href="http://www.redcross.se">www.redcross.se</a>
		Available as PDF at <a href="http://www.migrationsverket.se">www.migrationsverket.se</a>
The Swedish Network of Refugee Support Groups (Flyktinggruppernas Riksråd, FARR)		
IOM office in Kabul is running a free-of charge helpline. IOM provides information and pre-departure counselling on the return assistance being provided within the project. The helpline is staffed by a speaker of English, Pashto and Dari.		
		See Table 1. for some examples.

**Q14.** Did any of the tools listed in Q13 above form part of a specific strategy or campaign implemented in your Member State to better disseminate information on (voluntary) return? If yes, please state:

- a.** The actor(s) behind the campaign – specifically whether it was led by a state authority or a non-state authority,
- b.** The name of the strategy / campaign,
- c.** The date it was launched and its duration,
- d.** The rationale for its launch,
- e.** The specific objectives / aims,
- f.** Any target groups,
- g.** Its components (e.g. website, poster campaign and hotline),
- h.** The actors involved,
- i.** Any specific results (e.g. in terms of users accessing the information, number of irregular migrants returned, etc.)

The projects mentioned, e.g. the Stockholm County Administrative Board/IOM-project which covered victims of human trafficking for sexual purposes and prostitution, and the Red Cross return projects have focused on returnees who have chosen to return voluntarily and thus were in contact with the authorities. Information on the projects was disseminated, but did not specifically target irregular migrants not in contact with the authorities.

#### 4.4 Accessibility of the informationII

**Q15.** Please consider the accessibility of all information on (voluntary) return disseminated to irregular migrants in the Member State. Please provide information on:

- a.** The language(s) in which the information is provided,
- b.** Visual presentation of the information
- c.** For posters / leaflets, the location of the information: where were these placed – in transport hubs, in libraries, in health centres, in areas known to be frequented by irregular migrants – e.g. malls, supermarkets, etc.
- d.** For websites / helplines: extent to which the URL is easy to find through online search engines<sup>78</sup> and whether there is signposting to the website through other tools.

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<sup>78</sup> Member States may wish to draw conclusions about this third bullet point by using a 'mystery shopper' method and searching for the information using different search terms.

- e.** For helplines and drop-in clinics:
  - i.** The location of the services (if a drop-in clinic),
  - ii.** The opening hours / hours of access,
  - iii.** Awareness about the service, including where the telephone number / address is advertised,
  - iv.** Cost of the service / calling the hotline (or whether free)m
- f.** Confidentiality considerations, i.e. whether the anonymity of the irregular migrant is maintained if they consult an information service (please also specify whether target recipients of the information are made aware of the confidentiality considerations or whether this is simply the internal policy).
- g.** Other factors that might enhance / reduce accessibility.

**a.** See Q7.

**b.** In addition to information provided under e.g. Section 3: The Migration Agency has developed 12 films that deal with the asylum process, one of which covers the return process. The films are narrated in eight different languages.<sup>79</sup>

**c.** To our knowledge posters that exclusively or partly focus on (voluntary) return have not been used as a means to reach out to irregular migrants with information on (voluntary) return. Leaflets from the Migration Agency are made available at facilities of the Migration Agency (reception facilities, waiting halls, asylum application units et cetera). The Migration Agency has not placed posters/leaflets on (voluntary) return in transport hubs, in libraries, in health centres, malls, supermarkets, etc.

**d.** The major government website which contains reliable information on voluntary return, i.e. that of the Swedish Migration Agency, is easily found through search engines.

**e.** Drop-in clinics (public health care or non-profit clinics that specifically cater for undocumented migrants) do not generally inform of options on voluntary return  
**f.** An example is (public) health care staff which are bound by secrecy and are not allowed to pass on the details of patients who are irregular migrants to e.g. the Swedish Migration Agency or the Swedish Police.

**g.** To receive and treat returnees (applicants) well and respectfully and providing a transparent process can increase accessibility.

## 4.5 Content of the information

**Q16.** What is the content of the information made available in Member States. Specifically, where can irregular migrants go to find information on different aspects of voluntary return?

The following table (table 3) briefly describes the content of the information and which actors who provide it.

