



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

Focused Study of the Belgian National Contact Point  
of the European Migration Network (EMN)



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The European Migration Network was set up with the purpose of providing up-to-date, objective, reliable and comparable information in the areas of asylum and migration for the European institutions, national authorities and other stakeholders.

The Belgian National Contact Point is a mixed point composed of experts from the Federal Public Service Home Affairs (Immigration Office), the Federal Migration Centre, the Office of the Commissioner General for Refugees and Stateless Persons and the Federal Agency for the Reception of Asylum Seekers (Fedasil).

Further information on the Belgian National Contact Point of the European Migration Network and its work can be obtained from:

[www.emnbelgium.be](http://www.emnbelgium.be)

The Belgian Contact Point can be contacted through the following channels:

[Benedikt.Vulsteke@ibz.fgov.be](mailto:Benedikt.Vulsteke@ibz.fgov.be)  
[Alexandra.Laine@ibz.fgov.be](mailto:Alexandra.Laine@ibz.fgov.be)  
[Peter.Vancostenoble@ibz.fgov.be](mailto:Peter.Vancostenoble@ibz.fgov.be)  
[Ina.Vandenberghe@ibz.fgov.be](mailto:Ina.Vandenberghe@ibz.fgov.be)  
[Martine.Hendrickx@fedasil.be](mailto:Martine.Hendrickx@fedasil.be)  
[Manon.Muyle@fedasil.be](mailto:Manon.Muyle@fedasil.be)  
[Elisa.Vandervalk@ibz.fgov.be](mailto:Elisa.Vandervalk@ibz.fgov.be)

Tel: +32 (0)2/ 500.23.91

Or by ordinary mail at the following address:  
EMN Belgium National Contact Point  
FPS Home Affairs  
Leuvenseweg 1  
1000 Brussels



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

### ***Belgian study and EU comparative study***

This is the **Belgian contribution** to the EMN focused study on “Dissemination of information on voluntary return in Belgium: how to reach irregular migrants not in contact with the authorities”. **Other EMN National Contact Points** (NCP’s) produced a similar report on the topic for their (Member) State.

The different national reports were prepared on the basis of a **common template** to ensure, to the extent possible, comparability. References to questions from the common template are made in this report (e.g. “Q3 & Q4 - EMN questionnaire”).

On the basis of all national contributions, a **Synthesis Report** is produced by the EMN Service Provider in collaboration with the European Commission and the EMN NCP’s. The Synthesis Report gives an overview of the topic in all (Member) States.

The overall aim of this study (Synthesis Report) 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.

More particularly, **the aim of this EMN study is to:**

1. 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;
2. 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;
3. Describe the **role that different actors** having contact with an irregular migrant play in informing them about (voluntary) return;
4. 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
5. 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 primarily concerned with two groups of irregular migrants: **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.**

The Belgian report, the Synthesis Report and the links to the report of the other (Member) States and the Common Template are **available on the website** [www.emnbelgium.be](http://www.emnbelgium.be)

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# 1. "Factsheet" Belgium

This EMN-study focuses on the different approaches employed in Belgium to ensure irregular migrants are informed of options for return, including voluntary and assisted voluntary return<sup>1</sup>. The study also explores the different tools, content and format of information provision, and provides an assessment of the extent to which these factors influence effectiveness.

In Belgium, the number of failed asylum seekers who apply for voluntary return has decreased (due not only to a decrease in the number of asylum requests until May 2015, but also to the higher number of recognitions of asylum status or subsidiary protection). Therefore, the information strategies have become more diversified, targeting asylum seekers but also increasingly irregular migrants.

**Different information strategies** are implemented in order to target the various groups and make information on voluntary return accessible, by using adapted and tailored tools and methods.

- Information about voluntary return is provided **in open reception facilities and in "open return places" to asylum seekers** before they potentially become irregular migrants. This strategy follows the so-called "return path": voluntary return counselling - including social guidance and documentation - is provided to migrants at key moments.
- Information on voluntary return is provided **to persons being notified of a return decision at municipalities' local offices** through the SeFoR project.
- **Information sessions for intermediary organisations in contact with irregular migrants** (such as embassies, diaspora organisations, NGOs, emergency shelters, etc.) are organised by Fedasil's return counsellors. Furthermore, tailored information sessions about the return of Unaccompanied Minors (UAMs) are also given to guardians and social workers who are in contact with them.
- A **specific return path for irregular families with minor children** was jointly implemented by the Immigration Office and Fedasil in the first Belgian open return centre in Holsbeek. The return centre was closed in June 2015. The specific return path is still being offered in the family units of the Immigration Office.
- **Fedasil has set up a free hotline, a central and three regional return desks**, characterised by their accessibility, strategic location and professional return counsellors. Through the hotline and the return desks, migrants can receive tailored information and submit a concrete voluntary return application.

By using these different strategies, the Belgian authorities<sup>2</sup> try to **reach all the different target groups**. As a result, anyone who is staying irregularly or temporarily in Belgium and who wants to return without having the financial means to do so, has - in theory- access to the voluntary return programme, irrespective of his/ her administrative antecedents.

Furthermore, Fedasil has started to **measure, analyse and evaluate the impact of the information and communication strategies**:

1. Evaluation of the return path conducted in 2014
2. Implementation of an online monitoring tool started in July 2015
3. Study about irregular migrants' perception of assisted voluntary return (AVR), which will be completed by the end of 2015

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<sup>1</sup> From here on, all references to « information on (voluntary) return » automatically include information on voluntary return, assisted voluntary return, as well as forced return to the extent that information may cover legal obligations and compliance with return decisions.

<sup>2</sup> Namely the Federal Agency for the Reception of Asylum Seekers (Fedasil) and the Immigration Office.

This report is largely based on input from representatives of the Immigration Office, Fedasil, the International Organisation for Migration and Caritas International Belgium. Other sources used for this study are legislation, policy briefs, and research outputs.

## 2. General overview of the situation of irregular migrants in Belgium

### 2.1 Scale of irregular migration in Belgium

There are **no reliable estimates** available regarding the scale of irregular migration in Belgium. It is worth noting that – on average – around 25.000 foreigners are **intercepted annually by the police**, around 90 % of whom are staying irregularly. A large proportion of these persons receive a return decision without being detained, while between 5 and 10 % of them will be put into administrative detention in order to be forcibly removed. These interceptions can be linked to random controls, specific actions (address controls, controls of illegal employment, ...) or arrests due to public order issues.

Moreover, an annual average of 35.000 Third Country Nationals (TCN) received an **order to leave the country** over the period 2008-2014, either because their application for a residence permit / asylum had been denied or because they had overstayed (visa expired, residence permit expired, stayed longer than 3 months).

Furthermore, one has to take into account that – for some third countries – the number of voluntary returns is higher than the number of interceptions and orders to leave the country (e.g. Ukraine, Mongolia, Brazil). This suggests that there is a **larger community of irregular migrants** living in Belgium, without being known to the Belgian authorities. Furthermore, some third country nationals register at their embassies or consulates, without registering at a municipality.

(Q1 - EMN questionnaire)

### 2.2 Nature and scale of irregular migrants present in Belgium who are not in contact with the authorities

This study is primarily concerned with irregular migrants who are not in contact with the authorities responsible for ensuring their return. The term “**authorities responsible for return**” includes all of those authorities with a mandate to encourage and implement the return of irregular migrants, respectively the Immigration Office responsible for forced return and Fedasil responsible for voluntary return. Other authorities who also play a role in the voluntary return communication to the target group are also included in the scope of this study, such as asylum authorities, local / municipal authorities, the police, etc. In Belgium, other public authorities, such as healthcare and education authorities are also involved (indirectly) in encouraging return<sup>3</sup>.

