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Ad-Hoc Query on 2023.42 Multistakeholder governance towards case resolution or holistic orientation of undocumented migrants: Whole-of-government and whole-of-society approaches

Requested by Belgium and the EU Commission on 5 October 2023

Compilation produced on 15 November 2023

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Sweden (22 in Total)

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1. BACKGROUND INFORMATION

The objective is to identify innovative collaborations concerning multistakeholder governance between, on one side, national authorities, and on the other side, local authorities, and civil society organizations. These collaborations aim to facilitate information sharing, orientation, and case resolution for migrants who have been issued return decisions or remain undocumented and off the radar of national authorities. Special emphasis is placed on pioneering counselling approaches, integrated case management, or pilot initiatives targeting hard-to-reach undocumented migrants living in prolonged irregular situations. A specific interest will be given to initiatives where case resolution and orientation can concern both return counselling, as well as legal options in the country of destination.

We would like to ask the following questions:

1. Has your state implemented structured frameworks to facilitate cooperation among, on one side, national authorities, and on the other side local authorities and civil society organizations to meet the needs of undocumented migrants who either left the formal reception system or remain unidentified by immigration authorities?

This collaborative effort may encompass the provision of services like counselling, information dissemination, legal assistance, shelter, formal multidisciplinary case coordination/resolution or a combination of these services.

2. If you answer YES to question 1, kindly elaborate on the specifics of these initiatives or collaborations.

This should encompass the type of support, both in terms of content and operational implementation, offered by the national or regional authorities. Please clarify the respective roles played by each partner, including the national or regional authorities, cities, and civil society organisations, as well as any financial or strategic support provided.

3. If you answer YES to Q.1, could you provide some statistics regarding the number of undocumented migrants who are currently receiving assistance or support, as well as some analysis on the impact of the initiatives?

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4. If you answer YES to Q.1, does the counselling primarily focus on facilitating voluntary return, or are there provisions and guidance provided to explore options for legal stay as well?

5. Do you employ specific counselling methods designed specifically for long-term undocumented migrants?

6. If you answer YES to Q.5, kindly provide an explanation regarding the approach or methodology used in the counselling process.

We would very much appreciate your responses by **2 November 2023**.

2. RESPONSES

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		Wider Dissemination²	
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¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."


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	<p>EMN NCP Austria</p>	<p>Yes</p>	<p>1. Regarding irregular residents in Austria there are different forms of cooperation, which aim at ending the irregular stay in Austria.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>2. In Austria, there is ongoing and close cooperation between the Federal Office for Immigration and Asylum and the provincial police directorates in the provinces. If undocumented persons with an obligation to leave the country are encountered during routine checks or priority operations, contact is made with the Federal Office for Immigration and Asylum, which initiates a procedure to obtain a replacement travel document or orders a security measure, if there is a risk of absconding. If a security measure is ordered, as well as before, the person concerned can seek return counseling at the return counseling center in Austria and file an application for assisted voluntary return, on which the Federal Office for Immigration and Asylum will then subsequently decide.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>3. Austria maintains these data only internally, apart from broader publications.</p> <p>---</p> <p>Source: Ministry of the Interior</p>
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			<p>4. The task of return counselling is to inform aliens who are willing and obliged to leave the country about the possibilities of returning to their country of origin or, within the framework of the Dublin III procedure, about transferring to the responsible EU Member State. The return counselling service does not offer in-depth counselling on residence issues, but only explains the options for voluntary return and the consequences of not leaving the country.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>5. Undocumented long-term migrants basically represent a numerically small group in the field of voluntary return. Special counseling methods are not used. As with all other clients, the return counselors at the Federal Agency for Reception and Support Services are guided by the need to determine the needs of the clients during the counseling interview and to inform them as best as possible about the legal status quo (within the scope of responsibility) and the available support services (mixed approach).</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>6. -</p>
	EMN NCP Belgium	Yes	<p>1. YES</p>