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<sup>79</sup> Available at: <http://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Films-on-the-asylum-process.html>

Table 3. Content of the information disseminated to irregular migrants by Member States

	National authorities responsible for return	Organisations with an official role in implementing and/or promoting AVR(R) programmes
The legal obligations of the returnee (i.e. their status, their obligation to return and how they can ensure compliance with return decisions)	Yes, in writing (printed) and orally, both individual and of a general nature.	The Swedish Migration Agency, the Swedish Police
Information on AVR(R) programmes available in the Member State	Link to brochures on Swedish Migration Agency's website.	IOM office in Kabul is running a free-of charge helpline. IOM provides information and pre-departure counselling on the return assistance being provided within the project. The helpline is staffed by a speaker of English, Pashto and Dari.
Information on eligibility conditions for AVR(R) programmes	The Swedish Migration Agency	
Where the irregular migrant should go for more information (signposting)		
Other voluntary return options (i.e. options for voluntary return without assistance)	The Swedish Migration Agency	
What the irregular migrant can expect at the airport on returning		
What the irregular migrant can expect in the country of return (e.g. registration with third-country authorities labour market access, housing, etc.)		IOM office in Kabul is running a free-of charge helpline. IOM provides information and pre-departure counselling on the return assistance being provided within the project. The helpline is staffed by a speaker of English, Pashto and Dari.
Individually tailored information <sup>80</sup>		See above.

80 Note that tailored is most likely to be available through helplines and drop-in clinics, although it may be possible to tailor information to some extent through online services.

<b>Diaspora groups, faith-based groups, migrant-led groups, other community groups</b>	<b>Case workers</b>	<b>Legal advisors</b>
Generally little or no information.	Yes	This has not been explored in detail, but there is reason to believe that these could inform on one or several of these topics depending on circumstances in the individual case.
Generally little or no information.	Information and hand out of brochure at individual return counselling meetings with Migration Agency case workers.	See above.
Generally little or no information.	At individual return counselling meetings with Migration Agency case officers.	See above.
Generally little or no information.		See above.
Generally little or no information.	Info given by Migration Agency case officer at return counselling sessions.	See above.
Unknown		See above.
Unknown		See above.
Unknown		See above.

## 4.6 Targeting of the information

**Q17.** Please specify which (if any) of the approaches described in Q13 – Q16 above have been used specifically to target irregular migrants not in contact with the authorities. What was the rationale for using this approach to target this particular group?

No.

**Q18.** Do any of the approaches described in Q13 - Q16 above target any other groups (e.g. specific types of irregular migrant, e.g. vulnerable groups, failed asylum applicants, particular nationalities, etc?) If so, please describe below through what methods / approaches they target these groups, and also discuss the rationale for targeting these particular groups.

No.

## 5 Case studies on information provision to irregular migrants with whom the authorities do not have contact

**Q19.** Cross-referring to the approaches outlined in section 4, please describe in further detail at least TWO practices, projects or approaches employed in your Member State since 2010 to disseminate information on (voluntary) return:

- one practice / project / approach that has proven particularly effective in reaching out to irregular migrants not in contact with the authorities; and
- one practice / project / approach that has not been (very) effective in reaching out to irregular migrants not in contact with the authorities.

Please provide your rationale for describing these as successful / less successful. In doing so, please provide any indications / evidence– or counter-evidence - of:

- a.** The effectiveness of the practice / approach at increasing awareness amongst irregular migrants who are not in contact with the authorities about their options regarding voluntary return and/or at providing such migrants with a comprehensive understanding of their options so as to be able to make a balanced, well-informed decision about voluntary return.
- b.** Specific challenges associated with the approach to disseminating information implemented by the national authorities directly in raising awareness of irregular migrants not in contact with the authorities?
- c.** Factors that made the approach a successful / not-so-successful tool for disseminating information on (voluntary) return to irregular migrants not in contact with the authorities.

No projects of this character have occurred in the period.

## 6 Effectiveness of different approaches to disseminating information on (voluntary) return

### 6.1 Indications / evidence from the testimonies of irregular migrants and returnees

**Q20.** Does your Member State collect any (monitoring and/or evaluation) information from those returning voluntarily (e.g. at airports, when participating in AVR programmes, after they have returned) about the information they received prior to return and/or how useful they found this information (yes / no)? If yes, please describe:

- a.** Who collects/ed this data,
- b.** Who the data is/was collected from (e.g. those participating in AVR, those returning to specific countries),
- c.** The situation in which the data is/was collected (e.g. on return, on considering return, at the airport), and
- d.** The method used (e.g. survey, interviews, etc.), as well as
- e.** The date / frequency of the data collection (e.g. is this done monthly, annually, or was it part of a one-off project) and
- f.** Any caveats as to the quality of the data<sup>81</sup>.

Information is compiled by the service provider IOM office in Kabul.

**Q21.** If the above-mentioned information is available, please present the results, in particular any information on:

- a.** The most common tool through which the returnee accessed information (e.g. through friends, via the Internet, via a leaflet),
- b.** The extent to which they understood the information (e.g. was it presented in a user-friendly format, was it in their own language),

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**81** For example, for migrants returning through AVR programmes, where surveys are conducted before the AVR programme is complete (e.g. at airports), it may affect the responses received as – for example = returnees might feel pressured into providing a positive response even where they have a negative perception of the information provided.

