

## Nigeria

### **EU engagement to date**

Negotiations of a Readmission Agreement with Nigeria, launched in October 2016, have progressed at an irregular pace. In 2018, in parallel with the discussions on a package of incentives linked to the agreement, the negotiations advanced at a steady rhythm for four rounds, but stopped again end 2018, due to a complicated electoral period in Nigeria. Since August 2019 the newly formed Government has not shown any interest in resuming talks and a number of important issues are still to be negotiated. At the EU-Nigeria Ministerial meeting in November 2020 Nigeria agreed to restart negotiations.. Nigeria has concluded a Working Arrangement (2012, updated in 2016 but never signed by Nigeria) and Best Practices (2013) with Frontex. Article 13 of the ACP-EU Cotonou Agreement, to which Nigeria is party, prescribes the commitment of the partner countries to cooperate with the EU in readmitting its own nationals.

### **Cooperation on readmission:**

In 2019, 10 950 Nigerian nationals staying illegally in the Member States were issued return decisions and 2 025 effectively returned to Nigeria resulting in a **return rate** of 19%. Member States submitted 2 439 readmission requests to Nigerian authorities, who issued 1 046 travel documents resulting in an **issuance rate** of 43%.

A total of 27 Member States reported having approached the authorities of Nigeria for readmission matters related to its nationals in 2019.

Eight Member States report having **bilateral agreements/arrangements** in place with Nigeria, whose relevant provisions are almost always respected, even if some Member States report problems with the respect of deadlines. In one Member States with a small number of return decisions (0.04%) the agreement is not applied.

Two thirds of responding Member States, representing more than half of the return decisions issued, assessed the **cooperation on the identification procedure** with Nigeria as very good or good. Six Member States, representing 40% of the return decisions, rated it as average and the remaining four as poor.

Half of the responding Member States, representing 95% of readmission requests, have an established routine for cooperation on identification that is effectively implemented with Nigerians diplomatic missions.

For more than half of the responding Member States consular interviews are often to always performed upon their request as necessary, with, on average, acceptable or satisfactory outcomes, while for seven Member States they are organised rarely to never, and five Member States did not report data.

According to three Member States, Nigerian authorities are almost always available to organise short or long-term identification missions, while six Member States reported Nigeria

to be rarely or never available. The outcomes of the identification missions are poor for four Member States, acceptable for three and good for two.

Interviews are also often or always requested by Nigerian authorities in cases where sufficient evidences to establish nationality are provided (e.g. valid or expired travel documents), as indicated by 17 Member States.

Evidence accepted includes not only valid or expired passports, but also information extracted from the VIS (six Member States) other identity documents (21) photocopies of documents (22). For eight Member States biometric evidence is accepted while 19 Member States report that it is not accepted.

According to two-thirds of the responding Member States, representing 66% of the return decisions, the **issuance of travel documents** often to always takes place in a timely manner while this is rarely or almost never the case for eight Member States.

For 14 Member States additional elements other than nationality are also taken into account by Nigeria when deciding whether to issue travel documents or not, with nine Member States reporting this happening always or often and five rarely. Among those elements Member States indicated medical issues, family and social context, vulnerability. There are generally no restrictions to readmission upon arrival.

16 Member States reported that returns by **charters flights** are accepted by Nigeria without restrictions, while the others indicated not having attempted such returns. As for **scheduled flights**, in some cases Nigeria might request a visa for the escorts.

In general, all the responding Member States have assessed the **overall cooperation on return and readmission** as good, stable or improving, but one who indicated it has deteriorated.

*With a total of 10 950 Nigerian nationals ordered to leave in 2019, Nigeria ranks 8<sup>th</sup> amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. Overall, most Member States interact with Nigeria on readmission, and eight have bilateral agreements, whose provisions are almost always respected. Two thirds of the Member States representing more than half of the return decisions issued assess positively the cooperation with Nigeria on identifications and the rest as average (representing more than a third of return decisions) or poor. Consular interviews and, in some cases, identification missions are available, but interviews are also required even when there is sufficient evidence of nationality. A wide range of evidence is accepted. The issuance of travel documents happens in a timely manner for two-thirds of Member States, also representing two-thirds of the return decisions, but elements other than nationality (health, family connections) are taken into account in the process. Charters flights are accepted without particularly burdensome restrictions. Cooperation could improve further by extending the better cooperation practices to all Member States. Identification could be expedited, by excluding interviews for cases supported by sufficient evidence, including valid documents, biometric data and VIS hits, and be followed through swiftly with issuing travel documents to all confirmed nationals. Such improvements could be facilitated by the*

*conclusion of the EU-Nigeria readmission agreement, under negotiation. All this should result in a better rate of issuance of travel documents, encourage a further increase in the number of readmission cases submitted by Member States, and, subsequently, trigger a higher return rate.*