European Commission

EMN INFORM

Dissemination of Information on Voluntary Return: how to reach irregular migrants not in contact with the authorities

1. INTRODUCTION

This EMN Inform summarises the main findings of the 2015 EMN Study on *Dissemination of information on voluntary return* which was based on contributions from EMN Contact Points from 24 (Member) States[1] and Norway.

For the credibility of the EU common migration and asylum policy, it is crucial that those who do not or who no longer fulfil the conditions for entry, stay or residence in a Member State are effectively returned. The EU therefore aims to prevent and control irregular migration, whilst fully respecting fundamental rights and human dignity. EU return policy makes clear that voluntary return should be preferred over forced return and makes available support for voluntary return and reintegration programmes to support this. To facilitate the take-up of such programmes and of voluntary return more generally Member States must disseminate information on irregular migrants' rights, responsibilities and options for return.

This Inform presents an analysis of (Member) State approaches (policies and practices) to the dissemination of information on voluntary return. It describes national campaigns and methods, and the effectiveness of these in reaching out to and informing third-country nationals not in contact with the authorities.

2. KEY POINTS TO NOTE

- Whilst there is **limited information to estimate the exact scale of irregular migration** in the EU, due to the largely clandestine nature of the phenomenon, (proxy) indicators suggest that **irregular migration is increasing** in many Member States.
- In view of this, the EU and its Member States are keen to develop policies and practices that can increase returns of not having a legal right to stay in the EU. The Return Directive makes clear that **voluntary return is preferred** at EU level over forced return, if it does not undermine the purpose of the return procedure. It is therefore positive that **various Member States have recently legislated** (or plan to legislate) for more effective promotion of voluntary return and that almost all (Member) States have in place rules for the provision of information on voluntary return.
- Several **challenges in disseminating information on voluntary return** to irregular migrants are common to most Member States, such as: how and where to target irregular migrants when they are not in contact with disseminating actors; language barriers; engaging irregular migrants with those providing information even when the former is unwilling to return and/or is mistrustful of authorities and other actors (both

[1] Austria, Belgium, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.

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The European Migration Network (EMN) is co-ordinated by the European Commission with National Contact Points (EMN NCPs) established in each EU Member State plus Norway.

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of which prevent migrants from engaging with those providing information); and ensuring that migrants have access to accurate information even where they are more likely to rely primarily on informal sources of information from within their community.

- In half of all (Member) States, **state actors maintain a limited role** in the dissemination of information, as this task is mainly outsourced to intergovernmental organisations or civil society organisations. This is largely because (Member States report) civil society organisations are more likely to be trusted by migrants than State authorities and they may have better links to diaspora communities, ethnic minorities than State authorities which help them to engage with irregular migrants.
- A wide **combination of tools** (posters, websites, outreach) to disseminate information are used by (Member) States; the tools differ in the extent to which they increase accessibility and the understanding of the message disseminated suggesting that **employing a range of tools for information dissemination is advantageous**.
- One of the main ways that migrants learn about voluntary return is through **speaking with their peers**: whilst perhaps well-trusted by the migrant, such information can be inaccurate or biased.
- Around **one third of all (Member) States have targeted information campaigns specifically at irregular migrants not in contact with the authorities**. They have done this by publicising the return message in mainstream and targeted (e.g. community-specific) media, disseminating information in places frequented by migrants, and building relations with diaspora communities. Several Member States also underline the importance of informing migrants about return before they become irregular migrants / fall out of contact with the authorities.
- In spite of this, and in spite of the fact that some (Member) States have evaluated the promotion of AVRR, there **is little robust evidence of the effectiveness** of different measures in reaching out to irregular migrants not in contact with the authorities. However, (Member) States have **developed some lessons and potential good practices in disseminating information**.

3. MAIN FINDINGS

What is the estimated scale of irregular migrant populations in the Member States?

It is not possible to produce exact estimate of irregular migrants in the EU, due to the clandestine nature of the phenomenon. However, some indication of the scale of irregular migration can be obtained through national and Eurostat statistics on migrants apprehended while entering the country (illegal border crossings) and while illegally staying in the country.

According to Eurostat, over the period 2010-2014:

- **France**, **Germany**, **Greece**, **Spain**, **Sweden** and the **United Kingdom** apprehended the highest number of illegally-staying migrants;
- However, **Austria**, **Germany**, **Sweden** and **Poland** reported the highest annual increases (respectively a 117%, 155%, 165% and 201%; rise in the number of irregular migrants apprehended);
- A significantly lower number of irregular migrants were apprehended for illegal stay in **Estonia**, **Latvia**, **Lithuania**, **Slovak Republic** likely because they are largely 'transit countries' and thus irregular migrants stop there only temporarily during onward travel towards other European countries.

