



Ad-Hoc Query on Forced Return/Removal of Citizens of Morocco, Algeria, The Gambia, Ghana, India, Liberia, People's Republic of China

Requested by AT EMN NCP on 4th March 2011

Compilation produced on 17^h June 2011

Responses from Austria, Belgium, Bulgaria, Estonia, France, Germany, Hungary, Italy, Latvia, Lithuania, Netherlands, Portugal, Poland, Sweden, Slovak Republic, United Kingdom and Norway (17 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background Information

Austria has difficulties and/or has long waiting time to obtain return certificates/laissez-passer/travel documents for citizens of Morocco, Algeria, The Gambia, Ghana, India, Liberia, People's Republic of China, thus the Austrian Federal Ministry of the Interior would like to learn more about the experiences of other EU MS and Norway:






- 1) *Do you face problems concerning the forced return/ removal of Citizens of Morocco, Algeria, The Gambia, Ghana, India, Liberia, People's Republic of China? (yes/no)*
- 2) *If yes, what are the concrete problems and obstacles?*
- 3) *If no, could you kindly describe the procedures and/or do you have a bilateral readmission agreement with the respective country?*
- 4) *Do you have figures on how many removals and how many "problematic cases" you have in case of forced return/removal of citizens Morocco, Algeria, The Gambia, Ghana, India, Liberia, People's Republic of China?*

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The terms forced return and removal are used here as synonyms and refer to the removal of a person to the country of that persons' citizenship.

We would be very grateful for your responses by **18 March 2011**.


2. Responses¹

		Wider Dissemination?²	<ol style="list-style-type: none"> 1) Do you face problems concerning the forced return/ removal of Citizens of Morocco, Algeria, The Gambia, Ghana, India, Liberia, People's Republic of China? (yes/no) 2) If yes, what are the concrete problems and obstacles? 3) If no, could you kindly describe the procedures and/or do you have a bilateral readmission agreement with the respective country? 4) Do you have figures on how many removals and how many "problematic cases" you have in case of forced return/removal of citizens Morocco, Algeria, The Gambia, Ghana, India, Liberia, People's Republic of China?
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Belgium	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Bulgaria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Estonia	Yes	<ol style="list-style-type: none"> 1) No. Estonia does not face significant influx of citizens of abovementioned countries and therefore does not face problems concerning their forced removal. 2) – 3) Estonia does not have bilateral readmission agreements with named countries. 4) Since 2008 there have been 4 removals of citizens of China (2 in 2008 and 2 in 2009); 1 removal of citizen of Ghana (in 2009) and 1 removal of citizen of India (in 2010).
	France	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.


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>Germany</p>	<p>Yes</p>	<p>1) Problems regarding removals: Morocco – yes Algeria – yes Gambia – yes Ghana – yes India – yes Liberia – yes China – yes</p> <p>2) Concrete problems regarding implementation of removals Morocco – bilateral readmission agreement in place / problems with procurement of passports / problems with practical implementation of removals: no charter flights accepted (although they are not excluded in the readmission agreement);</p> <p>Algeria – bilateral readmission agreement in place / problems with procurement of passports / in general, no problems with the practical implementation of removals /implementation carried out with Air Algérie and escorts of the Direction Générale de la Sûreté Nationale (DGSN);</p> <p>Gambia – (as yet) problems with procurement of passports / in general, no problems with practical implementation of removals;</p> <p>Ghana – problems with procurement of passports / in general, no problems with practical implementation of removals; however, no charter flights accepted;</p> <p>India – problems with procurement of passports / in general, no problems with practical implementation of removals;</p> <p>Liberia – problems with procurement of passports / problems with practical implementation of removals: despite notification and submission of documents for returning home and interview report, rejections at the airport occur;</p> <p>China – problems with procurement of passports / in general, no problems with practical implementation of removals</p> <p>3) Procedure Gambia – contacts with the Gambian authorities, whose staff visited Germany to attend interviews, have significantly improved the cooperation in the identification process; Laissez-Passer / Electronic Travel Certificates are issued by the honorary consulate;</p> <p>Liberia – contacts with the Bureau of Immigration and Naturalization BIN, whose staff visited Germany to attend interviews, have significantly improved the situation regarding the identification of Liberian nationals – however, cooperation remains difficult with the embassy (which is responsible for issuing the Laissez Passer / Electronic Travel Certificates after identification has been completed).</p>