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			<p>In Belgium, the key players in this context are the Immigration Office and Fedasil, each with its specific and complementary roles:</p> <p>The Immigration Office: The Immigration Office in Belgium is the national authority responsible for assessing whether a foreign individual qualifies for legal residency. For those who do not meet the criteria for legal residence, the Immigration Office issues orders for them to leave the territory. Furthermore, within the Immigration Office, an Alternatives to Detention Department (ATD) was established in 2021, which will be further detailed in response to the second question.</p> <p>The Federal Agency for the Reception of Asylum Seekers (Fedasil): Fedasil is mandated with the reception of applicants of international protection and information and counselling of voluntary return of migrants, both within the reception network (in collaboration with the Immigration Office) and outside the reception network. Belgium collaborates with Caritas International and the IOM to provide reintegration services.</p> <p>2.</p> <p>Federal Agency for the Reception of Asylum Seekers (Fedasil): Over the past decade, Fedasil has established partnerships with local administrations and Civil Society Organizations (CSOs) in Belgium's five largest cities: Charleroi, Liege, Antwerp, Ghent, and Brussels. The primary objective of these partnerships has been to disseminate information about Fedasil's voluntary return and reintegration programme. Over time, this program evolved to adopt a comprehensive approach that provides information, counselling, and referrals to undocumented migrants, addressing both legal stay and voluntary return. According to Fedasil's experience, this approach aligns more effectively with the needs of migrants who have spent an extended period living in uncertainty.</p> <p><i>Ongoing initiatives:</i></p>
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			<p><i>Establishment of a Network of Local Partnerships:</i> This network is committed to enhancing the knowledge and capacities of local administrations and their community stakeholders regarding services and policies related to undocumented migrants within their region. Its primary aim is to inform migrants about the various options for legal stay and voluntary return trajectories, as well as coordinate services and policies within cities' administration. The collaboration between local civil society, cities and national authorities creates expertise and a signal function that works both bottom-up and bottom-down.</p> <p><i>Outreach Activities in Urban Settings:</i> This involves engaging in outreach activities in urban areas to approach and inform homeless undocumented migrants about the available pathways, encompassing both legal stay options and voluntary return.</p> <p><i>Shelter and Orientation Projects for Homeless Migrants:</i> These projects are designed to assist homeless undocumented migrants in their quest for a durable and sustainable solution. The focus here is to provide shelter and guidance, whether they intend to pursue legal stay or voluntary return.</p> <p><i>Creation of One-Stop Desks:</i> The One Stop Desk operates as a comprehensive information centre for migrants, serving as a central hub for accessing information, including details and guidance regarding legal stay and voluntary return options. They also facilitate referrals to critical services, such as medical care and shelter for homeless individuals. The primary advantage of the One Stop Desk is the consolidation of multiple partners, each delivering various services for both documented and undocumented migrants within a single, convenient location. At the moment, there is only one operational desk situated in the capital city of Brussels. Fedasil spearheads this initiative in close partnership with Caritas International.</p>
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			<p>All these projects have a whole-of-society approach in common and are designed to build strong partnerships between national authorities, local administrations and civil society organisations. Belgium collaborates closely with Caritas International and the IOM to assess reintegration opportunities in countries of origin, in close cooperation with Fedasil's return counsellors.</p> <p>Immigration Office : <i>'Alternatives to Detention' Department:</i> In 2021, The Immigration Office established its new department 'Alternatives to Detention'. This department's primary responsibility is to develop and implement alternative solutions to detention, mainly by concentrating on organising Individual Case Management (ICAM) coaching for individuals and families in irregular stay. Through a series of interviews, legal and administrative aspects of the individual's case are discussed thoroughly to gain a comprehensive understanding of the situation and to direct irregular staying migrants toward sustainable solutions. If legal residency is possible, ICAM coaches provide accurate information and explain the necessary procedures, leaving the responsibility of initiating the application to the individual. In cases where, following a comprehensive assessment, legal residency does not seem viable, the ICAM coach will openly and transparently present all feasible alternatives to prevent a forced return. ICAM coaches operate throughout Belgium, covering 21 different locations. They have a presence in all major cities, using facilities provided by a Federal Government Organization and supported by infrastructure from ten municipalities. Nearly all individuals with irregular residency status are within the department's target group, with only a few exceptions.</p>
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			<p>Since its inauguration in June 2021, the Alternatives to Detention department has actively sought to foster productive collaborations with local authorities and CSOs in various regions. Cooperation with local police is ongoing in various regions to engage as many undocumented migrants as possible in coaching programs. In addition, the ATD department is a partner in the Shelter and Orientation projects for homeless migrants.</p> <p>3.</p> <p>The Federal Agency for the Reception of Asylum Seekers (Fedasil):</p> <p><i>Network of Local Partnerships (2022):</i> Around 2,500 individuals from local administrations and other local stakeholders (CSOs) underwent training on the 'dual-track approach', covering both legal stay and voluntary return counselling services.</p> <p><i>Outreach Activities in Urban Settings (2022):</i> Out of a total of 3,453 individual counselling sessions, 16% concluded with individuals entering into regular processes, which could involve integration into the reception network, pursuit of legal stay, or engagement in a voluntary return trajectory. Due to the unique characteristics of the target group, it remains challenging to assess the long-term impact of these counselling efforts.</p> <p><i>Shelter and Orientation projects:</i> There is a currently active project in Ghent, providing accommodations and guidance for 35 individuals who have, on average, been living irregularly in Belgium for 12 years. Moreover, there are intentions to initiate three more projects in the coming months. Two new projects are set to commence by the end of 2023, while a third will kick off in January 2024.</p>
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			<p><i>One Stop Desks:</i> The One Stop Desk in Brussels was inaugurated in September 2023. At this early stage, statistical data is not yet accessible.</p> <p><u>Immigration Office :</u> Currently, the statistics regarding the ATD department are being further finalised.</p> <p>4. At the outset, The Federal Agency for the Reception of Asylum Seekers (Fedasil) primarily focused on providing financial support to local administration personnel for the purpose of conducting specialised information sessions dedicated to the national voluntary return program. These sessions were designed to reach undocumented migrants who might not be easily accessible to national authorities. Additionally, the local administration staff played a role in informing other local services, including schools, hospitals, day and night shelters for homeless persons, and the police, that frequently interacted with migrants.</p> <p>Crucially, informed by the understanding that migrants tend to be more receptive to discussions about voluntary return when presented alongside guidance on legal stay options, national authorities, local administrations, and CSOs have implemented a dual-track approach. Within this approach, counselling for voluntary return is integrated into a broader program where both legal stay and voluntary return pathways are explored and discussed with the migrants.</p> <p>Over time, these collaborations have developed and grown, with local administrations taking on a more comprehensive and coordinated approach. This expanded initiative now encompasses a wide spectrum of services, including information dissemination, counselling, guidance towards competent service providers, and improved coordination.</p>
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		<p>Acknowledging that some undocumented migrants may still have a right to legal stay, either due to a lack of legal support or changing circumstances over the years, and recognising they tend to react more positively to discussions that encompass all available options – including voluntary return and information about legal stay possibilities – national authorities, local administrations, and CSOs have introduced a dual-track approach.</p> <p>In this framework, counselling for voluntary return is integrated into a comprehensive program, where both legal stay and voluntary return pathways are thoroughly examined and discussed with the migrants.</p> <p>Immigration Office: The Immigration Office, as mentioned in response to the second question, seeks to examine sustainable future prospects for the individuals involved. The ICAM coach evaluates the administrative status of each participant and engages in discussions with the individual or their family. These discussions can lead to various perspectives, including voluntary return or obtaining legal residency in Belgium, depending on the circumstances outlined in the earlier response. The primary objective of Individual Case Management (ICAM) is to provide personalised advice to the participants and ensure they receive accurate information about their legal and administrative situation, which extends beyond voluntary return.</p> <p>5. Yes</p> <p>6. The Federal Agency for the Reception of Asylum Seekers (Fedasil):</p>
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			<p>The methodology implemented in the Shelter and Orientation Projects comprises two main facets: shelter and orientation. In the orientation segment, a dual-track approach is used, with social assistants and lawyers working in collaboration with the migrant to evaluate all potential legal and sustainable stay options extensively. Furthermore, the orientation component includes the provision of counselling for voluntary return.</p> <p>To ensure that the responsibilities of different partners are well-defined and understood by the migrants, the project has implemented a Two-line support system.</p> <ul style="list-style-type: none">• First-line support: civil society organisations, with no power to influence migrants' administrative statuses, provide shelter and guidance. Their neutral role is vital in creating a trust-based relationship between organisations and migrants and creating a safe space to guide migrants in their decision-making process.• Second-line support: Federal institutions offer individual case resolution services in the second line. The Immigration Office's ICAM (Individual Case Management) coaches inform irregularly staying migrants about their situation, look into possible new residence procedures, and help and encourage them to return voluntarily. Fedasil return counsellors advise migrants about voluntary return trajectories, organise the actual return and reintegration options in collaboration with the IOM and Caritas International., <p>A comprehensive methodology has been formulated for Outreach Activities in Urban Settings. This methodology comprises three main activities: contacting, informing, and referring. For each of these activities, detailed descriptions have been elaborated. For more details, https://returnnetwork.eu/wp-content/uploads/2021/04/Guide-on-Reaching-Out-to-Undocumented-Migrants.pdf</p>
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			<p>Immigration Office:</p> <p>For effectively guiding individuals with irregular residency, it's crucial that ICAM coaches possess a solid understanding of legal residency options. To ensure this, every ICAM coach undergoes comprehensive training, typically from 3 to 6 months. This training encompasses a wide range of topics, including residence procedures and building both internal and external networks.</p> <p>Moreover, a working group dedicated to interview techniques was established. ICAM coaches also actively participate in various internal and external training programs focused on strengthening these skills.</p>
	EMN NCP Bulgaria	Yes	<ol style="list-style-type: none"> 1. No, the responsible authority in this regard is only the Ministry of interior (Moi) and it's specialized structures. Moi always looks after each report from civil society and local authorities on such case but no structured frameworks are established. 2. N/A 3. N/A 4. N/A 5. Standard counselling methods are used. 6. N/A