A few (Member) States (BE, DE, FI, IE, NL, PL, SE and NO) have developed national estimates of the scale of irregular migration. Numbers range from a minimum of 1,000 in **Finland**, to 25,000 in **Poland**, up to 520,000 in **Germany**.

What is the scale and nature of irregular migrants who are not in contact with the authorities?

Irregular migrants not in contact with the authorities find it possible to live in the EU both because they live within and depend upon informal economies, e.g. working in the underground / shadow economy, and/or because they live within diaspora or other communities which support them and their needs. They comprise clandestine entrants who have never been in contact with the authorities and those who have absconded from the system ('absconders').

Very few Member States (only AT, LT, LV, MT, SE, SK) have estimated the scale of either clandestine entrants or absconders. For absconders, in 2014, the estimated number ranged from 900 in **Malta** through 4,557 in **Austria** to 8,159 in **Sweden**. Other Member States unable to provide statistics for clandestine entries, reported that clandestine entries are a major issue in their countries (EL, FR). By contrast, Malta reports that the scale of such entries is not significant, since arrivals by sea to the country do not generally go undetected.

What are the main problems faced in disseminating information to those who are not in contact with the authorities?

The most common challenges reported for the actors in disseminating information on voluntary return are:

- Knowing **how and where to target irregular migrants when they are not in contact with the authorities** and/or not in contact with the actors disseminating the information;
- **Language barriers** that make it challenging to communicate messages about voluntary return effectively to some irregular migrants;
- The **unwillingness of migrants to leave** Europe (also meaning they may not be receptive to information about voluntary return);
- **Mistrust** towards both authorities and other actors and institutions promoting voluntary return that creates barriers to the effective communication of information for Member States; and
- A **reliance** by irregular migrants **on informal and possibly inaccurate sources of information**, e.g. friends, peers and families.

Is the provision of information on voluntary return regulated in (Member) States?

All Member States regulate how information on voluntary return should be disseminated to irregular migrants, either through **legislation, soft law** or **practitioner guidelines**. The Return Directive has had an influence in establishing or guiding these rules in some Member States (LU, SI, SE).

Policy or legislation on the dissemination of information has been recently amended or is about to be amended in nine (Member) States (AT, BE, DE, FI, FR, HU, PL, UK, NO), suggesting an **increasing interest in strengthening rules and practice to promote voluntary return**.

National provisions indicate the **content of the information** to be provided to the TCN, the **timing** of the information provision, the **language** in and **channel** through which it should be provided and rules around **confidentiality**. With regard to the content of the information to be disseminated, this includes: the possibility of returning voluntarily; the conditions of eligibility to Assisted Voluntary Return (AVR) or Assisted Voluntary Return and Reintegration (AVRR) programmes; information on the assistance and benefits provided under AVR(R) programmes; and contacts for the responsible actors implementing AVRs. A few Member States also have specific rules/guidance in place for **vulnerable irregular migrants**.

Article 7 of the Return Directive obliges (Member) States implementing it to inform the returnee of the period provided to them for voluntary departure. In addition to this, most (Member) States, when issuing the return decision, provide **information on assisted voluntary return**, although the amount of information they provide and the extent to which they do so in a user-friendly / accessible format differs between (Member) States.

Which role different disseminating actors play in informing irregular migrants about voluntary return?

In half of all (Member) States (AT, CY, EE, ES, FI, HU, IE, LT, LU, LV, MT, NL, SI, SK), **state actors maintain a limited role** in the dissemination of information on voluntary return to irregular migrants, as this task is **mainly outsourced to intergovernmental organisations or civil society organisations** - mainly the International Organisation of Migration (IOM) and, in some cases, national NGOs.

In other (Member) States (BE, CZ, DE, EL, FR, MT, UK and NO) state authorities play a more active role in the direct dissemination of information on voluntary return by **training** staff and partners on how to provide information on voluntary return, **producing communications**, providing **return counselling** and establishing **information hubs** for interested migrants to visit. In a few of these (Member) States, state representatives also engage in **outreach work**.

The main state authorities involved in the dissemination of information on voluntary return in most (Member) States are the asylum / migration authorities; staff at reception facilities; staff at detention/immigration reporting centres; the police / law enforcement authorities (if they are responsible for issuing return decisions in the (Member) State); and (in some Member States only) diplomatic representation and embassies of particular third countries.

