

Annex 1: Assessment of individual third countries cooperation on readmission

Afghanistan

EU engagement to date

The Joint Way Forward on migration issues between Afghanistan and the EU (the JWF) has been in place since 3 October 2016. Its implementation has been monitored by regular meetings of a Joint Working Group. Since 2019, Frontex has been carrying out a project to facilitate interviews by videoconference, especially for Member States without an Afghan diplomatic representation. A European Return Liaison Officer (EURLO) was deployed in the country until end 2019.

Negotiations with Afghanistan on a Joint Declaration on Migration Cooperation (JDMC) replacing the JWF were concluded in November 2020.

Cooperation on readmission

In 2019, 29 650 Afghan nationals staying illegally in the Member States were issued return decisions and 2 260 effectively returned to Afghanistan resulting in a **return rate** of 8%. Member States submitted 3 702 readmission requests to Afghanistan authorities, who issued 1 111 travel documents resulting in an **issuance rate** of 30%.

A total of 21 Member States reported having approached the authorities of Afghanistan for readmission matters related to its nationals in 2019.

According to nine Member States the relevant **provisions of the existing EU readmission arrangement** are often to always respected by Afghanistan. Almost half of all Afghan nationals ordered to leave are to be found in those Member States. At the same time, for six Member States, where Afghan nationals ordered to leave are to be found in similar proportion, the relevant provisions are rarely to never respected by Afghanistan.

Seven Member States report having **bilateral agreements/arrangements** in place with Afghanistan, whose relevant provisions are, according to five of them, generally respected. Three of these Member States, representing 95% of the caseload for such Member States, report using conjunctly the EU and the bilateral arrangements with Afghanistan.

About half of the responding Member States, also standing for half of return decisions issued to Afghan nationals, assess the overall cooperation with Afghanistan in the **identification procedure** as very good or good. Four Member States assess it is as poor or very poor and the remaining ones as average.

This results in 16 of the responding Member States having an established routine for cooperation on identification, which is in general effectively implemented with Afghanistan's diplomatic missions.

Regarding identification practices, evidence accepted includes not only valid or expired passports, but also very often other identity documents or photocopies of documents.

RESTREINT UE/EU RESTRICTED

For most Member States consular interviews are almost always performed upon their request as necessary, with, on average, satisfactory outcomes. For several Member States, it is very often possible for interviews to take place by phone or videoconference.

At the same time, contrary to the JWF procedures, interviews are also often to always requested by Afghan authorities, even if sufficient evidence to establish nationality is provided (e.g. valid or expired travel documents), in the case of ten Member States.

According to nine Member States, where almost 90% of Afghan nationals ordered to leave are to be found, the **issuance of travel documents** often to always takes place in a timely manner.

Eight Member States report that Afghanistan also very often takes into account additional elements other than nationality (such as the individual circumstances of the migrants) when deciding whether to issue travel documents or not.

The **EU Travel Document** or laissez-passer issued by Member States is almost always accepted.

Returns by **charters flights** are accepted by Afghanistan, but restrictions are in place notably concerning the number of returnees on board, the issuance of permission to land or visa requirement for escorts. Certain conditions are applied in case of returns by **scheduled flights**, namely the visa requirement for escorts.

In general, Member States have assessed the **overall cooperation on return and readmission** as stable or improving since 2015.

With a total of 29 650 Afghan nationals ordered to leave in 2019, Afghanistan ranks second amongst visa-bound⁹ third countries whose nationals have been issued return decisions in the Member States. Overall, two-thirds of Member States interact with Afghanistan on readmission and practices are well established. The JWF provisions (and/or the equivalent provisions of the bilateral arrangements) are generally respected. Identification processes are conducted successfully, including through interviews, for Member States representing more than half of return decisions issued, and issuance of travel documents is timely in most cases. More importantly Afghanistan accepts to readmit its nationals with an EU Travel document, which Member States can issue if identification and issuance of travel documents has not been performed within two weeks if the person was initially documented or four weeks if the person was undocumented. Cooperation could be improved further by identifying nationals and issuing travel documents within the agreed deadlines, as well as by avoiding visa requirements for escorts. This should result in a better rate of issuance of travel documents and a higher return rate.

⁹ The ranking excludes third countries whose nationals are exempt from the requirement to be in possession of a visa (as specified in Annex II of Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018), which are not covered by Article 25a of the Visa Code and this report.