



# **Ad-Hoc Query**

## **2025.5 searching electronic devices in the context of return**

**European Migration Network**  
**Ad-hoc query**

**June, 2025**

# AD-HOC QUERY ON 2025.5 SEARCHING ELECTRONIC DEVICES IN THE CONTEXT OF RETURN

REQUESTED BY EMN NCP BELGIUM ON 3 FEBRUARY 2025

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**Exported for:** Wider Dissemination

**Responses from:** EMN REG Practitioners Austria, EMN REG Practitioners Belgium, EMN REG Practitioners Bulgaria, EMN REG Practitioners Croatia, EMN REG Practitioners Cyprus, EMN REG Practitioners Czech Republic, EMN REG Practitioners Estonia, EMN REG Practitioners Finland, EMN REG Practitioners France, EMN REG Practitioners Germany, EMN REG Practitioners Hungary, EMN REG Practitioners Italy, EMN REG Practitioners Latvia, EMN REG Practitioners Lithuania, EMN NCP Luxembourg, EMN REG Practitioners Malta, EMN REG Practitioners Netherlands, EMN REG Practitioners Norway, EMN REG Practitioners Slovenia, EMN REG Practitioners Spain, EMN REG Practitioners Sweden **(21 in total)**

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## BACKGROUND INFORMATION

When Belgian police arrest third-country nationals who are staying irregularly and are suspected of criminal activity, it is not uncommon for these individuals to be uncooperative in the identification process. Some may provide different aliases, use fraudulent identity documents, or give inaccurate information about their nationality. However, important identity-related information might be found on their smartphones.

On 4 April 2024, the Belgian parliament passed a law that permits certain officials of the Belgian Immigration Office to search electronic devices, such as smartphones, laptops, and tablets, belonging to irregularly staying third-country nationals who are criminal suspects. This search can only be conducted after receiving authorisation from the public prosecutor or the examining magistrate.

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The law aims to facilitate and accelerate the identification process and is expected to be implemented in 2025. In preparation of its implementation, Belgian authorities seek to gather information from other EMN Member Countries regarding similar practices.

In June 2024, an ad hoc query (2024.39) was launched regarding searches of electronic devices in the asylum procedure. However, this new query specifically focuses on searches of electronic devices in the context of forced return.



### WE WOULD LIKE TO ASK THE FOLLOWING QUESTIONS:

We would very much appreciate your responses by **3 March 2025**.

1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.
2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?
3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?
4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.
5. If you answered no to Q.4, what challenges have you found and have you overcome them?
6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.

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### RESPONSES

		<b>Wider Dissemination?</b>	
	EMN REG Practitioners Austria	<b>No</b>	Response is marked as EMN Sensitive
	EMN REG Practitioners Belgium	<b>Yes</b>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>Yes. On 4 April 2024, the Belgian parliament passed a law that permits certain officials of the Belgian Immigration Office to search electronic devices belonging to irregularly staying third-country nationals who are criminal suspects. The law is expected to be implemented in 2025.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>Only irregularly staying third-country nationals who are suspected of having committed a crime and who are unable to prove their identity, fail to cooperate in this regard, use false documents or assume a false name. It is the public prosecutor or an investigating judge who must grant the authorisation to an officer of judicial police of the Immigration Office. This search for electronic devices is for the sole purpose of establishing the identity and nationality of the person concerned.</p>


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			<p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p> <p>No. The law hasn't been implemented yet.</p> <p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p> <p>For now, we don't know this, because the law hasn't been implemented yet. According to the Belgian authorities, practice shows that electronic devices often do contain important information on identity or nationality, e.g. photos of identity documents.</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>Not applicable</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.</p>
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			Not applicable
	<p>EMN REG Practitioners Bulgaria</p>	<p><b>Yes</b></p>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>No, it's not allowed to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p> <p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p>