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	EMN NCP Croatia	Yes	<ol style="list-style-type: none"> 1. No. 2. N/A 3. N/A 4. N/A 5. N/A 6. N/A
	EMN NCP Cyprus	Yes	<ol style="list-style-type: none"> 1. Cyprus has no such structured framework. However, from July 2019 to August 2023, the Cyprus Refugee Council, a Cypriot NGO implemented an EPIM-funded project on case-management as an alternative to detentions. The project was named “Safeguarding Alternatives to Detention: Implementing Case Management in Cyprus” and built on the progress and achievements of a similar 2017-2019 pilot project. Civil Registry and Migration Department, which is the competent authority on returns and detention Cyprus Refugee Council coopearated closely in the framework of this project from October 2020 until August 2023. 2. Civil Registry and Migration Department, on an ad-hoc basis, used to impose participation to Cyprus Refugee Council's project, as an alternative to detention obligation. The person concerned should join the case management program so that


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			<p>he/she would benefit from it and reach a resolution for his/her case. CRMD also informed CRC for the person's obligation to join the project.</p> <p>3. No statistics available</p> <p>4. No. The Cyprus Refugee Council's project was a case-management project, which focused on the case resolution not on effective returns</p> <p>5. No.</p> <p>6. N/A</p>
	EMN NCP Czech Republic	Yes	<p>1. There is no formal, structured assistance for undocumented migrants in the Czech Republic. However, they do receive basic counselling and assistance in the context of so-called low-threshold counselling and services. The assistance often, but not exclusively, operates within organisations that provide assistance to legal residents and are part of platforms that bring together actors at the regional level (representatives of the state administration – Department for asylum and migration policy, centres for the integration of foreigners, regions, police and NGOs). These representatives monitor the situation in their region and can thus draw attention to possible problems.</p> <p>2. N/A</p>