The main scenarios in which the Belgian authorities would **not be in contact with irregular migrants** are the following:

- Migrants who have given false addresses / who moved
- Persons who have entered Belgium irregularly and who are staying there without the authorities' knowledge
- Irregular migrants with criminal intentions who do not want to be apprehended
- Unregistered overstayers (who came legally to Belgium with a visa from Belgium or another Member State, or who did not require a visa due to a visa waiver policy, but who did not register at the municipality)

<sup>3</sup> Civil servants have the duty to report irregular migrants to the Public Prosecutor. This rarely happens in practice. Other organisations and people in Belgium do not have a reporting obligation. Irregular migrants can make use of social services, Public Centres for Social Welfare, schools, trade unions, hospitals, doctors and pharmacies without the fear of being reported to the authorities.

- Intra-European mixed migration flows (asylum shoppers, irregular migrants going from one Member State to another, ...)
- Irregular “circular migration” (overstayers who work temporarily in Belgium without a work permit, ...)

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. In Belgium, there are no data available neither on irregular migrants who were previously known to the authorities, but whose place of residence is no longer known to the authorities, nor on irregular migrants whose residence on the territory has never been known to the authorities.

The Belgian migration authorities cannot give an estimate of the number of absconding persons, among others because there is no complete control of all entries and exits. The Immigration Office has data on the number of **address controls** carried out after an order to leave the country is issued, but this is only a small percentage of the number of persons who have received such an order. Between January 2010 and May 2015, 9.139 address controls have been carried out, of which 2.714 gave a positive result (persons still living at the address). The other controls were negative (departures, absconding, or no data available).

(Q3 & Q4 - EMN questionnaire)

## 2.3 Challenges faced by actors involved in promoting voluntary return in Belgium in reaching irregular migrants

The main challenge that actors involved in promoting voluntary return face is the **changing profile of the groups of migrants** that have to be reached. As the number of failed asylum seekers who apply for voluntary return has decreased (due not only to a decrease in the number of asylum requests until May 2015, but also to the higher number of recognitions of asylum status or subsidiary protection), the target group is currently mainly composed of irregular migrants who are **less known to the Belgian authorities**. The authorities do not know who these irregular migrants are, where they can be found, or how they can be reached. It is therefore also more difficult to convince them to apply for voluntary return, even though it could be beneficial for them to do so, as the coercive measures linked to the return directive are more strictly applied.

(Failed) asylum seekers, by contrast, are more easily reached (but not necessarily convinced), as they mainly live in reception facilities.

It is challenging for the Belgian authorities to not know where these irregular migrants are. These irregular migrants hide and do not want to be found by the authorities. In order to face this challenge, Fedasil is implementing **three main strategies**:

1. The agency is proactively providing **information on voluntary return to asylum seekers while they are living in the open reception facilities**. This way, even when the migrants can no longer be reached by the authorities after a negative decision on their case, they have already received information both on voluntary return and on Fedasil’s free hotline. Therefore, these failed asylum seekers can call Fedasil the moment they are thinking of returning to their home country.
2. Fedasil provides **information sessions on voluntary return to front-line workers** who might be in contact with irregular migrants. These front-line workers are then able to provide information on voluntary return to migrants who do not have any sustainable perspective in Belgium.

3. Besides these two main strategies, Fedasil engages with a **structural network of NGOs and cities** that refer irregular migrants to Fedasil’s voluntary return programme.

For persons under the visa waiver policy (e.g. Western Balkan countries) who have applied for asylum (considering that most of their asylum claims will be denied), flexibility and rapid reaction are key. Using this approach, the phenomenon can be tackled proactively and these persons can be motivated to return home on a voluntary basis in order to avoid an entry ban, as they can normally return easily to the EU provided that they fulfil the entry and residence conditions.

Other groups besides irregular migrants can also be difficult to reach. For example, in Belgium, asylum seekers can be housed in reception facilities. However, some of them decline this offer because they have another solution in terms of accommodation. In that case they are only entitled to medical care and the reimbursement of their medical costs by Fedasil. There is no accurate data concerning this specific group. These persons are not in contact with Fedasil and it is more complicated to reach them. In order to face this challenge, Fedasil produced **leaflets on voluntary return**. In collaboration with the Immigration Office and the Office of the Commissioner General for Refugees and Stateless Persons (CGRS), these leaflets are handed out to the asylum seeker at the same time as the negative decision is delivered by the municipalities. As these leaflets mention Fedasil’s free hotline, the **so-called “no shows”** can reach Fedasil when they are thinking about returning.

It is also challenging to convince diplomatic and consular representations, as well as expat organizations, religious leaders, community leaders, ... to give a clear message that irregular migration is dangerous, that there are ways to travel legally, that irregular migrants can use the voluntary return programs, or that voluntary return far outweighs a forced return that automatically leads to an entry ban.

(Q5 & Q6 – EMN questionnaire)

## 2.4 Scale of return of irregular migrants from Belgium

	Year					Source
	2010 (total)	2011 (total)	2012 (total)	2013 (total)	2014 (total)	
<b>Third-country nationals returning by force (forced return)</b>	3.586	3.708	3.847	4.193	3.519	Immigration Office
<b>Number of third-country nationals returning voluntarily within 30 days<sup>4</sup> of receiving a return decision (voluntary departure) *</b>	n/i	n/i	n/i	n/i	n/i	Immigration Office
<b>Number of irregularly-staying third-country nationals returning via AVR packages (assisted voluntary return)</b>	2.428	2.830	3.774	3.873	2.585	Fedasil

<sup>4</sup> In accordance with the provisions of Directive 2008/52/EC (Return Directive). 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>Number of irregularly-staying third-country nationals returning via AVRR packages (assisted voluntary return and reintegration) – where different from (c)</b>	n/i	n/i	n/i	n/i	n/i	Fedasil
<b>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>	n/i	n/i	n/i	n/i	n/i	Immigration Office
<b>Number of irregular migrants whose residence on the territory has never been known to the authorities (clandestine entry)</b>	n/i	n/i	n/i	n/i	n/i	Immigration Office

\* There are no exact data on the number of persons who have left within the time limits of their return decision (voluntary departure). The Immigration Office only knows how many people left Belgium through Brussels National Airport with an order to leave the country (regardless of whether the time limit is still valid or not). The Immigration Office only started to count these departures in April 2013:

- 2013 (from 1 April onwards): 1.346
- 2014: 1.510
- 2015 (until 30 April): 407

Concerning the number of irregularly-staying third-country nationals returning via AVRR packages (assisted voluntary return and reintegration), Fedasil's statistical system does not allow to provide this information.

[\(Q2 - EMN questionnaire\)](#)

## 3. General overview of Belgian national legislation and policy on the dissemination of information on (voluntary) return

### 3.1 Fedasil and the return path

The Federal Agency for the Reception of Asylum Seekers, **Fedasil, is the responsible authority in Belgium for voluntary return.** The **Reception Act of 12th of January 2007** stipulates in its Article 2 that access to the programmes for voluntary return is part of the aid in kind that asylum seekers and other beneficiaries of reception are entitled to. Article 31§2 of the Reception Act stipulates that the social guidance includes informing the beneficiaries of reception on the content and the importance of the programmes for voluntary return. Moreover, Article 54 stipulates that Fedasil has to ensure that the beneficiary of reception has access to a programme for voluntary return to his country of origin or a third country.