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			<p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.</p> <p>No, it's not planned. At this stage only with the consent of third country nationals.</p>
	<p>EMN REG Practitioners Croatia</p>	<p><b>Yes</b></p>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>No, the Croatian Foreigners Act does not authorise the search of electronic devices in the context of return.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>N/A</p>


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			<p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p> <p>N/A</p> <p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p> <p>N/A</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>N/A</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.</p> <p>No, for the time being, there are no concrete plans to change the legislation that would allow mobile devices to be searched in the context of return TCNs.</p>
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 <p>EMN REG Practitioners Cyprus</p>		<p><b>Yes</b></p>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>Yes</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>In most cases this is conducted for individuals who are suspected of committing a crime or they don't give any satisfactory evidence for their identification</p> <p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p> <p>We don't keep any records in relation to search on electronic devices</p> <p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p>

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			<p>YES. Photos of travel documents, id cards, driving licenses, university cards, emails, phone numbers, facebook account etc. assist in identifying the individual.</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>N/A</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.</p> <p>N/A</p>
	<p><b>EMN REG Practitioners Czech Republic</b></p>	<p align="center"><b>Yes</b></p>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>NO. Searching electronic devices can only be carried out with the consent of the foreigner concerned, i.e. it is carried out on a voluntary basis.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it</p>


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			<p>limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>N/A</p> <p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p> <p>NO.</p> <p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p> <p>N/A</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>N/A</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please</p>
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			<p>elaborate.</p> <p>NO. The Czech Republic does not currently plan legislative changes in this area.</p>
■	EMN REG Practitioners Estonia	<b>No</b>	Response is marked as EMN Sensitive
+	EMN REG Practitioners Finland	<b>Yes</b>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>No.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p>


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			<p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.</p> <p>Not at the moment.</p>
	<p>EMN REG Practitioners France</p>	<p><b>Yes</b></p>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>NO</p> <p>In France, as part of the return process, the law only authorises the police (judicial police officers) to inspect</p>

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			<p>and search a foreign national's personal effects and luggage, for the sole purpose of verifying the foreign national's right of movement and residence. In the absence of the foreign national's consent, the judicial authority (public prosecutor) must be informed in advance. In addition, the judicial authority may authorise the police to go to the home of the third-country national to check that he or she is there and to search for any document proving his or her identity.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>n/a</p> <p>In the absence of any criminal proceedings, the telephone or computer cannot be searched if the foreign national refuses to provide the access code. However, criminal proceedings may be instituted for failure to cooperate in preventing removal.</p> <p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p> <p>n/a</p> <p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p>
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			<p>n/a</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>n/a</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.</p> <p>Consideration is currently being given to allowing foreign nationals' phones and computers to be searched, in the framework of the return procedure, to establish their identity or nationality. The current AHQ may be of assistance in this respect.</p>
	<p>EMN REG Practitioners Germany</p>	<p><b>Yes</b></p>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>Yes, Art. 48 (3), (3a), (3b), (3c) and Art. 48a Residence Act authorise the determination of identity through the search of electronic device in the context of return. Art. 15a Asylum Act also authorises the determination of the identity but only in the asylum procedure. At the time of return, the asylum procedure</p>