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			<p>3. N/A</p> <p>4. N/A</p> <p>5. No.</p> <p>6. N/A</p>
	EMN NCP Estonia	Yes	<p>1. No, there is no structured cooperation system, we have more case-by-case approach. As the scope of persons staying irregularly and undocumented in Estonia is relatively small, also the network of organisations involved has been remained limited (the Police and Border Guard Board, courts, local governments, hospitals, shelter houses etc).</p> <p>2. -</p> <p>3. -</p> <p>4. -</p> <p>5. No.</p> <p>6. -</p>

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+	EMN NCP Finland	Yes	<p>1. Yes, some frameworks exist such as voluntary return network which is coordinated by the Finnish Immigration Service and IOM. However, other cooperation frameworks exist between regional, local and civil society actors, since there is no national-level service system created in Finland to provide services to undocumented migrants. Municipalities are the most important actors who provide services to undocumented migrants. Cities have teams specializing in immigration who are responsible for providing social services and health care for irregularly staying migrants. Irregular migrants are eligible to receive urgent and essential social services along with guidance and counselling.</p> <p>2. In general, no national-level service system exists in Finland. Municipalities operate in accordance with the guidelines issued by government ministries and the Association of Finnish Local and Regional Authorities to establish structures of their own for service provision. In addition, NGOs and other organizations such as parishes and day centers, are other important actors who provide services to undocumented migrants. NGOs and other actors in the Helsinki metropolitan area have organized day center activities, food assistance, health care services, accommodation services and provided training to employees working closely with undocumented migrants. One example is <i>The Finnish Red Cross</i> and <i>The Deaconess Foundation</i> which offer guidance, counselling and support at the local level.</p> <p>Since the lack of national coordination, there is a large variation in services provided to undocumented migrants and municipalities are work in cooperation with each other. The City of Helsinki's Immigration unit has employed a successful centralized service model which is considered as one of the most comprehensive service systems in Finland for irregular migrants. The model emphasizes the importance of horizontal cooperation</p>
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		<p>between authorities, civil society and NGOs and has established effective cooperation structures between different actors in society. Helsinki has worked closely with other municipalities and provided help and consultation to smaller municipalities. In addition, the City of Helsinki's Immigration unit established a low-threshold Drop-in Service in 2018 which is open once a week and provides different services to undocumented migrants. Most demanded services that year were social guidance, service counselling and acute situation assessments.</p> <p><u>Voluntary return</u> The Finnish Immigration Service (FIS) and IOM together coordinate the Assisted voluntary return project in Finland. Employees in the Voluntary return project can direct people to services in urgent cases but that is not the primary purpose of the project because they aim at arranging returns (<i>More information on voluntary return under question four</i>).</p> <p>3. There is no data on number of undocumented migrants who are receiving assistance and services. In general, it is hard to estimate the overall number of undocumented migrants in Finland since only a small percentage of them will seek services due to the fear of authorities. The drop-in service by the city of Helsinki's Immigration Unit proved to help undocumented migrants to get in touch with social welfare professionals. No exact numbers of the clients are available.</p> <p>4. Yes, in Finland, the emphasis is on assisted voluntary return on a national level. The Finnish Immigration Service (FIS) and the Police steer undocumented migrants towards voluntary return but it is done less systematically by NGOs and municipalities. FIS can</p>
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			<p>advise undocumented migrants to seek help from lawyer or NGO if their situation requires legal advice. Detailed explanation about the voluntary return process below. The priority is given to inform the migrant about assisted voluntary return process, however, in some cases legalizing migrant's stay is considered (health-related reason, humanitarian grounds, human trafficking, family ties).</p> <p><u>Voluntary return process</u> FIS and IOM organize voluntary return for undocumented migrants who have a background as asylum seekers and are outside of the reception system. In addition, the Police might support the return process of an undocumented migrant who does not have a background as an asylum seeker. In addition, the Police offers return counselling as well as reintegration support within Frontex' Joint Reintegration Services. However, the Police operates within their own framework that is based on an expulsion decision and the FIS voluntary return scheme is voluntary by nature. The undocumented migrant wishing to return to their country of origin needs to contact the FIS about the return process. The FIS provides return counselling and makes the voluntary return decision after which IOM organizes the return itself.</p> <p>Other than that, the FIS does not actively work on reaching undocumented migrants and promoting voluntary return to undocumented migrants. This means, that if a person contacts the FIS, they generally are interested in voluntary return and are ready to return. However, if there are reasons to believe that the migrant should receive legal advice regarding their status, the return counsellor can advise the migrant to contact a lawyer or an NGO to discuss their situation further.</p> <p>5. No</p>
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			6. N/A
	EMN NCP France	Yes	<p>1. France has implemented a framework structured around national and local authorities, as well associations from the civil society to foster information dissemination on the assisted voluntary return (AVR) scheme for irregularly staying migrants (undocumented).</p> <p>2. <u>Assisted voluntary return</u> : Assisted voluntary return is organised and implemented by the French Office for Immigration and Integration (OFII), under the supervision of the Ministry of the Interior (Article R.711-5 of the French code for entry and stay of foreign nationals and right to asylum - CESEDA). OFII's agents in charge of voluntary return have usually received a specific internal training, sometimes with the intervention of other actors, whether institutional or from the civil society. Also, within the framework of the CARE+ project (Coordinated Approach for the Reintegration of Victims of Trafficking in Human Beings), OFII's agents have been specifically trained, in collaboration with IOM France, to identify and answer to the specific needs of human trafficking victims wishing to undertake a voluntary return.</p> <p><u>Dissemination of information on voluntary return</u> : This scheme is then relayed by different actors intervening at various levels, with the aim of reaching in particular undocumented irregularly staying migrants. To this end, the OFII collaborates, through its territorial divisions, with prefectural services competent for migration, reception centres for asylum seekers (CADA), and associations to</p>