The law amending the legislation on the reception of asylum seekers of **19th January 2012** has made changes to the Reception Act of 12th of January 2007. One of the most important novelties concerns the introduction of **the concept of the 'return path'** (Article 6/1 of the Reception Act) defined as an individual (personalized) counselling path offered in the reception facilities of the reception network of Fedasil in view of a return to the country of origin. The return path is formalized in a document, signed in the last phase by the beneficiary (asylum seeker or irregular migrant and his family members) that states the rights and obligations of the asylum seeker and provides for a concrete timing for the return.

This return path is a **step by step process** of information on voluntary return in reception facilities managed by Fedasil and its reception partners becoming more intense as the asylum procedure progresses. The voluntary return counselling is an integral part of the individualized and permanent social guidance provided by the social worker during the entire stay of the beneficiary of reception in a reception facility.

From the moment an asylum application has been lodged, return counselling becomes an integral part of the guidance offered to asylum seekers in all reception facilities. The return path is divided into **two main phases** : (1) voluntary return counselling while the asylum procedure is still ongoing and (2) voluntary return counselling in a return facility (open return place) where the voluntary return counselling is intensified and the staff has specific expertise on voluntary return. In this second phase a cooperation scheme exists between Fedasil and the Immigration Office, responsible for the expulsion of foreigners.

It is mandatory for the return path to commence at the latest 5 days after a negative decision (refusal of recognition of refugee status and refusal to grant subsidiary protection status) by the Commissioner General for Refugees and Stateless persons when the applicant will receive information with respect to the possibilities relating to the return path.

The Reception Act, the instructions of Fedasil (*Instruction of 13 July 2012 on the return path; Addendum of 30 August 2012 to the instruction of 13/07/2012 concerning medical exceptions and the instruction of 23 September 2013 on the return path replacing the instruction of 13/07/2012*) and the Fedasil Guide on Voluntary Return: the use of information carriers of May 2015 stipulate the moments during which asylum seekers and other beneficiaries of reception are informed on voluntary return.

KEY MOMENT	INFORMATION ON VOLUNTARY RETURN
<b>First phase</b>	
When applying for asylum at the Immigration Office	The asylum seeker will receive a brochure with information on voluntary return (Fedasil & IOM) available in 11 languages (responsibility of Fedasil).
During the in-take in the reception facility	The social worker of the reception facility of Fedasil or one of its reception partners will explain to the asylum seeker the voluntary return programmes (with IOM and the possibility of additional reintegration support) and the return path, including the assignment to a return facility in case of a negative outcome of the asylum procedure. The social worker uses an information sheet on the return path which is available in 11 languages.
During the examination of the asylum application	The subject of voluntary return can be raised and further discussed every time there is a reason/a need for it by the social worker or the asylum seeker.
At the moment of refusal of recognition of the refugee status and refusal to grant the subsidiary protection status by the Commissioner General for refugees and stateless persons (CGRS)	The asylum seeker receives an order to leave the territory from the Immigration Office. Along with the negative decision of the CGRS a second brochure on voluntary return in 3 languages is sent to the asylum seeker (responsibility of Fedasil).
Within 5 days after the refusal of recognition of refugee status and refusal to grant subsidiary protection status by the Commissioner General for refugees and stateless persons (CGRS)	The return path becomes formally mandatory. The asylum seeker is actively encouraged to think about his future prospects, including the option of voluntary return, he is informed about the possibilities offered by the programmes for voluntary return (IOM). The content of this conversation between the asylum seeker and his social worker is formalized in a document which is part one of the return path plan and is kept in the administrative file of the asylum seeker.
Approximately one month after the appeal at the Council for Alien Law Litigation against an unfavourable decision from the CGRS	The social worker will discuss the future prospects of the asylum seeker (based on elements and results of previous conversations) and the topic of voluntary return as one of the possible future options is raised once again.
After the Council for Alien Law Litigation confirms the negative decision of the CGRS and the asylum seekers receives an assignment to a return facility	The social worker informs the failed asylum seeker about the transfer to the return facility and explains the content of the return path and counselling in these facilities. The failed asylum seeker is asked to sign part two of the return path plan. By signing this document the person acknowledges that he has been informed of the continuation of his return path and takes note of the exchange of information that will take place between the reception structure, Fedasil and the Immigration Office - a copy of this document is kept by the reception structure, one is sent to the assigned return facility and one copy is given to the failed asylum seeker. The asylum seeker can decide voluntarily if he wants to leave and has 5 days after the assignment to register at the return facility where he can stay during the validity of his return decision.

KEY MOMENT	INFORMATION ON VOLUNTARY RETURN
<b>Second phase</b>	
During the execution time of the order to leave the country (max 30 days, in some cases an extension of this term is possible).	The return path in the return facilities is jointly managed by a social worker of Fedasil (responsible authority for voluntary return) and a liaison officer from the Immigration Office (responsible authority for forced return).
Arrival and start of the return counselling in the open return places	During the intake the social worker will provide information on the last part of the return path, the actors involved and the division of tasks between Fedasil and the Immigration Office. The social worker of Fedasil will fill out an identification sheet for every adult family member and passes it on to the present liaison officer of the Immigration Office who verifies the data. The social worker will start up a return file with all relevant information and the status of current residence procedures: the liaison officer of the Immigration Office is informed of ongoing procedures – the officer makes sure that these procedures are treated with priority by the Immigration Office.
Return counselling and evaluation of the return path (evaluation on day 15)	During the return counselling the ex-asylum seeker is actively informed and sensitized about the possibility of voluntary return. Obstacles to voluntary return are identified and the social worker examines how they can be eliminated. The return path is evaluated together with the ex- asylum seeker, the social worker and the liaison officer of the Immigration Office. The goal is to determine whether the voluntary return is realistic and whether the ex-asylum seeker cooperates (signed demand for voluntary return, steps to obtain valid travel documents, no introduction of new residence procedures like a new asylum demand).
End of the return path	<p>In case of cooperation on the part of the ex-asylum seeker, the social worker will continue to actively support the failed asylum seeker in taking the necessary steps to realize the voluntary return (if the execution time of the order to leave the country expires, the right to reception will come to an end, but the period of the order may be extended by the Immigration Office in case an application for voluntary return is filed and a realistic plan for return is put into place).</p> <p>In case of non-cooperation on the part of the ex-asylum seeker, the focus shifts from voluntary towards forced return, the Immigration Office takes steps to prepare a forced return. Two days before the expiry of the order to leave the country (and the right to stay in the return facility), the Immigration Office can instruct local police to summon the failed asylum seeker to the police office in view of his removal of the territory. If he does not respond at the end of the legal stay in the return facility, the Immigration Office may instruct local police to retrieve the person involved from the return facility.</p>

The instruction concerning the return path is currently adapted. The main adaptation regards communication and dissemination of information and will concern the A4-pager distributed to asylum seekers when they receive their first negative decision. As explained above, social workers in reception facilities meet with asylum seekers when a negative decision is delivered and provide

information on their administrative situation and the remaining options. At this stage, the rejected asylum seeker also receives an A4-pager about voluntary return, available in 11 languages. After evaluation (see below), Fedasil concluded that this document is too complicated and needs to be simplified and contextualized in order to be more accessible to the target group.

(Q7, Q8 & Q10 – EMN questionnaire)

## 3.2 Immigration Office and the SeFoR project

The **Belgian Immigration Office** implements various provisions to disseminate information on the return procedure. In the **circular letter of 10 June 2011**<sup>5</sup>, it is explained which tasks the municipal immigration services should fulfil. All persons who receive an order to leave the country receive a leaflet with information about the return procedure and the consequences of an order to leave the country (see also [www.sefor.be](http://www.sefor.be)). This information is not only linked to voluntary return but also gives information about the consequences if the person does not comply with the order. These persons are then invited to fill out a questionnaire about their identity and nationality, and should indicate whether they have the necessary documents to return. They are also invited to present themselves within two weeks at the municipality in order to inform these services whether they have applied for AVRR, or organized their return by other means. Not showing up at the municipality (desk) will be considered as non-compliance, which may trigger off the forced return mechanism.

