

TOWARDS A MORE EFFICIENT EU RETURN POLICY

November 2017



“People who have no right to stay in Europe must be returned to their countries of origin. When only 36% of irregular migrants are returned, it is clear we need to significantly step up our work. This is the only way Europe will be able to show solidarity with refugees in real need of protection.”

European Commission President Jean-Claude Juncker, State of the Union Address, 13 September 2017

An effective and humane return policy is an essential part of the EU's comprehensive approach to better managing migration and reducing the incentives for irregular migration. Whilst Europe will continue to show generosity and solidarity towards those genuinely in need of protection, returning those who are not fleeing war or persecution and who do not have the right to stay in the EU, in full respect of fundamental rights, is equally important for a well-functioning asylum system. It will also send a strong signal against undertaking dangerous irregular journeys to the EU in the first place.

PROGRESS MADE SO FAR

Over the past two and a half years, the Commission has brought forward work under its 2015 European Agenda for Migration to help Member States make their return and readmission policies more effective.

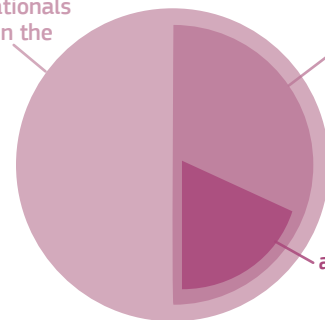
A priority for the new **European Border and Coast Guard Agency**: The Agency has a strong mandate to support Member States to organise and coordinate returns. Three pools of return specialists, escorts and monitors are now fully operational and available for immediate deployment to support Member States.

A reinforced **EU Action Plan on Return**: In March 2017 the Commission put forward a concrete set of practical **recommendations** to Member States to make return procedures more effective, close legal loopholes and improve cooperation with countries of origin on return and readmission, in line with fundamental rights requirements.

Development of Assisted Voluntary Return and Reintegration Programmes (AVRRs): The Commission has provided practical and financial support to Member States for the development of AVRRs.

Cooperation with third countries: Whilst progress has been made in the implementation of existing **readmission agreements** the finalisation of other negotiations remain at a standstill and those launched in 2016 have not progressed as expected. The focus is therefore on **improving structured practical cooperation**. With the conclusion of an agreement on Standard Operating Procedures on return with Bangladesh in September, the EU now needs to achieve progress to establish structured practical cooperation also with other key countries under this new approach.

In 2016, 1 million
third-country nationals
were present in the
EU



only half were
ordered to
leave the EU

and only 226,000
were effectively
returned.

The EU remains confronted with unsatisfactory return rates due to inefficient enforcement of existing instruments at EU and national level and a common readmission policy which does not fully deliver.

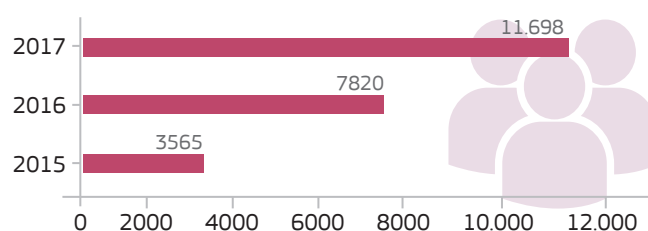
TOWARDS A MORE EFFICIENT EUROPEAN RETURN SYSTEM

Member States and the European Border and Coast Guard Agency, with the support of the Commission, need to significantly step up their efforts to deliver on return.

EUROPEAN BORDER AND COAST GUARD AGENCY: A REINFORCED RETURN DEPARTMENT

More work is needed to transform the Agency into a **true operational EU return hub**. A strengthened **Return Department** with operational autonomy will ensure that its new return tools are fully operationalised and exploited. The Agency will develop **operational plans** for all Member States by the first quarter of 2018, which will include concrete return objectives. Together with Member States, the Agency will also design **pilot projects** to develop and test innovative solutions for joint management of returns. By November, new operational steps to support Member States on return operations will be put forward by the European Border and Coast Guard Agency who will be serving as a focal point on return at EU level.

Persons returned in operations supported by the European Border and Coast Guard Agency



EU MEMBER STATES: RESOLUTE ACTION AT NATIONAL LEVEL

EU Member States should provide regular and **up-to-date situational reports** of their return needs and should work with the Agency to organise return operations. The Commission-run **Irregular Migration Management Application (IRMA)** should be integrated into the workflow on return management of both Member States and the European Border and Coast Guard Agency in the course of 2018.

The Commission will **report regularly on progress made** covering both, Member States and the European Border and Coast Guard. In the long term, and based on the results achieved through the measures agreed until now, the Commission will explore the need to further align national return procedures, such as through standardising the return process, approximating rules on detention and entry bans and making return decisions in one Member State valid across the EU.

COOPERATION WITH THIRD COUNTRIES: MOBILISING INCENTIVES AND LEVERAGES

Enhancing cooperation by key third countries of origin requires the collective mobilisation of all the **incentives and leverages** available at EU and national level, including **coordinated visa measures**. While there is now a clear framework for cooperation with Bangladesh, engagement with Nigeria, Cote d'Ivoire, Senegal and Mali needs to be stepped up. Negotiations on readmission agreements with Nigeria and Tunisia should be finalised as soon as possible. In all cases, as endorsed by the European Council, the mobilisation of incentives and leverages at EU level will continue to be actively explored and applied as needed.

ASYLUM RECOGNITION RATES OF TOP 5 NATIONALITIES ARRIVING TO EUROPE VIA THE CENTRAL MEDITERRANEAN ROUTE

First half of 2017	
Nigeria	21.5%
Guinea	28.5%
Bangladesh	17%
Ivory Coast	28%
Mali	30%