

Mali

EU engagement to date

Negotiations for standard operating procedures on return and readmission were finalised in December 2016, but the Malian government decided to backtrack on signature, upon facing strong public pressure.

Despite further attempts to discuss readmission as part of a wider approach, there was no progress towards formalising cooperation on readmission matters. Article 13 of the ACP-EU Cotonou Agreement, to which Mali is party, prescribes the commitment of the partner countries to cooperate with the EU in readmitting its own nationals.

Cooperation on readmission

In 2019, 8 525 Malian nationals staying illegally in the Member States were issued return decisions and 240 effectively returned to Mali resulting in a **return rate** of 3%. Member States submitted 365 readmission requests to Malian authorities, who issued 141 travel documents resulting in an **issuance rate** of 39%.

A total of 11 Member States report having approached the authorities of Mali for readmission matters related to its nationals in 2019.

One Member States, where 40% of all Malian nationals ordered to leave are to be found, reports having **bilateral arrangement** in place with Mali, whose relevant provisions are however never respected.

Two of the responding Member States – with one of them accounting for half of all return decisions issued to Malian nationals, assess the **cooperation on identification procedure** with Mali as very good or good and eight, accounting for the other half, as poor or very poor.

Four Member States have an established routine for cooperation on identification, with only the one with half of all cases, confirming that it is effectively implemented with Mali's diplomatic missions.

For eight of the responding Member States, where slightly more than 40% of all Malian nationals ordered to leave are to be found, consular interviews are never performed upon their request – three of them inform that diplomatic missions refuse to carry the interviews or state that they have no mandate to assist in the identification process. Two of them also report that Malian authorities are never available to organise short or long-term identification missions.

On the other hand, the three Member States that experienced consular interviews, assess their outcomes as very satisfactory or acceptable. The two Member States that together represent more than 90% of return decisions issued to Malians inform that identification missions also take place, often in one case and rarely in the other, with respectively acceptable and poor outcomes.

While for two Member States interviews in cases where sufficient evidence to establish nationality are provided (e.g. valid or expired travel documents) are very often to always

requested by Malian authorities, this is never the case for three other Member States, representing more than 90% cases of return decisions issued to Malians.

Three Member States inform that Mali does not accept valid or expired passports as evidence of nationality. For these and two more Member States information extracted from the VIS is neither accepted and eight Member States in total cannot rely on any other (identity) documents in this regard. Two Member States also signal that confirmation of voluntary return and available reintegration package, information about health condition and criminal record is required.

According to two-thirds of the responding Member States the **issuance of travel documents** rarely or never takes place in a timely manner. Those Member States represent 46% of return decisions issued to Malian nationals. At the same time the Member State, in which more than half of all Malians issued with a return decision are to be found, informs that travel documents are always issued when the person is identified and that it very often occurs in a timely manner.

For most of the Member States, additional elements (will of the returnee) is taken into account by Mali when deciding whether to issue travel documents or not. This is however never the case in the two Member States with most cases. One Member State also stressed that Mali imposes restrictions to readmission upon arrival of persons who are to be legally returned (e.g.: certificate of health and registration of children with diplomatic mission).

Most Member States have not attempted to return by **charter flights**. Charters from the Member State with the most cases are not accepted. Restrictions apply in case of returns by **scheduled flights**, namely visa for escorts staying overnight.

In general, half of the Member States have assessed the **overall cooperation on return and readmission** as poor or deteriorating (including the one with 40% of all cases), two as stable and three Member States (including the one with more than half cases overall) as improving since 2015.

With a total of 8 525 Malian nationals ordered to leave in 2019, Mali ranks 13th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. Overall, about a third of the Member States interact on readmission with Mali – two of them accounting together for 90% of all cases. There are no jointly agreed procedures at EU level and only one bilateral agreement exists. Readmission routines are in place with Member States that have the most cases. Cooperation on identification, including with interviews and identification missions, and timely issuance of travel documents is assessed as good by one Member State representing half of the return decisions issued – and as poor by all others representing the other half of return decisions issued. For a more effective and predictable readmission cooperation, the better cooperation practices would need to be extended to all Member States. Identification processes could be expedited, by performing interviews as requested by all Member States, by availing itself of alternative means of identification (missions, phone or videoconference), by extending to all Member States the acceptance of a range of evidence, and be followed through swiftly with issuing travel documents. Following one single set of

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procedures – such as those already agreed in 2016 - would provide for a more predictable and efficient process. Further improvements could be envisaged by accepting charter flights as requested by all Member States. This should result in a better rate of issuance of travel documents, encourage a higher number of readmission requests and, subsequently, trigger a higher return rate.