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			<p>4) Statistics (removals by air route to country of origin, entry refusals and removals immediately upon entry, 2010) Morocco– 168 Algeria – 203 Gambia – 12 Ghana – 68 India – 252 Liberia – 3 China – 679 (note: many entry refusals and removals immediately upon entry)</p>														
	<p>Hungary</p>	<p>Yes</p>	<p>2) Morocco: It is generally concluded, that it is difficult to identify the Moroccan nationals, because most of them masquerading as Palestinian citizens. Concerning the Moroccan embassy the specific problem is the absence of cooperation, despite the fact that the Office of Immigration and Nationality has conducted several bilateral meetings with the Moroccan consul. Algeria: The same problem as with the Moroccan nationals, however there is a small number of forced returns. Gambia: Hungary is not a typical destination state for migration of the Gambian nationals, in this manner bad experience is not yet reported. Ghana: Hungary encounters a very low number of Ghanaian nationals. In these few cases the removal of Ghanaian nationals was successful due to the fact that they were in possession of ID documents. So far we can not report of migration of Ghanaian nationals to Hungary without travel documents. India: Very few Indian irregular migrants come to Hungary, however all removals were successful, as these Indian nationals had travel documents. Liberia: Complete lack of cooperation with Liberia. Liberia does not have representative offices accredited in Hungary, therefore we encounter problems when sending the application for the obtention of travel documents. China: It is difficult to identify the irregular migrants coming from China. Only those persons are identified who have some kind of identity document. The Chinese Embassy is not willing to conduct personal interviews. 3) There are no bilateral readmission agreements with the respective countries. With the support of the Ministry of Foreign Affairs, consuls, ILOs, the Office of Immigration and Nationality we are trying to obtain information about the personal identification procedures of the problematic foreign embassies by preparing diplomatic notes and conducting bilateral talks, personal interviews. 4)</p> <table border="1" data-bbox="916 1129 1780 1388"> <thead> <tr> <th colspan="4">2009.</th> </tr> <tr> <th rowspan="2">Nationality</th> <th colspan="2">Expulsion</th> <th rowspan="2">Removals</th> </tr> <tr> <th>By Immigration</th> <th>by Court</th> </tr> </thead> <tbody> <tr> <td>Algerian</td> <td>3</td> <td>0</td> <td>2</td> </tr> </tbody> </table>	2009.				Nationality	Expulsion		Removals	By Immigration	by Court	Algerian	3	0	2
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				<p>Morocco: 100% unidentifiable Algeria: difficulties in identification Gambia: not typical, so there is no significant experience Ghana not typical, so there is no significant experience India: not typical, so there is no significant experience Liberia: problem in all cases China: the cases of persons without identity document are always problematic</p>																																						
	Italy	Yes		No. There has been no particular criticism. In general terms, less is the number of returns and easier would be the procedures with the diplomatic-consular representations. Italy, since the late 90s, insisted on readmission agreements (over 30) that foster collaboration																																						