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			<p>disseminate information and promote the assisted voluntary return scheme. Territorial divisions of the OFII also visit reception centres for asylum seekers to promote AVR to asylum seekers specifically.</p> <p>In particular, within the framework of CADA exit management, CADA are charged, upon notification of the refusal decision for the asylum application, to provide rejected asylum seekers with information about the AVR scheme.</p> <p>Associations help to disseminate information on the AVR scheme to undocumented migrants, specifically migrants that are unknown to the administration.</p> <p>In addition, some local authorities, together with associations, approach some categories of migrants in order to advise and direct them, among others, to the AVR scheme (e.g. the Paris city hall, approaches young isolated morrocans).</p> <p>Information dissemination on the AVR scheme is done orally, or via written materials (brochures, information leaflets, posters etc), online (OFII website, articles on association websites), by mail (for example, along with the notification of an order to leave French territory, prefects insert an information leaflet on AVR). Thereby, upon notification of an order to leave, prefectures direct irregularly staying foreign nationals towards the OFII, to apply for an AVR.</p> <p>Diaspora groups are also an important source of information, even if they are not part of an official partnership, as are religious groups, social, health and educational services, or social workers.</p> <p><u>Legal counsel</u> :</p> <p>To help irregularly staying migrants with regard to their administrative procedures, including application for AVR, several civil society actors, national NGOs or local</p>
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			<p>associations can provide legal advice. For example, in order to foster such legal counsel, several NGOs offers on their website a directory listing regional and local migrant aid associations such as the OFPRA (French office for the protection of refugees and stateless persons).</p> <p><u>AVR Content</u> (article R.711-3 and R.711- 4 of the CESEDA) :</p> <p>Assistance to voluntary return contains :</p> <ul style="list-style-type: none">• Administrative and material assistance to prepare for the journey (airplane tickets, help to obtain travel documents, transport to the airport)• Payment of transport costs• Financial assistance : an allowance, paid in one instalment upon departure or once in the country of return• Potentially a complementary allowance if the foreign national does not already have travel document or if s/he takes it on himself/herself to obtain it. The amount depends on the country of origin and the number of people in the family leaving France• An allowance aiming to facilitate reintegration in the return country. <p><u>Housing and shelter</u> :</p> <p>To complement the AVR scheme, the return preparation scheme (DPAR) is a temporary housing center, for irregularly staying migrants that applied for a voluntary return scheme to their country of origin.</p> <p>Foreign nationals housed within the DPAR scheme, are looked after by three actors : the prefecture, the OFII, and the accommodation manager.</p>
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		<p>The prefecture is charged with the deployment and piloting of the scheme, under the supervision of the prefect, within the framework of a piloting committee composed of all partners and services concerned.</p> <p>The OFII identifies, together with the prefecture, candidates for accommodation within the scheme : the territorial division of the OFII communicates to the prefecture migration service, the identity of foreign nationals that applied for AVR, and that were therefore referred to the DPAR, in particular to check that they have indeed been notified of an order to leave.</p> <p>The accommodation manager, which can be a civil society actor, ensures the social counsel of foreign nationals applying for the AVR, together with the OFII.</p> <p>3. In metropolitan France, in 2022, 3 948 irregularly-staying adult foreign nationals have been removed from the territory, without constraints, with the help of the AVR scheme, and 1 263 adults foreign nationals left the country within the AVR scheme voluntarily (i.e. without an order to leave French territory issued by the French authorities). In total, in 2022 taking into account the foreign nationals staying in the overseas territories and minor foreign nationals, 4 981 AVR aids have been paid of by the OFII, which represents an increase of 6.5% compared to 2021. This figure does not include enforced returns and spontaneous returns.</p> <p>4. Return counselling focuses on assisted voluntary return. Usually NGOS and associations discuss the possibility of regularisation, depending on the profile of the foreign national.</p> <p>5. NO.</p>
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			<p>Besides a requirement of residency in France of more than 3 months (since the decision of 9th October 2023 which reduced the residence period requirement from 6 months to 3 months to benefit from the AVR), there is no distinction in the assistance or counsel provided based on the length of the irregular stay. Irregularly staying foreign nationals are intended to be subject to an order to leave French territory, and if eligible, to benefit of the AVR, regardless of their length of stay in France.</p> <p>6. N/A.</p>
	EMN NCP Germany	Yes	<p>1. Other.</p> <p>2. As the responsibilities, in the context of migration, in the areas of counselling, services and residence permits are divided between all levels of government (federal, state and local), no uniform answer can be provided for Germany. The details may vary substantially between the Federal States. In general, it can be concluded that health care must be provided. However, this happens upon application and, thus, may include the competent local foreigners office to learn about one's presence in Germany. In some Federal States actors of civil society provide medical assistance anonymously. They may be subject to public funding. In addition, some Federal States have opened so-called "Welcome Centers" which offer guidance and council to a broad range of topics related to integration and return. They offer their services regardless of the residence status. Also, return counselling can be done - to some extent - anonymously. Once the factual return is being organised, one has to provide personal information and the personal information may become known to the competent local foreigners office.</p>