Furthermore, the staff of the municipalities' local offices should also explain the decision (order to leave the country) to the migrant, as well as the possibilities to appeal at the moment they notify the decision to the migrant. The Belgium Immigration Office started **the SeFoR<sup>6</sup> Project in June 2011**. The project aims at ensuring the **follow-up of migrants who received an order to leave the territory** to verify if they are effectively returning to their country of origin, voluntarily or not.

On the **SeFoR website**, which provides a wide range of information and answers essential questions regarding return, there is supplementary information as well as contact details for partners who organize voluntary return (AVRR or non-assisted – also on the leaflet). One will find a movie as well about the dangers of staying irregularly. On the website and the leaflet of SeFoR one will find contact details of the diplomatic or consular representation for different countries. This information (on the website and on the leaflet) is available in 23 languages (see languages on website [www.sefor.be](http://www.sefor.be)). There are also **posters** which are displayed in the Immigration Office (asylum registration desk) as well as in the municipalities.

In 2013, as part of the SeFoR Project, the Immigration Office started with a **new Unit for the Promotion and the Follow-up of Returns**. This Unit handles voluntary departures to countries of origin, but also in the framework of the Dublin procedure. Moreover, this Unit is working for the promotion of voluntary and autonomous departure and pursues this objective in the framework of the SeFoR procedure and in collaboration with the municipalities. This Voluntary Return Unit at the Immigration Office can be contacted at any time if one wants to get a ticket home as soon as possible. The only condition is that a copy of the travel documents is sent to the Voluntary Return Unit in order to obtain the ticket. This Unit also gives information on voluntary return to whomever wants it (no obligation to reveal their identity).

(Q7 & Q8 – EMN questionnaire)

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<sup>5</sup> Available in Dutch on: [https://dofi.ibz.be/sites/dvzoe/NL/Documents/20110610\\_n.pdf](https://dofi.ibz.be/sites/dvzoe/NL/Documents/20110610_n.pdf) and in French on: [https://dofi.ibz.be/sites/dvzoe/FR/.../20110610\\_f.pdf](https://dofi.ibz.be/sites/dvzoe/FR/.../20110610_f.pdf)

<sup>6</sup> SEFOR stands for "Sensitization, Follow-up and Return".

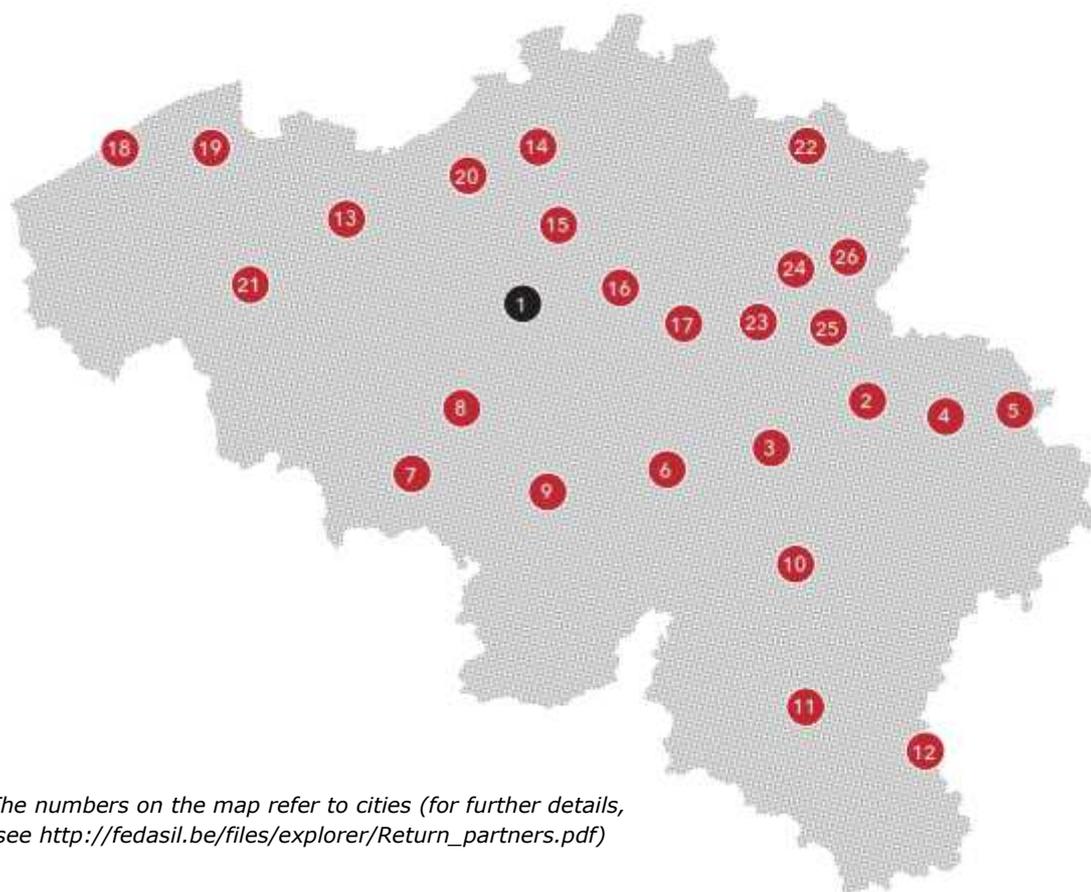
### 3.3 Return desks for migrants outside reception facilities

To make voluntary return as accessible as possible, Fedasil established a **Return Desk** to complement the existing network of partners for voluntary return in June 2012.

The **partner network** is composed of several social services, NGO's, migrant organisations, cities local offices and Public Centres for Social Welfare (municipalities) and strengthens the federal return provisions such as the return desk, the reception and return centres and the regional return counsellors. This network allows to reach migrants who are living outside reception facilities. With an average of three partners per province, the voluntary return partner network covers the whole country.

Network of the return partners

Joint Management Fedasil / IOM



The **first Return Desk** (number 1 on the picture) is strategically located **in Brussels**, in the same building as the Immigration Office and the Office of the Commissioner General for Refugees and Stateless Persons and offers migrants a professional, fast and complete guidance on their voluntary return. Three return counsellors are present from Monday to Friday to personally assist migrants who want to return. The desk can also be reached on a free telephone number (0800 32 745). Because of the success of this Return Desk, **three more return desks** were set up in three major Belgian cities – Ghent, Antwerp and Liege – in 2014 and 2015.

(Q7 – EMN Questionnaire)

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

### 3.4 Specific information strategies for vulnerable groups

In April 2013, the **first Open Return Centre** dedicated to **families with minors** who are staying irregularly on the Belgium territory, was opened in the town of Holsbeek. A partnership between Fedasil and the Immigration Office was concluded for the creation of this open return centre on the 29<sup>th</sup> of March 2013<sup>7</sup>, according to Article 62 of the Reception Act (which stipulates that Fedasil can entrust partners – including the Immigration Office - with the task of providing material assistance to the beneficiaries of reception).

This centre, closed in June 2015, was specifically dedicated to families with minor children in an irregular residence situation, and for whom the municipalities established that they are destitute and that the parents cannot fulfil their legal obligations towards their children.