A **broad range of non-state actors** play a role in the dissemination of information on voluntary return, either because they are **contracted/funded by the government**, **engaged on an informal basis** by the State or **mandated independently** of the State. The most common actors are: the **IOM,** operating and promoting AVR(R) programmes in most (Member) States; national **NGOs** (e.g. Caritas, Refugee Action, Jesuit Refugee Service, national refugee councils); **diaspora groups**; **community groups**, e.g. faith-based groups / migrant-led groups. **Social, health, and education services** and **legal advisors** are involved in disseminating information on voluntary return to a lesser extent in some Member States.

What are the tools, approaches and campaigns employed specifically to reach out to irregular migrants who are not in contact with the authorities?

The dissemination tools most commonly used by the Member States are **leaflets/brochures** handed over or distributed to migrants in the context of campaigns, **posters** with short texts and explicative pictures, and **websites** with audio-visual information which offer anonymity and easy access to users. Many Member States also provide **helplines** (free of costs in most countries) and **drop-in clinics**.

Other tools used to a lesser extent are dedicated **social media pages** and **online discussion forums** which allow for the exchange of information and discussion among peers, **media campaigns** and **outreach community visits** to migrant communities. Given that studies have shown that many returnees learn about voluntary return through fellow members of their diaspora and other communities, **outreach work** amongst these communities is likely to be an important tool. However, the combination of a range of channels for information dissemination and the promotion of voluntary return is most likely to help (Member) States **reach irregular migrants at different times and conditions**, corresponding to their different information needs.

Member States differ in the amount of information they provide to potential returnees and the actors involved in disseminating information. Overall, **non-State actors** (i.e. those NGOs and international organisations contracted to provide AVR(R) and return counselling) are **more likely to provide tailored information**, although in some (Member) States (BE, DE, FR, HU, NO) state actors also provide this information.

To increase the chance that migrants will understand the return message and be willing to engage with those providing voluntary return, **it is important that information is accessible**: provided at a time and place when migrants can access it, is free of charge, in a language they understand and is provided in a manner that does not deter them. Most (Member) States have developed AVR(R) promotional materials in five or more languages and offer their dissemination tools in several common languages. Member States normally find that having information disseminated in a language other than a first language does not prevent the initial message about return from being disseminated but it can prevent nuanced messages from being understood. Member States differ in the way they present the return message, but research in a few Member States has suggested that by overly-promoting or 'beautifying' the return message, third-country nationals might be less likely to trust the information.

During the period 2010-2014, most Member States implemented **information campaigns** aimed at better disseminating information on voluntary return to irregular migrants and employing a variety of tools. Around one third of these specifically targeted irregular migrants not in contact with the authorities and the remainder used methods and approaches which meant that they could target this group as part of a wider target group of third-country nationals. The majority of campaigns focused on promoting AVR(R) programmes, although in a few cases they focus more generally on encouraging (assisted) voluntary returns. The campaigns employed different strategies to **increase the chance of reaching the target groups,** mainly by increasing the ubiquity of information available in key places frequented by migrants, strengthening relations with diaspora communities, using targeted channels of dissemination and social media, highlighting benefits of return (and reintegration), and using cultural mediators.

Is there evidence of effectiveness of different tools and techniques of dissemination?

Some (Member) States have collected evidence of the effectiveness of different approaches used to disseminate information on voluntary return mainly through surveys to assess the AVR process and outcomes and other information received by participants in AVR(R) programmes. Survey data can provide insights into beneficiary satisfaction but is limited as a tool for evaluation since it usually covers only a small sample of assisted returnees and tends not to focus the effectiveness of dissemination. It follows from this that there is **little robust evidence of the effectiveness** of different measures in reaching out to irregular migrants not in contact with the authorities and providing them with a clear and comprehensive message. Nonetheless, (Member) States, have **highlighted some lessons and potential good practices in disseminating information**, specifically to reach out to irregular migrants not in contact with the authorities. These comprise:

- Providing information as early as possible to potential beneficiaries of AVR(R);
- Involving NGOs, IOs and civil society organisations in information dissemination, due to their mediating role between state authorities and migrants;
- Involving diaspora groups and other migrant representatives to build trusted channels;
- Providing time to the migrant to reflect on the decision about return;
- Making use of online media, as it enables anonymous access to information;
- Ensuring that the individual is aware of the risks of not returning voluntarily as well as the benefits of voluntary return;
- Tailoring information and communication to the specific needs and situation of the migrant; and
- Providing information in a factual manner, avoiding confusing and 'emotive' communication.

4. FURTHER INFORMATION

You may obtain further details on this EMN Inform and/or on any other aspect of the EMN, from HOME-EMN@ec.europa.eu.

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