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			<p>3. No.</p> <p>4. OTHER. The individual case is considered. This may include options for legalising the stay.</p> <p>5. No.</p> <p>6. n/a</p>
	EMN NCP Hungary	Yes	<p>1. Hungary has not implemented structured frameworks to facilitate cooperation among, on one side, national authorities, and on the other side local authorities and civil society organizations to meet the needs of undocumented migrants who either left the formal reception system or remain unidentified by immigration authorities.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. no</p> <p>6. N/A</p>

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	EMN NCP Ireland	Yes	<ol style="list-style-type: none"> 1. No. 2. N/A 3. N/A 4. N/A 5. N/A 6. N/A
	EMN NCP Italy	Yes	<ol style="list-style-type: none"> 1. Italy has not implemented any structures to facilitate cooperation among different national and local authorities for taking charge of undocumented third-country nationals. However, there is a form of cooperation between national authorities and civil society organizations in relation to the assisted voluntary return measure, regulated by Article 14-ter. of the Consolidated Text of the provisions concerning the discipline of immigration and norms on the condition of foreigners (Legislative Decree No. 286 of 25 July 1998). This article was introduced in the Consolidated Text following the reception of the European "Returns" Directive 115/2008 by Law no. 129/2011. Regarding the assisted return, if an irregular migrant is found and the required conditions are met, the third-country national is provided with information about the AVR&R measure.

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			<p>In addition, dormitory facilities, made available by municipal social services on Italian territory, only partially provide housing support to irregular migrants (since they are largely intended for those who have a residence permit or a receipt for the application). However, there is no liaison procedure in place between state authorities and local and/or private entities.</p> <p>Finally, non-EU citizens irregularly present on national territory are entitled to urgent and essential care, as specified below, with the issuance of a code called STP (temporarily present foreigner).</p> <p>2. The Department for Civil Liberties and Immigration, Central Directorate for Civil Services, is responsible for Specific Objective 3 - Return, of the Asylum, Migration and Integration Fund (AMIF), which foresees the implementation of Assisted Voluntary Return and Reintegration (AVR&R) interventions in favor of vulnerable and non-vulnerable third-country nationals, aimed at facilitating the reintegration process of returnees in their countries of origin.</p> <p>Article 14 ter of Consolidated Text on Immigration regulates the modalities for assisted return programmed which can be accessed by, among others, third-country nationals who are currently present in a Member State and do not or no longer fulfil the conditions for entry and/or stay in a Member State, including third-country nationals whose removal has been deferred in accordance with Art. 9 and Art. 14, paragraph 1 of Directive 2008/115/EC (while excluding the recipients of an expulsion order as a criminal sanction or as a consequence of a criminal sanction or of an extradition order or a European arrest warrant or an arrest warrant by the International Criminal Court and migrants who are in</p>
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			<p>the conditions referred to in Article 13, paragraph 4, letters a), d) and f) or in the conditions referred to in Article 13, paragraph 4-bis, letters d) and e) of the Legislative Decree no. 286 of 25 July 1998).</p> <p>The general activities foreseen within each project are: the identification of potential recipients, the definition of the individual reintegration plan for each repatriated person/family, assistance in the pre-departure phase, assistance in the return journey, the provision of a pre-departure first accommodation grant, the provision of a goods and services grant in the country of return for the implementation of the reintegration plan and finally the ex-post monitoring of reintegration.</p> <p>3. Currently, 1 out of 6 Assisted Voluntary Return with Reintegration projects financed within the framework of the AMIF 2014-2020 programming is still ongoing, and its termination dates is 30th November 2023.</p> <p>On 20th April 2023 a new Call was published for the submission of projects' proposals to be financed with the resources of the Asylum, Migration and Integration Fund 2021-2027, concerning the implementation of Assisted Voluntary Return and Reintegration of migrants in their countries of origin. Only one project has been admitted for the funding.</p> <p>4. The counselling activities focus on the facilitation of assisted voluntary return. In particular, the information sessions were aimed at presenting the Assisted Voluntary Return and Reintegration measure, illustrating the type of assistance provided within each AVR&R project active in Italy and informing on the categories of migrants who can access</p>
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			<p>it. During these sessions, information material produced within the framework of active AVR&R projects was also disseminated and a special toll-free number was advertised.</p> <p>5. No, we don't.</p> <p>6. NA</p>
	EMN NCP Latvia	Yes	<p>1. No. The Office of Citizenship and Migration Affairs consult third country nationals on their perspectives of regularization. In case of return, third country nationals can apply to IOM for assistance. OCMA cooperates with local authorities and civil society organizations on case-by-case basis.</p> <p>2. N/a</p> <p>3. N/a</p> <p>4. N/a</p> <p>5. No.</p> <p>6. N/a</p>

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	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. No 2. N/A 3. N/A 4. N/A 5. No 6. N/A
	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. YES. 2. The government's 2018-2023 coalition agreement provides that the working group operating within the Directorate of Immigration responsible for assessing the situation of irregular migrants may include representatives of the civil society. It will advise the Minister on any decision to regularize the situation, particularly on the basis of exceptionally serious humanitarian grounds. <p>This group which meets 3 times a year is made up of Directorate of Immigration officials and representatives from three organizations of civil society: ASTI, Caritas, CLAE in contact with irregular migrants. This initiative is referred to as "Forum ONG". Each association submits a maximum of 5 files per meeting (one file can be for an individual</p>