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			through the provision of preferential quotas for entry of workers from those countries. This approach, often enhanced by technical and instrumental support for the control of migration flows, has so far given positive results.																									
	Latvia	Yes	<p>1. Yes. 2. The problem is long waiting time to obtain return certificates/travel documents. 3. Latvia does not have bilateral readmission agreements with the above-mentioned countries. 4.</p> <p style="text-align: center;">Forced return statistics:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;"><i>Morocco</i></th> <th style="text-align: center;"><i>Algeria</i></th> <th style="text-align: center;"><i>Ghana</i></th> <th style="text-align: center;"><i>India</i></th> <th style="text-align: center;"><i>People's Republic of China</i></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">2010 - 0 persons</td> <td style="text-align: center;">2010 – 1 person</td> <td style="text-align: center;">2010 – 1 person</td> <td style="text-align: center;">2010 - 0 persons</td> <td style="text-align: center;">2010 – 1 person</td> </tr> <tr> <td style="text-align: center;">2009 – 1 person</td> <td style="text-align: center;">2009 – 0 persons</td> <td style="text-align: center;">2009 – 3 persons</td> <td style="text-align: center;">2009 – 1 person</td> <td style="text-align: center;">2009 – 4 person</td> </tr> <tr> <td style="text-align: center;">2008 – 0 persons</td> <td style="text-align: center;">2008 – 0 persons</td> <td style="text-align: center;">2008 – 0 persons</td> <td style="text-align: center;">2007 – 1 person</td> <td style="text-align: center;">2008 – 0 persons</td> </tr> <tr> <td style="text-align: center;">2003 – 1 person</td> <td style="text-align: center;">2000 – 1 person</td> <td style="text-align: center;">2007 – 1 person</td> <td style="text-align: center;">2005 – 3 persons</td> <td style="text-align: center;">2002 – 7 persons</td> </tr> </tbody> </table> <p>In all above-mentioned (statistical data) cases there was needed a long time to obtain travel documents/return certificates. There were no other “problematic cases” in cases of forced return/removal to the above-mentioned countries. There were no illegal immigrants from the Gambia and Liberia in Latvia.</p>	<i>Morocco</i>	<i>Algeria</i>	<i>Ghana</i>	<i>India</i>	<i>People's Republic of China</i>	2010 - 0 persons	2010 – 1 person	2010 – 1 person	2010 - 0 persons	2010 – 1 person	2009 – 1 person	2009 – 0 persons	2009 – 3 persons	2009 – 1 person	2009 – 4 person	2008 – 0 persons	2008 – 0 persons	2008 – 0 persons	2007 – 1 person	2008 – 0 persons	2003 – 1 person	2000 – 1 person	2007 – 1 person	2005 – 3 persons	2002 – 7 persons
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	Lithuania	Yes	<p>1. No. We don't have many removals to these countries. 2. n/a 3. General procedures concerning removal are applied. We do not have any readmission agreements with these countries. 4. Statistics on removal 2009-2010</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Citizenship</th> <th style="text-align: center;">2010</th> <th style="text-align: center;">2009</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">India</td> <td style="text-align: center;">3</td> <td style="text-align: center;">1</td> </tr> <tr> <td style="text-align: center;">China</td> <td style="text-align: center;">1</td> <td></td> </tr> <tr> <td style="text-align: center;">Morocco</td> <td style="text-align: center;">2</td> <td style="text-align: center;">2</td> </tr> </tbody> </table>	Citizenship	2010	2009	India	3	1	China	1		Morocco	2	2													
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			<p>2.</p> <p>India: Problems with obtaining laissez passers, long identification procedure.</p> <p>China: Problems with obtaining laissez passers, long identification procedure, unwillingness to deliver laissez-passers for forced return.</p> <p>Algeria: Problems with obtaining laissez passers: unwillingness to deliver laissez-passers for forced return.</p> <p>Ghana: Long procedure and regularly discussions with the Embassy concerning individual cases</p> <p>Liberia: Problems with obtaining laissez-passers for forced return, Embassy in Brussels doesn't issue laissez-passers; direct contact with Liberian immigration service and minister of Justice in Monrovia, long procedure.</p> <p>3.</p> <p>Morocco: There is no bilateral readmission agreement with Morocco. Identification is based upon fingerprints. Determination of the identity by the Moroccan authorities can therefore take some time.</p> <p>Gambia: There is no bilateral readmission agreement with Gambia. Direct contact with the Embassy of Gambia in Brussels; NL doesn't have a large caseload.</p> <p>Ghana: There is no bilateral readmission agreement with Ghana. Direct contact with the Embassy of Ghana in The Hague; regularly presentations of presumed Ghanaian aliens in person at the Embassy.</p> <p>Liberia: There is no bilateral readmission agreement with Liberia. Direct contact with the Embassy of Liberia in Brussels; Embassy issues nationality statements but no laissez-passers; regularly contact with the Liberian immigration service in Monrovia, which gives instructions to the Embassy to issues laissez-passers or visits the NL for identification.</p> <p>4.</p> <p>Forced return to country of origin 2010:</p> <p>India: approx. 25</p> <p>China: approx. 30</p> <p>Morocco: approx. 135</p> <p>Algeria: approx. 5</p> <p>Gambia: approx. 5</p> <p>Ghana: approx. 40</p> <p>Liberia: approx. 5</p> <p>Records of problematic cases are not available.</p>
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	<p>Poland</p>	<p>Yes</p>	<p>1) <i>No and Yes.</i> Migration issues concerning the removal of the citizens of Morocco, Algeria, The Gambia, Ghana, India, Liberia, People’s Republic of China are quite difficult to characterize, mainly because of the very small number of foreigners whose stay in the territory of Poland is illegal. Taking into account the quality of PL Border Guard collaboration with embassies of Gambia, Ghana, Liberia (in Berlin or/and in Moscow) – they shall be evaluated as satisfactory. Nonetheless its cooperation with other entities – embassies from India and the People’s Republic of China in Warsaw was assessed as non-satisfactory. The abovementioned foreign diplomatic entities issue surrogate travel documents which enable foreigners to return to the country of origin only if those foreigners express their willingness to return to the country of origin.</p> <p>2) As it was mentioned above the surrogate travel documents enable foreigners to return to the country of origin only if those foreigners express their willingness to return to the country of origin.</p> <p>3) PL doesn’t have any bilateral agreements on readmission with the already mentioned countries of interest. In the correspondence with the adequate third countries diplomatic establishments` and by virtue of the art. 13 of the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 adduces the readmission clause.</p> <p>4) As the below mentioned statistics shows, the number of removed foreigners from the third countries was not significant and PL Border Guard did not mention any problematic cases.</p> <table border="1" data-bbox="607 719 1839 1023"> <thead> <tr> <th>State</th> <th>2010</th> <th>2011 (till 31.03)</th> </tr> </thead> <tbody> <tr> <td>Algeria</td> <td>0</td> <td>0</td> </tr> <tr> <td>China</td> <td>16</td> <td>23</td> </tr> <tr> <td>Gambia</td> <td>0</td> <td>0</td> </tr> <tr> <td>Ghana</td> <td>1</td> <td>0</td> </tr> <tr> <td>India</td> <td>9</td> <td>1</td> </tr> <tr> <td>Liberia</td> <td>0</td> <td>0</td> </tr> <tr> <td>Morocco</td> <td>1</td> <td>0</td> </tr> </tbody> </table>	State	2010	2011 (till 31.03)	Algeria	0	0	China	16	23	Gambia	0	0	Ghana	1	0	India	9	1	Liberia	0	0	Morocco	1	0
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	<p>Portugal</p>	<p>Yes</p>	<p>Yes we face problems concerning the forced removal of citizens from Morocco, Algeria, Ghana, Liberia and People ´s R. China and India Such Consular representations inform that they have to confirm with central authorities in the country of origin, in order to provide for confirmation of nationality and, therefore, issuing travel document. The period of time for these consultations is, in some cases, longer than 1 year. (Algeria and Morocco) Countries like Liberia or Ghana have no Diplomatic representations in Portugal, which increases difficulty in obtaining travel documents.</p> <p>Data on “Executed sick leave” for the year 2010 are as follows: Algeria – 5; China – 4; Gambia – 1; Ghana – 0; India – 7; Liberia – 0;</p>																								