- c.** The extent to which the information was comprehensive. Did they have to seek further information elsewhere and if so, why,
- d.** The extent to which they trusted the information and whether there was anything about the way in which the information was provided that acted as an obstacle to their trusting it,
- e.** The timing of the information provision and whether it would have been of any use if the information had been provided at an earlier stage,
- f.** Whether the information influenced their decision to return home or not.

The IOM office in Kabul is running a free-of-charge helpline for Afghan nationals in Sweden who are interested in returning to Afghanistan. The service provider has also drawn up an information brochure containing relevant information on the programme. IOM employs several formal, informal and independent monitoring methodologies. Formal monitoring systems for this project include: interviews with beneficiaries; unsolicited visits to training implementation partners; interviews with beneficiaries during their business start-up activities and at the end of individual assistance. The program will run until October 2016. Evaluation will be done when the project is completed.<sup>82</sup>

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**82** Swedish Migration Agency: *Reception and Reintegration Assistance for Afghan Returnees from Sweden* (reference number: 2.2.1-2013-36583).

## Annex 1 National statistics on return and number of irregular third-country nationals

Table A.1.a: National Statistics on the number of third-country nationals returning, by year and by type of migrant

	Year			
	2010 (total)	2011 (total)	2012 (total)	2013 (total)
<b>a. Third-country nationals returning by physical transportation out of the Member State, on the basis of a return decision (forced return)<sup>83</sup></b>	2 169 (+485)	2 494 (+633)	2 893 (+608)	3 400 (+655)
<b>b. Number of third-country nationals returning voluntarily within the time-limit fixed for that purpose in the return decision<sup>84</sup> (voluntary departure)</b>	12 177	10 714	12 988	10 611
<b>c. Number of irregularly-staying third-country nationals returning via AVR packages (assisted voluntary return)</b>	12 177	10 714	12 988	10 611
<b>d. Number of irregularly-staying third-country nationals returning via AVRR packages (assisted voluntary return and reintegration) – where different from (c)</b>	454	70	0	50

Table A.1.b: National Statistics on the number of third-country nationals not in contact with the national authorities, by year and by type of migrant

	Year			
	2010 (total)	2011 (total)	2012 (total)	2013 (total)
<b>a. Number of irregular migrants who were previously known to the authorities, but whose place of residence is no longer known to the authorities (absconding).</b>	2 957	2 735	4 903	6 272
<b>b. Number of irregular migrants whose residence on the territory has never been known to the authorities (clandestine entry)</b>	10 000- 50 000	10 000- 50 000	Unavailable	Unavailable

<sup>83</sup> I.e. an administrative or judicial decision or act, stating or declaring the stay of a third-country national to be illegal and imposing or stating an obligation to return.

<sup>84</sup> In accordance with the provisions of Directive 2008/52/EC (Return Directive) the time-limit shall be of 30 days. Ireland and United Kingdom do not take part in the Directive, are not bound by its rules and therefore may apply different time limits on voluntary departure.

	<b>source</b>	<b>Method used to reach the estimates, as well as any caveats as to their likely accuracy</b>
2014 (total)		
2 766 (+814)	The Swedish Migration Agency, The Swedish Police. Numbers in brackets indicate decisions of refusal of entry issued by the Swedish Police	Official statistics
8 006	The Swedish Migration Agency	Official statistics
8 006	The Swedish Migration Agency	In practice the Migration Agency bears the cost for almost all return travel for returnees, please see Q2. C for further explanation.
243	The Swedish Migration Agency	Official statistics

	<b>source</b>	<b>Method used to reach the estimates, as well as any caveats as to their likely accuracy</b>
2014 (total)		
8 159	The Swedish Migration Agency	Official statistics
Unavailable	Swedish Government Official Reports	The Police and NGOs are listed as some of the sources for these estimates (no exhaustive list of sources is provided). Please see Q4. b. for a more detailed discussion.

#### About the EMN

The European Migration Network (EMN) is an EU funded network, set up with the aim of providing up-to-date, objective, reliable and comparable information on migration and asylum for institutions of the European Union, plus authorities and institutions of the Member States of the EU, in order to inform policymaking. The EMN also serves to provide the wider public with such information. The EMN was established by Council Decision 2008/381/EC adopted on 14 May 2008. The Swedish Migration Board is the Swedish National Contact Point (NCP) for the EMN.

Migrationsverket • 601 70 Norrköping

phone +46 (0)771-235 235 • e-mail [emn@migrationsverket.se](mailto:emn@migrationsverket.se)

[www.migrationsverket.se](http://www.migrationsverket.se) • [www.emnsweden.se](http://www.emnsweden.se)