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			<p>as well as for family members sharing the same household) with a view to regularizing their administrative status. The cases are discussed and negotiated if necessary. The Directorate of Immigration does not give any official criteria for these files submitted by the organizations.</p> <p>3. The number of cases submitted to each “Forum ONG” depends on the number of cases submitted by the various associations, 5 being the maximum for each meeting. In 2021, 32 cases have been submitted by the associations, 27 cases have been regularized by the Immigration Directorate. In 2022, 30 cases have been submitted by the associations, 26 cases have been regularized by the Directorate of Immigration. The organizations taking part in the "Forum ONG" accompany a large number of people in irregular administrative situations, but are often unable to submit files, as they do not meet the conditions informally imposed by the Immigration Directorate. The impact of this initiative is positively welcomed by the organizations, as most of those regularized are able to work regularly and thus contribute and participate as fully-fledged citizens. The initiative is, however, restricted to a small percentage of those in an irregular situation in Luxembourg.</p> <p>4. The civil society organizations that participate in the “Forum ONG” initiative usually start the follow-up of people in an irregular situation by informing them of their rights and duties.</p> <p>Each migrant is informed of the possibility of organizing a voluntary return, and of the support that may be available. In this context, the organizations collaborate in particular with the IOM. Each person is also informed of the possible consequences of remaining in the country irregularly.</p>
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			<p>5. NO.</p> <p>6. N/A.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. Yes.</p> <p>2. National authorities' policy regarding undocumented migrants is primarily geared towards promoting voluntary return. Undocumented migrants are responsible themselves, but can receive help from various institutions, such as the International Organisation for Migration (Internationale Organisatie voor Migratie, IOM) and the Repatriation and Departure Service (Dienst Terugkeer en Vertrek, DT&V).[1]</p> <p>In addition, in January 2019 the government launched a pilot programme, the National Foreigners Provision (Landelijke Vreemdelingen Voorziening, LVV), which aims to create a nationwide network of counselling and reception facilities for undocumented migrants. The programme involves the DT&V, IND, the Aliens Police Department, Identification and Human Trafficking (Afdeling Vreemdelingenpolitie, Identificatie en Mensenhandel, AVIM), municipalities, the Ministry of Justice and Security (Ministerie van Justitie en Veiligheid, J&V), and local NGOs. Within the LVV, these actors cooperate to achieve durable solutions for undocumented migrants, either by return, onward migration or, if appropriate, legalisation of residence in the Netherlands. The pilot also aims to promote cooperation and trust between various actors involved, and provide new insights into which kind of support is needed to achieve sustainable solutions. The pilot includes the municipalities of Amsterdam,</p>