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			<p>has already been completed. Art. 48 of the residence act is therefore more specific to the return decision.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>The retrieval of data from data carriers, including mobile devices and cloud services, is permitted for the purpose of ensuring analysis if it is necessary to establish the foreigner's identity and nationality and to establish and enforce the possibility of removal since the foreigner has no valid passport, passport substitute or other suitable proof of identity. The foreigner must provide the necessary access data for an admissible reading of the data carriers.</p> <p>As such, it can only be done when 1) the foreigner does not have a valid passport, a passport substitute or a substitute identity document and 2) the data carriers may be analysed only by employees who are qualified to hold judicial office. No milder means must be available.</p> <p>There is no prerequisite as to the foreigner being suspected of a crime.</p> <p>The foreigner is obliged to cooperate in the search of his or her data carrier.</p> <p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p> <p>No.</p> <p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster</p>
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			<p>identification? YES/NO. If yes, please explain why.</p> <p>Yes, given that the unknown identity remains one of the main obstacles in enforcing the obligation to leave of foreigners subject to enforceable leave, and that the findings on the origin and identity of the person subject to leave are often based solely on information provided by the persons subject to leave due to the lack of existing personal documents, the search of electronic devices is an appropriate tool to speed up identification.</p> <p>The search of electronic devices is usually only at the end of a series of other measures for identity clarification. Therefore, this is only utilised in individual cases.</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>n/a</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.</p> <p>n/a</p>
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	<p><b>EMN REG Practitioners Hungary</b></p>	<p align="center"><b>Yes</b></p>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>Yes, relevant legal provisions can be found within Hungary’s national law that, within defined legal limits, allow for the types of examinations raised in the question.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>Section 205 (1) of Act XC of 2023 on the General Rules Governing the Entry and Residence of Third-Country Nationals (Immigration Act) states:          “If the facts of the case cannot be clarified otherwise, or if doing so would involve significant delay, or if failure to impound would endanger the clarification of the facts, the immigration authority is authorised to remove an object from the possession of its holder (hereinafter: impoundment).”          Additionally, Section 206 of the Immigration Act also permits the measures raised in the question:          “To access data stored in the impounded object, the immigration authority engages an expert. If the stored data contains personal information, the immigration authority may use and retain it only to the extent and duration necessary for establishing identity in the immigration procedure. The immigration authority and the expert involved must not delete data stored in the impounded object and are obliged to use the object for its intended purpose to extract the data.”          According to Government Decree No. 35/2024 (II. 29.) on the implementation of Act XC of 2023 on the General Rules Governing the Entry and Residence of Third-Country Nationals,          Section 192          (1): “In order to access data stored in an impounded object and to save the data onto a storage device, the immigration authority – if it cannot obtain the necessary information within its own organisation – consults the National Security Special Service to provide expert support.</p>
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			<p>(2) The National Security Special Service delivers the extracted data to the immigration authority in electronic form. The immigration authority handles the data on a storage device in an identifiable, secure manner.</p> <p>(3) The immigration authority terminates the impoundment immediately upon the return of the impounded object, but no later than three working days after its receipt.</p> <p>(4) The immigration authority promptly destroys the data-containing storage device following the identification of the third-country national.”</p> <p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p> <p>No statistical data collection.</p> <p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p> <p>Yes. The data extracted from electronic devices will help to establish the identity of the person in the country of origin and to obtain the document required for return.</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p>
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			<p>Not applicable.</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.</p> <p>Not applicable.</p>
	<p>EMN REG Practitioners Italy</p>	<p><b>Yes</b></p>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>YES</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>The authorization concerns asylum seekers. Specifically, irregularly staying third-country nationals that cross the internal or external border irregularly or who have arrived in the national territory following sea rescue operations and are taken to designated crisis points for rescue and initial assistance needs; irregularly staying third-country nationals in administrative detention.</p>

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3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?

The provision was recently introduced but has not yet been applied in practice. This is partly due to the need to identify the most effective technical solutions to allow forced access to the devices in cases where the owner does not give his/her consent.

4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.


Please refer to answer no. 3.

5. If you answered no to Q.4, what challenges have you found and have you overcome them?

Please refer to answer no. 3.

6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.


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	<p><b>EMN REG</b> Practitioners Latvia</p>	<p align="center"><b>Yes</b></p>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>Yes.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>The Immigration Law stipulates that the State Border Guard and the State Police have the right to remove the property of a detained TCN's (including electronic devices), drawing up a report on it or making a record in the report on the inspection of the property of the detained TCN.</p> <p>The detained TCN is accommodated in the Detention Center and in accordance with the Cabinet of Ministers Regulation any communication and information exchange, recording and storage devices are included in the list of prohibited objects and substances that are removed until the TCN is released.</p> <p>The State Border Guard has the right to determine the examination of documents, objects, language, medical and other examinations and tests solely for the purpose of identifying a person or determining his or her country of citizenship.</p> <p>The legal regulation does not specify exactly what subject examinations can be determined, it depends on the individual circumstances of each case.</p> <p>The State Police is authorized to conduct mobile phone forensics examination, i.e. information technology forensics examination (searching, restoring and analyzing specific information on mobile phones and SIM</p>