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			Morocco – 25. These data includes the “Conductions to the Border”, the “Judicial Evictions” and “Administrative Expulsions”.
	Slovak Republic	Yes	<ol style="list-style-type: none"> 1. No, the Slovak Republic does not face any problems regarding forced returns/removals of Citizens of Morocco, Algeria, Gambia, Ghana, India, Liberia and People’s Republic of China. 2. N/A 3. The Slovak Republic does not have any bilateral readmission agreements with the respective countries. 4. Annually, Ministry of Interior of the Slovak Republic publishes on its website http://www.minv.sk/?rocenky so called „Statistical overviews of legal and irregular migration in the Slovak Republic“ for a particular year. On this website you can also find the data concerning forced returns.
	Sweden	Yes	<ol style="list-style-type: none"> 1. The nationalities asked for represents small numbers of forced return. There are minor or no problems concerning Morocco, Gambia, Ghana and Liberia. Regarding Algeria there is a formalized procedure, which takes time, when taking contact with the embassy for travel documents. Regarding India there are severe difficulties to get travel documents. Mostly it depends on the fact that there is no national registration in India and therefor hard to search for a person. The waiting time for a response is very long. There are no specific problems regarding contacts with the Chinese embassy. You have to be aware of the minority problematic. Sweden has no readmission agreement with any of these countries. The figures of removals to these countries were during 2010 as follows: Algeria 14 persons, Gambia 8, Ghana 1, India 8, PRC 4, Liberia 1 and Morocco 8. The total number of return cases, regarding these nationalities, handed over as forced return during 2010 were 91 cases = persons. These indicate problematic cases mainly because of problems with cooperation from the persons in the return process.
	United Kingdom	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Norway	Yes	4. Forced return 2010: to China: 9; to Marocco: 15; to Algeria: 7; to the Gambia: 11; to Ghana: 8; to India: 11; to Liberia: 0. The numbers include both former asylum seekers and persons expelled to their country of origin for violation of the penal code.