Alongside material reception assistance, in application of Article 60 of the Reception Act and of the Royal Decree of 24<sup>th</sup> of June 2004, these families were also assisted by a **Fedasil return counsellor** during their stay in the centre in order to find a sustainable solution which would put an end to their irregular situation. The counselling was mainly oriented towards a voluntary return. The Fedasil return counsellors, together with the Immigration Office return coaches, worked with the family following a specific kind of **return path** in view of encouraging the voluntary return of the family concerned to their home country. The families who didn't opt for a voluntary return after the delay of the return decision (up to 30 days) and were still staying in the return centre, were assigned to a **family unit**, based on Article 7 of the Law of 15 December 1980 (Immigration Act), in view of their forced return. The family units are under the direct competence of the Immigration Office.

Occasionally, the Immigration Office - in collaboration with Fedasil - organizes **specific actions** (on their own or with other agencies or partners) linked to **specific nationalities** (e.g. information campaign targeting Western Balkan countries) in order to convince irregular migrants belonging to these communities / nationalities to return home. These information campaigns can also be linked to the provision of information in the country of origin aiming to dissuade irregular migration and to stimulate regular migration.

[\(Q7 – EMN questionnaire\)](#)

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<sup>7</sup> Agreement of 29 March 2013 between Fedasil and the Immigration Office on the material assistance (assistance in kind) offered to the foreign minor who is staying illegally in the country with his parents and who is accommodated in accordance with the Royal Decree of 24 June 2004.

## 4. Overview of national approaches to disseminating information on (voluntary) return

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

#### 4.1.1 Fedasil

In Belgium, the **Federal Agency for the Reception of Asylum Seekers** (Fedasil) is competent for organising voluntary returns, according to the Reception Act of 12 January 2007. In the framework of this mission, Fedasil initiates many projects and manages different programmes related to voluntary returns.

- Article 54 of the Reception Act: The Agency ensures that the beneficiary of reception has access to a voluntary return programme to his country of origin or a third country. This program, as well as the framework in which it operates, are defined by the King. It consists, among others, of tailored training modules, as well as the coverage of travel expenses and, when necessary, of reintegration assistance in the country of origin or in a third country. To this end, the Agency can conclude agreements with third parties.
- Article 58 of the Reception Act: Without prejudice to the provisions of articles 6 and 6/1, the Agency is responsible for the coordination of voluntary returns, both for beneficiaries of reception as well as for other categories of third country nationals.

Fedasil's vision is to **centralize - as much as possible** - the management of voluntary return programmes and projects. As such, activities related to budget, coordination of the different actors, development of a national strategy, communication on AVR, return of specific target groups (e.g. UAMs), follow-up of the agreements with IOM and Caritas International Belgium, follow-up of European projects and platforms, management of the Return Fund, etc. are centralized at Fedasil's headquarters.

Moreover, **staff of Fedasil's open reception facilities** have a legal obligation to inform the residents about voluntary return at different steps of the procedure as provided for in the return path (explained above). To this end, social workers in the reception centres are specifically trained.

Finally, **Fedasil's four return desks** also play an important role in the framework of the dissemination of information to migrants outside the reception system. Due to the high number of cases, the return counsellors have developed considerable expertise.

[\(Q11 - EMN questionnaire\)](#)

#### 4.1.2 The Immigration Office

The Immigration Office is a partner in the national AVRR programme and is responsible for the organization of the voluntary return and counselling of potential returnees who are staying in the detention centres and the family units (alternative to detention for families).

[\(Q11 - EMN questionnaire\)](#)

#### 4.1.3 The municipalities

In the circular letter of 10 June 2011, the tasks of the municipal (immigration) services are explained. When they notify the decision to the migrant, staff of the municipalities' local offices have to explain this decision (order to leave the country) to the migrant, as well as the possibilities to appeal. The

possibility of a voluntary return can also be tackled at this moment, referring to Fedasil's free hotline and website.

(Q11 - EMN questionnaire)

#### **4.1.4 Other actors disseminating information on (voluntary) return, their role and the rationale for their involvement**

Besides national and local public authorities, other actors are involved in the dissemination of information on voluntary return in Belgium.

First, Fedasil concluded an agreement with the **International Organisation for Migration (IOM)** and **Caritas International Belgium (CIB)** which defines their role regarding communication on voluntary return: (1) the creation of leaflets and posters, mainly about reintegration activities, and (2) collecting return and reintegration stories.

Second, agreements were signed with **NGOs**, acting as partners for voluntary return. According to this agreement, these NGOs have the possibility to create leaflets for local purposes and to disseminate official leaflets and posters to the target group.

Third, Fedasil return counsellors regularly organise information sessions for **front-line workers in contact with the target group**, such as NGOs, civil society organisations, diaspora groups, social, health and education services, legal advisors, and embassies (third-country and EU). These front-line workers act as intermediaries in the information dissemination process between Fedasil/voluntary return and the migrants. During the last five years, information sessions were organized for municipalities, civil society associations, hospitals, police offices, maritime police, lawyers, guardians, emergency shelters, etc. Those actors are therefore aware of the existence and conditions of the voluntary return programme, as well as Fedasil's free hotline. They can provide information about voluntary return to the target group and disseminate official leaflets and posters. The migrant can then be referred to a return counsellor. Collaboration between these front-line workers and Fedasil is done on a voluntary basis.

(Q12 EMN questionnaire)

## 4.2 Tools used to disseminate information on (voluntary) return

### 4.2.1 Leaflets and brochures

Description	Actor(s) designing / funding	Actor(s) managing / delivering	Accessibility
Leaflets for asylum seekers about voluntary return as part of the return path, with very basic information and contact details.	<b>European funding</b> Fedasil	Fedasil's social workers in reception centres	Available in 11 languages (Albanian, Arabian, Farsi, Lingala, Pashto, Fula, Russian, Serbian, English, French, Dutch)
<p>Leaflet 'Thinking of home' containing the FAQ about voluntary return and (current) contacts.</p> <p>It answers the following questions:</p> <ul style="list-style-type: none"> <li>★ What is a voluntary return?</li> <li>★ How can I apply for my return?</li> <li>★ Who will organize my return?</li> <li>★ Do I have to pay?</li> <li>★ How much luggage can I take with me?</li> <li>★ Is the journey accompanied?</li> <li>★ Life is not easy in my country, what support can you provide?</li> </ul>	<b>European funding</b> Fedasil	Fedasil's return counsellors, NGO-partners	<p>Flyer for migrants outside the return path: in 15 languages (Albanian, Arabian, Farsi, Lingala, Pashto, Fula, Russian, Serbian, English, French, Dutch, Slovakian, Bulgarian, Mongolian, Portuguese)</p> <p>Official communication tools use a 'brand image' representing a type of bag often used by migrants for travelling. The information is sometimes presented with yellow highlighting.</p> <p>The posters and leaflets are made available in places frequented by migrants (partners' offices or waiting rooms, police stations, hospitals, migration institutions...).</p>
IOM leaflet on the steps to take when travelling back home (current & future)	<b>European funding</b> IOM Belgium and Fedasil		
Leaflet on voluntary return containing basic information (past)			
Variety of brochures about reintegration activities (per country, or per type of activity) (past and current)			

Brochure dedicated to families with children	City of Gent (Fedasil funding)	City of Gent	
SEFOR leaflet, with answers to the following questions: ★ When do you have to leave the country? ★ Where can you go? ★ Where can you get the necessary travel documents? ★ What will happen if you do not leave? ★ How can you pay for your journey? ★ What are my rights if I have been working illegally? ★ What are your rights? ★ What do you have to do?	EU return fund / Immigration Office	Immigration Office	<p>Languages: see website <a href="http://www.sefor.be">www.sefor.be</a></p> <p>Leaflets are added to orders to leave the country (two A4 pages, see also website <a href="http://www.sefor.be">www.sefor.be</a> ) under download</p> <p>All persons who receive a negative decision get the leaflet bearing the telephone numbers (Fedasil's green number as well) (as well as website's URL → also on posters).</p>

