



## **AD HOC QUERY ON 2019.35 Family return to Afghanistan**

**Requested by Gabor Veto on 13 March 2019**

**Compilation produced on 25 September 2019**

**Responses from Austria, Belgium, Germany, Latvia, Lithuania, Luxembourg, Netherlands, Slovakia, Spain, Sweden (10 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**

The Immigration and Asylum Office of Hungary looks forward to explore the best practices of the member states regarding the return of Afghani families to their home country along the following questions:

## **2. Questions**

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**1. Does your MS return (both forced and voluntary) Afghani families to Afghanistan?**



**2. In case your MS returns families, is there any limitation on the age of the children returning? Does your MS return single mothers with children?**

**3. In case of returning families, does your MS need to prepare any special documentation in order to hand the family over to the Afghani authorities?**

We would very much appreciate your responses by **4 April 2019**.

**3. Responses**

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		Wider Dissemination <sup>2</sup>	
	EMN NCP Austria	No	
	EMN NCP	Yes	1. Only voluntarily. No forced return for families (only single men).

<sup>1</sup> 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.

<sup>2</sup> 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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	Belgium		<p>2. No limitation on the age.If a single mother with children is willing to return, we can facilitate its return.</p> <p>3. No hand over to Afghani authorities when voluntary return.</p>
	EMN NCP Germany	Yes	<p>1. No families, minors or women have been returned to AFG (no forced returns) since the beginning of the regular implementation of repatriation measures under AFG on the basis of a bilateral Memorandum of Understanding (MoU) with AFG at the end of December 2016. There is therefore no practical experience with the repatriation of (single) mothers and children.Voluntary return to AFG include families with children. In 2018, a total of 10 families with children returned to AFG using the REAG/GARP programme. The voluntary returnees can make use of a variety of support services. For details, please refer to the country informations from the portal Returning from Germany.<a href="https://www.returningfromgermany.de/en/countries/afghanistan">https://www.returningfromgermany.de/en/countries/afghanistan</a></p> <p>2. No, see answer to one.</p> <p>3. No, see answer to one.</p>
	EMN NCP Latvia	Yes	<p>1. Neither voluntary returns nor forced returns of Afghan families to Afghanistan carried out by Latvia in 2017, 2018.</p> <p>2. N/A</p> <p>3. Latvian legislation defines the obligation for the State Border Guard to provide hand over only for unaccompanied minor foreigner to his family member, guardian/legal representative or authority</p>




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			responsible for in the third country (country of return).
	EMN NCP Lithuania	Yes	<p>1. In recent years, there were no cases of return to Afghanistan. Therefore, there is no current practice in Lithuania. Generally, decisions are taken on a case-by-case basis taking into consideration all the circumstances of the case.</p> <p>2. N/A</p> <p>3. N/A</p>
	EMN NCP Luxembourg	Yes	<p>1. No.</p> <p>2. N/A.</p> <p>3. N/A.</p>
	EMN NCP Netherlands	Yes	<p>1. Yes, the Dutch state carries out forced as well as voluntary return of families to Afghanistan.</p> <p>2. No, there is no limitation to the age of the children returning. The Netherlands judges each case individually and the age of a child does not determine whether or not the family is allowed to stay or is returned to the country of origin. The Netherlands, at the moment, does not effect forced return of single mothers with minor children to Afghanistan, if there is no male head of family in place.</p>

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			3. No, there is no specific documentation required in case of returning families.
	EMN NCP Slovakia	Yes	<p>1. Yes, however in case of families with children, voluntary return is preferred option.</p> <p>2. No age limitations if it is the best interest of child to stay with the family. The return of single mothers is possible however, the best interest of child is always considered.</p> <p>3. No further/specific documentation needed. However, Slovak Republic generally does not have a lot of experience with returning Afghan nationals.</p>
	EMN NCP Spain	Yes	<p>1. No. We don't.</p> <p>2. N/A</p> <p>3. N/A</p>
	EMN NCP Sweden	Yes	<p>1. Only voluntary</p> <p>2. Return regarding families with children or single mothers with children is only done in a voluntarily way.</p> <p>3. When return regarding these groups is only done voluntarily this is not needed. Another thing is that the family might need to visit the Afghan Embassy in order to arrange with travel documents.</p>

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