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			<p>cards).</p> <p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p> <p>No.</p> <p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p> <p>Recently, there have been many cases in the practice of the State Border Guard when foreigners destroy or leave their travel document in another country with the aim of delaying their identification or return, but in most cases when TCN is informed on detention grounds - person's identification, they show a photo of their travel document on their mobile phone.</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>N/a</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please</p>
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			<p>elaborate.</p> <p>N/a</p>
 <p>EMN REG Practitioners Lithuania</p>		<p><b>Yes</b></p>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>YES - if it concerns criminal law; NO - if it concerns only the return.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>This can be done only for third-country nationals who are arrived or are staying irregularly and are suspected of criminal activity or are related to the criminal case.</p> <p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p> <p>N/A</p>

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			<p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p> <p>YES - each additional source of information increases the chances of identifying a person.</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>The Lithuanian Law "On the Legal Status of Aliens" provides that when determining the identity of a foreigner, an officer of a law enforcement institution shall have the right to carry out a search of the foreigner's person and inspect his personal belongings. In cases where electronic devices are found on an alien illegally staying in the country, the aliens themselves are asked to show the information contained in them.</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.</p> <p>There are no such plans at this time.</p>
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	EMN NCP Luxembourg	<b>No</b>	Response is marked as EMN Sensitive
	EMN REG Practitioners Malta	<b>No</b>	Response is marked as EMN Sensitive
	EMN REG Practitioners Netherlands	<b>No</b>	Response is marked as EMN Sensitive
	EMN REG Practitioners Norway	<b>No</b>	Response is marked as EMN Sensitive
	EMN REG Practitioners Slovenia	<b>Yes</b>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>No.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p>

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			N/A
			3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?
			N/A
			4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.
			N/A
			5. If you answered no to Q.4, what challenges have you found and have you overcome them?
			N/A
			6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.
			No plans at the moment. The proposal to implement such a measure has already been proposed in the last

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			amendments of the law, but it was not subsequently endorsed in the legislative procedure.
	EMN REG Practitioners Spain	<b>No</b>	Response is marked as EMN Sensitive
	EMN REG Practitioners Sweden	<b>Yes</b>	<p>1. Does your EMN Member Country allow authorities to search electronic devices, such as smartphones, laptops, and tablets, of irregularly staying third-country nationals in the context of their return? YES/NO.</p> <p>No.</p> <p>2. If you answered yes to Q.1, can this be done for all irregularly staying third-country nationals, or is it limited to certain categories (e.g. those suspected of a crime or those who refuse to cooperate with their forced return)?</p> <p>3. If you answered yes to Q.1, does your EMN Member Country keep statistics on the number of third-country nationals whose electronic devices were searched in the context of forced return? YES/NO. If yes, can you provide the numbers for the period 2023-2024?</p>

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			<p>4. If you answered yes to Q.1, does the search of electronic devices contribute to better and faster identification? YES/NO. If yes, please explain why.</p> <p>5. If you answered no to Q.4, what challenges have you found and have you overcome them?</p> <p>6. If you answered no to Q.1, does your EMN Member Country have plans to enable the reading of electronic devices of irregularly staying third-country nationals in the context of their return? If yes, please elaborate.</p> <p>In November 2024 a state commission of Inquiry, appointed by the Swedish Government, proposed that legislative changes are introduced to make it possible to search information in mobile phones and other electronic devices (SOU 2024:80). Searching migrants' electronic devices will be made possible in order to enhance the identification process and to make the return process more effective. The proposed legislative changes are set out to enter into force in 2025.</p>
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## Ad-Hoc Query on 2025.5 searching electronic devices in the context of return

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