#### 4.2.2 Poster campaigns

Description	Actor(s) designing / funding	Actor(s) managing / delivering	Accessibility
Poster 'Thinking of Home?' (current)	Fedasil	Fedasil's return counsellors and NGO-partners (including IOM and Caritas)	Official communication tools use a 'brand image' representing a type of bag often used by migrants for travelling. The information is sometimes presented with yellow highlighting.
Poster 'return by bus' (current)			The posters are made available in places frequented by migrants (partners' offices or waiting rooms, police stations, hospitals, migration institutions...).
Poster 'return to Albania' (current)			
Poster 'return to Balkan countries' (future)			
Posters on reintegration stories (future)	IOM and Caritas international		
SEFOR posters (current)	EU return fund / Immigration Office	Immigration Office	<p>Languages: see website <a href="http://www.sefor.be">www.sefor.be</a></p> <p>Posters in Dutch, English, French in municipalities and Immigration Office</p>

### 4.2.3 Media campaigns

Description	Actor(s) designing / funding	Actor(s) managing / delivering	Accessibility
Poster 'return to Albania' published in an Albanian newspaper (current)	Fedasil	Albanian newspaper	More information below, see point 4.3.

### 4.2.4 Websites

Description	Actor(s) designing / funding	Actor(s) managing / delivering	Accessibility
Webpages on voluntary return on Fedasil's website, dedicated to front-line workers (current)	Fedasil	Fedasil's communication service	Website in French, Dutch and English. The section on voluntary return of Fedasil's website is easily accessible through search engines (with a research such as 'voluntary return' or 'return from Belgium'); the URL <a href="http://www.voluntaryreturn.be">www.voluntaryreturn.be</a> (existing also in Dutch and French) is easy to find.
Specific website dedicated to irregular migrants (future)			
SEFOR website	EU return fund / Immigration Office	Immigration Office	Immigration Office Languages: see website <a href="http://www.sefor.be">www.sefor.be</a>

#### 4.2.5 Helplines and info lines

Description	Actor(s) designing / funding	Actor(s) managing / delivering	Accessibility
Fedasil's free hotline (current)	EU return fund	Fedasil's return counsellors from the Brussels return desk	<p>Possibility for the migrant to talk in more than 10 different languages</p> <p>Migrants can call a free number (0800) during work hours -Monday to Friday, 9am to 4pm- to get information or make an appointment with one of the many counsellors all over Belgium.</p>
Immigration Office – voluntary return unit's phone number	EU return fund / Immigration Office	Immigration Office	<p>Helpline: for the 02/793.82.82 number see also <a href="http://www.sefor.be">www.sefor.be</a> → reachable during office hours (9am-5pm); possibility to make an appointment at the Immigration Office to get more information or to collect travel documents (collection of travel documents can also be organized at airport or bus station)</p> <p>Confidentiality : information can be obtained anonymously by phone</p>

#### 4.2.6 Drop-in-clinic (face-to-face)

Description	Actor(s) designing / funding	Actor(s) managing / delivering	Accessibility
<p>Fedasil return desks (free access) – providing information on voluntary return and introducing a voluntary return application :</p> <ul style="list-style-type: none"> <li>★ Brussels (current)</li> <li>★ Liège (current)</li> <li>★ Antwerp (current)</li> <li>★ Ghent (current)</li> </ul>	<p>EU return fund</p>	<p>Fedasil’s return counsellors + 1 representative of IOM (only in the Brussels’ desk)</p>	<p>The Return Desk of Brussels is strategically located in the same building as the Immigration Office and the Office of the Commissioner General for Refugees and Stateless Persons and offers migrants a professional, fast and complete guidance about their voluntary return. Three return counsellors are present from Monday to Friday to personally assist migrants who want to return. Migrants can call a free number (0800) during work hours - Monday to Friday, 9am to 4pm- to get information or make an appointment with one of the many counsellors all over Belgium. The three other return desks are located in accessible places in other cities.</p> <p>The irregular migrant’s anonymity is assured when consulting an information service regarding voluntary return. When a voluntary return application is introduced, personal information regarding the applicant is shared between the return counsellor, IOM, and Caritas (if necessary). A protection of personal data obligation pertains to all those actors. Once the departure is effective and the migrant has left the national territory, his personal data are transferred to the Immigration Office in order to update the database and to terminate any forced return procedures that may have already commenced.</p>

## 4.2.7 Other tools

Description	Actor(s) designing / funding	Actor(s) managing / delivering	Accessibility
Community visits linked to prevention campaigns	EU return fund / Immigration Office	Immigration Office	More information below, see point 4.3.
Communication tool for embassies	Fedasil	Fedasil	In French and English
Communication tools for social services: newsletter and leaflets			In French and Dutch
Communication to stakeholders/ press (only when necessary, e.g. in the framework of specific events)			Press release in French and Dutch

(Q13 & Q15 – EMN Questionnaire)

## 4.3 Specific campaign and strategies implemented in Belgium to better disseminate information on (voluntary) return

The **campaign 'Thinking of Home'** began in 2012 (ongoing) at Fedasil's initiative. The purpose is to reach the largest public possible (mostly irregular migrants) through a simple image, a slogan and a free hotline (0800). The underlying premise is that every migrant has certain 'baggage' of social ties and memories, and that voluntary return can assist the person who wants to take this 'baggage' and return to his home country. All these elements are included in a poster, a leaflet and the voluntary return section of Fedasil's website. Results of this campaign are often intangible and therefore difficult to measure.

This campaign targets all migrants, regardless of nationality or gender, who wish to return home voluntarily. The posters were put up in waiting rooms in immigration offices, in municipalities, etc.

The **campaign 'return to Albania'** started in early 2015 at Fedasil's initiative (one year). This campaign was launched to inform the community of irregular migrants from Albania about the option of voluntary return. The campaign includes the distribution of three posters in French, Dutch and Albanian, which were published in an Albanian newspaper distributed in Belgium. No results are available yet.

Furthermore, the Immigration Office has a **specialized section of Immigration Liaison Officers** who are, amongst other duties, responsible for the planning, organization and follow up of information campaigns targeting specific communities in their country of origin or in Belgium. These campaigns can be co-organized with other state agencies / authorities (e.g. Foreign Affairs, Fedasil, ...) as well as with NGO's (local or international) or international organizations (IOM). Voluntary return is part of these campaigns. Their focus can be on avoiding irregular migration from the country of origin and therefore take place in the country of origin, or trying to reach irregular migrants in Belgium.

The Immigration Office has organized **information campaigns in Belgium** with a link to voluntary return (mostly in the framework of a general immigration information campaign) for:

- DR Congo: several campaigns in the last 10 years (sometimes short-term – sometimes long-term).
- Western Balkans : information about voluntary return linked to the massive influx and asylum claims after visa waiver (2012-2013); organization of bus rides back home; information about the disinformation of human smugglers and the dangers of smuggling rings.
- Brazil: campaign targeting victims of human trafficking – promoting re-integration - meeting with expats / victims with the cooperation of the Embassy of Brazil in Belgium.

Every action has had an **immediate effect** as the number of (assisted) voluntary returns increased following each one of them. However, for DRC it is necessary to repeat the exercise in order to continually inform the migrants about the possibilities of return and in order to avoid new increased influxes of irregular migrants. The same applies for the countries of the Western Balkans.