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			<p>Groningen, Eindhoven, Rotterdam and Utrecht, and will be extended until the end of 2024.^[2]</p> <p>In the pilot programme undocumented migrants who make use of the LVV follow a fixed process.^[3] Upon their registration at the LVV they are identified and screened, and admitted to the programme if they meet the inclusion criteria. Subsequently, the participant is provided reception, and based on an intake and study of their case, involved organisations jointly decide on a perspective: return, onward migration, or legalisation. Based on the perspective and the individual case, a guidance scenario (begeleidingsscenario) is formulated. The undocumented migrant can then decide whether they want to make use of the LVV. Undocumented migrants who may be eligible for a residence permit receive legal aid. All LVV participants, regardless of their perspective, receive social and activation support, living support (woonbegeleiding) and counselling sessions. If the person decides to return, they receive intensive support as well. Undocumented migrants making use of the LVV are expected to participate and cooperate, and if this is not the case, their right to reception may be terminated.</p> <p>In the latest coalition agreement, it was agreed that the LVV would be expanded into a nationwide network where reception is focused on return. In his letter to the House of Representatives dated 9 May 2023, the Minister for Migration reported that his commitment is to reach new administrative agreements with the municipalities in line with the coalition agreement.^[4]</p> <p>^[1] Government of the Netherlands (Rijksoverheid), 'Terugkeerbeleid', https://www.rijksoverheid.nl/onderwerpen/terugkeer-vreemdelingen/terugkeerbeleid, last accessed on 25 October 2023.</p>
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			<p>Ibid., 'Dalende trend zichtbaar in illegalenschattig', https://www.rijksoverheid.nl/actueel/nieuws/2020/12/16/dalende-trend-zichtbaar-in-illegalenschattingen, last accessed on 25 October 2023.</p> <p>[2] Vereniging van Nederlandse Gemeenten (VNG), 'Kabinet vindt alsnog middelen voor opvang ongedocumenteerden', https://vng.nl/nieuws/kabinet-vindt-alsnog-middelen-voor-opvang-ongedocumenteerden, last accessed on 25 October 2023.</p> <p>[3] Regioplan Beleidsonderzoek, 'Eindevaluatie Landelijke Vreemdelingenvoorziening', 2022, https://repository.wodc.nl/bitstream/handle/20.500.12832/3223/3287-eindevaluatie-landelijke-vreemdelingenvoorziening-volledige-tekst.pdf?sequence=1&isAllowed=y, last accessed on 25 October 2023.</p> <p>[4] Letter from the Minister of Migration of 9 May 2023, (19 637, no. 3105).</p> <p>3. Regioplan, an independent research institute, published a report evaluating the LVV pilot in October 2022[1]. According to the report, 2065 undocumented migrants took part in an LVV trajectory until 1 July 2022. For over three-quarters of participants it is clear whether they will be guided towards return, legalisation, or onward migration. Furthermore, 1258 participants have completed the trajectory already, and for almost 60% of them a permanent or semi-permanent solution has been found. A permanent solution, meaning legalisation, departure, or onward migration, was found for 18% of participants who have completed the trajectory. Departure and legalisation each account for 48% of permanent solutions; onward migration is quite rare (<1% of participants). Legalisation was often based on the Chávez-Vílchez ruling, or Article 8 of the European Convention on Human Rights. For 41% of participants who have completed the trajectory, a semi-permanent solution was found, mainly by submitting a new application for international protection (herhaalde asielaanvraag, HASA). These</p>
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			<p>HASA applications were fairly likely to be granted: approximately seven in ten applicants obtained a residence permit[2]. For 41% of participants who have completed the trajectory no solution has been found. More recent statistics show that on 1 August 2023 631 undocumented migrants participated in an LVV trajectory.[3]</p> <p>In addition to realising (semi)permanent solutions, the LVV has made undocumented migrants more visible to authorities, and their wellbeing increased because shelter is provided. Undocumented migrants are also more resilient against exploitation, and their access to healthcare improved.</p> <p>[1] Regioplan Beleidsonderzoek, 'Eindevaluatie Landelijke Vreemdelingenvoorziening', 2022. [2] Ibid. [3] Information provided by the Repatriation and Departure Service on 25 October 2023.</p> <p>4. The counselling provided by the LVV explores both options for return, as well as onward migration and legal stay (see Q2 and 3).</p> <p>In some cases, it may be possible for undocumented migrants to obtain a residence permit by applying for international protection or, in rare cases, a no-fault residence permit (buitenschuldvergunning). A no-fault residence permit is a permit for foreign nationals who cannot leave the Netherlands voluntarily, for instance because their country of origin refuses to cooperate. The foreign national may be eligible for this permit if there is no uncertainty about their nationality, identity and/or statelessness, they asked for permission to return, and accept mediation by the Repatriation and Departure Service (DT&V). If DT&V determines that the foreign national indeed cannot</p>
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			<p>return, it can advise the Immigration and Naturalisation Service (Immigratie- en Naturalisatiedienst, IND) to issue a no-fault residence permit.</p> <p>5. Other. Although the LVV does not specifically target long-term illegally staying foreign nationals, they are part of the LVV population. In the LVV pilots, foreign nationals are guided professionally and intensively towards a permanent solution. After the intake in an LVV, the IND and the DT&V provide a file that paints as complete a picture as possible of the foreign national concerned. Based on the dossier, together with the local LVV partners, a realistic future perspective and an appropriate guidance scenario are determined.[1] Within the LVV, almost all participants receive legal screening and a large proportion also receive legal counselling. Activation is used for a large proportion of participants, for the purpose of creating a daily routine and distraction. In addition, most participants also receive social counselling from the NGO involved. In most cities, future orientation is deployed for some of the participants (depending on the particular perspective, this is aimed at empowerment and/or return).[2]</p> <p>[1] Letter from the Minister of Migration of 29 november 2018, (19 637, no. 2445). [2] Regioplan Beleidsonderzoek, 'Eindevaluatie Landelijke Vreemdelingenvoorziening', 2022.</p> <p>6. N/a.</p>
	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. There are no such strategies.</p>


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			<p>2. Not applicable.</p> <p>3. Not applicable.</p> <p>4. Not applicable.</p> <p>5. Not applicable.</p> <p>6. Not applicable.</p>
	EMN NCP Portugal	Yes	<p>1. No. So far, since Portugal is a small country, the competent authorities do not seem urgent to involve local authorities and civil organizations in the identification and documentation of foreign citizens.</p> <p>2.</p> <p>3.</p> <p>4.</p>



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			5. No. 6.
	EMN NCP Slovakia	Yes	<p>1. No. Cooperation with the non-governmental sector was formalized in 2022 only in the context of the outbreak of war in Ukraine and the arrival of refugees from Ukraine, who are legal migrants. At regional or local level, cooperation is institutionalised only in the context of legal migration. Based on the 2020 EMN study "Solutions for long-term irregularly staying migrants: practices and challenges" in the provision of services of the above-defined irregular migrants, we can only mention the activities of the Legal Aid Centre, which does not check the migration status of legal aid applicants or persons appearing for consultation (legal advice) in the provision of its services. The Legal Aid Centre is a state budgetary organisation established by the Ministry of Justice of the Slovak Republic on the basis of Act No. 327/2005 Coll. on the provision of legal aid to persons in material need. The Centre provides legal aid to citizens who, due to lack of funds, cannot use other legal services. In the Slovak Republic, the Programme of Assisted Voluntary Returns and Reintegration (AVRR) is implemented by IOM. The programme provides return counselling to irregular migrants interested in assisted voluntary return.</p> <p>2. See response to question 1.</p> <p>3. NA</p>

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			<p>4. NA</p> <p>5. No.</p> <p>6. NA</p>
	EMN NCP Slovenia	Yes	<p>1. No such frameworks have been implemented.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. No.</p> <p>6. N/A</p>
	EMN NCP Sweden	Yes	<p>1. No, the state has not implemented structured frameworks to facilitate cooperation. There are however civil society organizations working to meet the need of undocumented migrants in Sweden.</p> <p>2. N/A</p>

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			3. N/A
			4. N/A
			5. No, not according to the Swedish Police Authority. The civil society might however apply specific methods designed specifically for long-term undocumented migrants.
			6. N/A.