(Q14 - EMN Questionnaire)

#### **4.4 Content of the information disseminated to irregular migrants in Belgium**

In Belgium, irregular migrants can find information related to voluntary return with the **following actors**:

- National authorities responsible for return (such as Fedasil and the Immigration Office)
- Organisations with an official role in implementing and/or promoting AVR(R) programmes (such as IOM and Caritas International Belgium)
- Diaspora groups, faith-based groups, migrant-led groups, other community groups
- Case workers
- Legal advisors
- Network of voluntary return partners
- NGOs
- Embassies
- Municipalities
- Information points in the main cities

Fedasil's return counsellors regularly organise **information sessions** for most of the actors mentioned above, who might be in contact with the target group. These front-line workers act as intermediaries in the dissemination process between Fedasil/ voluntary return and the migrants. During those information sessions, those organisations receive a range of information:

- The legal obligations of the returnee (i.e. their status, their obligation to return and how they can ensure compliance with return decisions)
- Information on AVR(R) programmes available in Belgium
- Information on eligibility conditions for AVR(R) programmes
- Where the irregular migrant should go for more information (signposting)
- Other voluntary return options (i.e. options for voluntary return without assistance)
- 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.)
- Individually tailored information

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All the actors are therefore aware of the existence and conditions of the voluntary return programme, as well as Fedasil's free hotline, and can communicate basic information to the migrant if needed. The migrant can then be referred to a return counsellor.

(Q 16 – EMN Questionnaire)

#### **4.5 Targeting of the information to irregular migrants not in contact with the authorities and to other particular groups**

Even if the **posters** produced in the framework of the "Thinking of Home" campaign (see section 4.3) were not specifically designed to target irregular migrants not in contact with the authorities, Fedasil did try to use them as a communication tool to reach these irregular migrants. For example, the posters were put up in train stations where irregular families were known to be sleeping. Indeed, in 2013, Belgium faced a specific issue regarding families who settled in the North station in Brussels. In order to address this situation, Fedasil decided, in collaboration with the management of the train station, to organise various meetings with the target group to explain the possibilities of returning voluntarily. Those information sessions achieved some results as there was an increase in the number of irregular migrant families introducing a voluntary return application.

Furthermore, the **return desk** was set up to reach migrants who cannot be reached directly by the authorities. Indeed, persons who introduce a voluntary return application through the return desk are mainly failed asylum seekers who lived irregularly on the streets for some time without any prospects, and who then decided to return to their country of origin. These persons received information regarding the possibility of voluntary return and possible additional reintegration assistance, as well as regarding the free hotline and the return desk, when they were still residing in the open reception facilities during their asylum procedure. Moreover, the second main target group for the return desk are irregular migrants not in contact with the authorities who received information through the Diaspora or via the posters.

As such, one can say that **the free hotline, the posters and the return desk can be considered a good practice to target irregular migrants not in contact with the authorities.**

Fedasil also aims to inform **UAMs** about the voluntary return option and what can be expected from this program. To this end, specific information sessions are organised targeting the legal guardians, as well as tailor-made information sessions for UAMs in reception facilities where they are accommodated.

(Q 17&18 – EMN Questionnaire)

## 5. Monitoring and evaluating Belgian approaches to disseminate information on (voluntary) return

### 5.1 An online monitoring tool

In July 2015, Fedasil started to implement an **online monitoring tool in ten countries of origin** for returnees who have been granted reintegration assistance. This tool was developed to collect data, to analyse (statistical) data and to evaluate the return process and the impact of return and reintegration activities. The returnee himself - or with the help of the service provider - fills out a **questionnaire** 6 months after his return and evaluates his situation at that moment regarding his social, economic and medical reintegration. The information is then centralized and collected by Fedasil. In this questionnaire, two questions deal with the provision of information and counselling before departure:

- Are you satisfied with the information received from your return counsellor prior to departure? (Yes/No)
- How did you come to know about the Voluntary Return program? (Government authorities/ Caseworkers or social workers/ NGO/ Others in asylum centre/ Friends or family in country of destination/ Friends or family in country of origin/ Community network in Belgium/ Leaflet or Poster/ Other)

(Q20 - EMN questionnaire)

### 5.2 Evaluation of the return path

Fedasil conducted an evaluation of the return path in 2014. The methodology adopted for the evaluation focused on **practices, experiences and difficulties in the field**. It included the collection of data from reception facilities, more particularly from social workers from the reception network, but also from residents, Return Desk staff and representatives from the Immigration Office.

The data collection was based on the following activities:

- Large-scale survey among the reception network's social workers: 461 social workers took part in this survey (participation rate of 48%)
- Semi-structured interviews, in addition to the survey, with 44 social workers from the reception network (including 6 social workers from open return places)
- Interviews with 18 residents
- Interviews with 3 Fedasil Return Desk staff members
- Interviews with 3 representatives from the Immigration Office assigned to open return places

Furthermore, in addition to the data collected directly from the field, the following aspects were also taken into consideration:

- Interview with Fedasil's Voluntary Return Unit
- Examination of available documentation regarding the return path in Belgium, and organisation - via the Belgian Contact Point for the European Migration Network (EMN)- of a data search to draw up an overview of similar initiatives to the Belgian return path in other European countries
- Collection and analysis of available statistics concerning the return path and, more generally, voluntary return; an overview of jurisprudence and appeals concerning the return path

On the basis of an in-depth analysis of the survey results, of the different interviews carried out and the documentation and statistics gathered, several observations were drawn up:

- It was observed that the social workers surveyed had **sufficient basic information** on voluntary return. They could provide this information to residents at different key moments. This was considered useful for most of the social workers as well as for the asylum seekers interviewed.
- Although there is a great deal of basic information (sometimes deemed to be too dispersed and not always up-to-date), a **lack of more tailored information** was observed. Indeed, in addition to general information, it is important to be able to also provide information that suits the profile of the person receiving support. Furthermore, the importance of training tailored to and accessible to all those who may be required to organise consultations about voluntary return, was also highlighted.
- Although it was noted that the message concerning voluntary return is still a difficult one for asylum seekers to accept (and especially when they are at the start of the asylum procedure), the study did show that, in Belgium, voluntary return has now become a topic which **can be discussed serenely** in a reception facility.
- Despite the difficulties presented by some steps in the return path, one major observation made by the report is that asylum seekers, regardless of their choice, leave the reception facility **well-informed about the option of voluntary return**.
- At the expiry of the order to leave the territory and if the cooperation of the rejected asylum seeker in the open return place is deemed to be insufficient, the Immigration Office may organise a **forced return**. However, this forced return is not organised from the reception centre itself; a summons by the local police is always issued beforehand and persons accommodated in open return places are informed of this possibility when they arrive at the reception centre. In reality, the organisation of a transfer to a detention centre (for single persons) or to individual housing managed by the Immigration Office (for families) is a rare practice. Indeed, in the vast majority of cases, either the person simply leaves the reception centre, or opts for a voluntary return, or is transferred to another open reception facility because, in the meantime, a new asylum application has been taken into consideration.

(Q20&21 - EMN questionnaire)

### 5.3 Study of the University of Leuven (KUL)

At the end of 2014, Fedasil launched a call for tender for different activities related, among others, to the dissemination of information on voluntary return. In this framework, the University of Leuven was selected to conduct **a study about the way irregular migrants perceive AVR**, which will be completed by the end of 2015.

(Q20 - EMN questionnaire)

### 5.4 Identification of best practices

The combination of (1) the return path for asylum seekers in Fedasil's reception facilities and (2) a free hotline and accessible return desks for irregular migrants is considered a good practice in the Belgian context.

With regard to sources of evidence:

- A **significant increase of voluntary returns** was observed in 2013, following the implementation of both above mentioned practices in 2012. There is, however, no available evidence to link this increase exclusively to the adopted measures as there were also more

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potential candidates for voluntary return present in Belgium following a significant increase in asylum seekers in the years prior to introduction of the measures.

- Fedasil has recently started to **record statistics regarding users of (return) hotline numbers** (request for information or request for an appointment to introduce a concrete voluntary return application). Results are not available yet. Return counsellors working on-the-spot estimate that they have an average of 10 meetings a day (working with 2,8 FTE).
- In more than 30% of all introduced return files in 2014, the **Brussels return desk** was involved.
- The return path was evaluated in 2014, after one year and a half of implementation (See Q20, Q21 and Q25).

Regarding the SeFoR project, the fact that people are informed about the risk of receiving an entry ban has certainly contributed (at the beginning) to the fact that people were choosing voluntary return rather than forced return in order to avoid these entry bans.

(Q19 – EMN questionnaire)

## 5.5 Lessons learnt

### 5.5.1 Results of the return path's evaluation

Below, the main recommendations and lessons learned following the evaluation of the return path:

- a. Provide more tailored documentation for the reception network's social workers:** in order to be able to discuss a voluntary return in detail, a social worker must have access to sufficient quality documentation tailored to the specific individual needs of the asylum seeker (information sheets by country, accounts of successful returns, etc.).
- b. Streamline the current offer of information tools:** the large amount of information about voluntary returns may give an impression of fragmentation. Consequently, it would be useful to draw up an inventory of the documents and tools available, adapt or update them as required and share an up-to-date manual.
- c. Provide tailored training for the entire reception network:** this involves generalizing existing initiatives in the field of training designed to strengthen the social worker's skills in order to be able to discuss a voluntary return in the context of the reception of asylum seekers.
- d. Provide additional information about open return places:** in order to avoid misconceptions about the nature of return places, social workers from the entire reception network, as well as the reception network's external stakeholders, require more information with regard to the day-to-day work of return places.
- e. Evaluate the relevance of the terminology used:** the use of certain terminology can be significant when discussing the question of return with asylum seekers in order to avoid any misunderstandings and to maintain a relationship of trust between the social worker and the asylum seeker.
- f. Raise awareness about the difficulties and risks of an irregular stay:** this involves drawing up an information programme about the difficulties and risks experienced by failed asylum seekers when they choose to remain in the country without a residence permit.
- g. Find the right balance between communication about voluntary return and other themes concerning reception:** although the question of voluntary return is and must remain an important theme, it is necessary to ensure that this question does not become

disproportionately important, in particular in terms of how it is perceived by reception staff, taking into account other missions concerning the reception of asylum seekers.

**h. Favour a qualitative measurement of the impact of information about voluntary return:** information and awareness about the option of voluntary return is just one factor among many others in a person's decision to opt for return. The number of voluntary returns may not be an accurate indicator for the impact of such information.

**i. Promoting the return path as a contribution to finding solutions to a more general problem:** the return path needs to be seen within the wider context of the challenges and failures of the migratory projects of people who choose to leave their country. Faced with the failure of their initial migratory project, the return path may offer migrants an opportunity to overcome this failure.

## 5.5.2 Empirical lessons learned

According to the Immigration Office, given the fact that the share of illegal migrants previously unknown to the authorities is increasing in the total number of voluntary returns, more attention should be given to direct communication targeting this group, instead of indirect communication.

Based on its experience, Fedasil identified some **strengths and weaknesses of the communication strategy**. The lessons learned are:

- The general AVR communication strategy ensures coherence among the different actors (IOM, NGOs, cities) involved in the implementation of the communication activities
- Communication on AVR is an integral part of the social guidance provided to asylum seekers (see return path)
- The target group can easily obtain clear information (see free hotline number and return desks)
- Local actors (cities, NGOs) are involved in the implementation of AVR communication activities adapted to the local context
- It is difficult to have direct contact with the target group for communication and outreach activities
- Currently, social media is not used as a potential tool for communication and outreach activities
- The poster/ image of 'thinking of home' is negatively perceived, even though it gives a clear/ strong message to the target group

In the past, AVR communication activities were only developed and carried out by the service providers (IOM + CIB) of Fedasil and local NGO's. This caused **several problems**:

- No coherent communication about AVR but only communication about own project activities
- No clear message towards frontline workers and the target group itself (creation of confusion)
- Questions about the quality and effectiveness of some AVR communication and outreach activities

Since 2010, Fedasil is in charge of the development and implementation of **a general AVR communication strategy**. At first instance, most of the communication activities defined within this strategy were implemented and carried out by Fedasil itself. In 2015, IOM and Caritas will again play a role in the implementation of this strategy, in particular for communication activities regarding reintegration in the countries of origin (e.g. development of posters with return stories, delivery of return stories for website and flyers, etc.).

[\(Q25 - EMN Questionnaire\)](#)

# **BIBLIOGRAPHY**

## **Belgian legislation**

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- Circular of 10 June 2011 on the competences of the municipality regarding the removal of a Third Country National, Belgian Official Gazette, 16 June 2011.
- Law of 12 January 2007 on the reception of asylum seekers and other categories of foreigners, Belgian Official Gazette, 7 May 2007.
- Law of 19 January 2012 amending the legislation on the reception of asylum seekers, Belgian Official Gazette, 17 February 2012.

## **Fedasil**

- Fedasil instructions:
  - Instruction concerning the return path, 13 July 2012
  - Addendum to the instruction of 13 July 2012 (concerning medical exceptions), 30 August 2012
  - Instruction on the return path replacing the instruction of 13 July 2012, 23 September 2013
- Return path in Belgium: evaluation and recommendations, Fedasil, July 2014.
- Fedasil Guide on Voluntary Return: the use of information carriers, Fedasil, May 2015.

## **Websites**

- [www.sefor.be](http://www.sefor.be)
- [www.voluntaryreturn.be](http://www.voluntaryreturn.be)

## **Others**

### Information received

- By email from the Immigration Office
- Through interviews with Fedasil's return counsellors, and with the responsible for voluntary return communication at Fedasil's headquarters

## STATISTICAL ANNEX

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

	2010 (total)	2011 (total)	2012 (total)	2013 (total)	2014 (total)	Source	Method used to reach the estimates, as well as any caveats as to their likely accuracy
<b>a. Third-country nationals returning by force (forced return)</b>	3.586	3.708	3.847	4.193	3.519	Immigration Office	+/- 100 % accurate (controlled administrative data)
<b>b. Number of third-country nationals returning voluntarily within 30 days<sup>8</sup> of receiving a return decision (voluntary departure)</b>	n/i	n/i	n/i	n/i	n/i	Immigration Office	No statistics available linked to the delay of 30 days – only estimates on voluntary departures at airport (see above)
<b>c. Number of irregularly-staying third-country nationals returning via AVR packages (assisted voluntary return)</b>	2.428	2.830	3.774	3.873	2.585	Fedasil	+/- 100 % accurate (controlled administrative data) Excluded : persons having withdrawn their pending asylum/ residence application
<b>d. Number of irregularly-staying third-country nationals returning via AVRR packages (assisted voluntary return and reintegration) – where different from (c)</b>	n/i	n/i	n/i	n/i	n/i	Fedasil	See above
<b>e. 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>	n/i	n/i	n/i	n/i	n/i	Immigration Office	No statistics available on absconding – only estimates on the basis of address controls (see above)
<b>f. Number of irregular migrants whose residence on the territory has never been known to the authorities (clandestine entry)</b>	n/i	n/i	n/i	n/i	n/i	Immigration Office	No estimates available on clandestine entry

<sup>8</sup> In accordance with the provisions of Directive 2008/52/EC (Return Directive). 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.

[Dissemination of information on voluntary return:  
How to reach irregular migrants not in contact with the authorities](#)

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