

Sri Lanka

EU engagement to date

The Readmission Agreement with Sri Lanka entered into force in 2005, however – due to ongoing civil war and political developments at that time – it was not effectively implemented for several years. Six meetings of the Joint Readmission Committee were organised since 2013, the last one took place in March 2020.

In 2018, the EUR 860 000 EU funded project to provide the Government of Sri Lanka with technical assistance for the implementation of the Readmission Agreement delivered in February 2020 a complete overhaul of the RCMS. Fourteen Member States are connected so far and experience a significant improvement in cooperation which they have reflected in their assessment even if the reference period is 2019.

Cooperation on readmission

In 2019, 2 125 Sri Lankan nationals staying illegally in the Member States were issued return decisions and 320 effectively returned to Sri Lanka resulting in a **return rate** of 15%. Member States submitted 105 readmission requests to Sri Lankan authorities, who issued 51 travel documents resulting in an **issuance rate** of 49%.

A total of 14 Member States reported having approached the authorities of Sri Lanka for readmission matters related to its nationals in 2019.

According to eight Member States the relevant provisions of the existing **EU-Sri Lanka Readmission Agreement** are often to always respected by Sri Lanka and respect of timelines foreseen has improved with the new RCMS. Those Member States account for 70% of irregularly staying Sri Lankan nationals ordered to leave. At the same time, two Member States reported that they are rarely to never respected. Those Member States account for 4% of irregularly staying Sri Lankan nationals ordered to leave.

One Schengen Associated Country and one EU Member State with an opt-out from EU Readmission Agreement report having **bilateral agreements/arrangements** in place with Sri Lanka, whose relevant provisions are always/almost always respected.

Overall, all responding Member States but two assess the overall cooperation with Sri Lanka in the **identification procedure** as good or very good. Those Member States account for 96% of irregularly staying Sri Lankan nationals ordered to leave. Amongst them, four however stated that time limits as foreseen in the EU-Sri Lanka Readmission Agreement are not always respected.

This is reflected in 11 Member States having a functioning established routine with diplomatic missions, which in all of them is often to always effectively implemented.

For half of the responding Member States consular interviews are always performed upon their request as necessary, while this is rarely to never the case for three of them. On average, the outcomes of the interviews were rated by most Member States as very satisfactory, with only one Member State rating them as unsatisfactory. Member States report that conducting

interviews by phone or videoconference is always or very often possible in three Member States, and rarely or never in four Member States. The new RCMS has an in-built element for conducting identification videoconference, no Member State has tested it so far.

Four Member States reported that consular interviews are always or very often requested by Sri Lanka even in cases where sufficient evidence to establish nationality is provided.

Evidence accepted includes not only valid or expired passports, but very often to always also other documents, such as ID cards, birth certificates, driving license, electoral cards or student cards, as well as their photocopies. Five Member States reported extracts from VIS are accepted as well. One Member State reported that any supporting evidence that can help with identification (such as address in Sri Lanka, names of family members ...) is accepted.

As for acceptance of biometric evidence, one-third of Member States reported this option has never been proposed, one-third stated biometric evidence was not accepted, while one-third answered positively. With the new RCMS, fingerprints and other biometric elements are now accepted.

According to two thirds of the responding Member States, the **issuance of travel documents** often to always takes place in a timely manner (these account for 73% of irregularly staying Sri Lankan nationals ordered to leave), while two Member States reported this is rarely the case (accounting for 10% of irregularly staying Sri Lankan nationals ordered to leave). In the new RCMS, Member States are able to print travel documents directly out of the system upon positive identification, without involving Sri Lankan Embassies/consulates.

Most reporting Member States have not attempted returns by charter flights to Sri Lanka, with only three Member States indicating acceptance of **charter flights** by Sri Lanka, with visa for escorts and landing permits required for one of them. One Member State reported non-acceptance of charter flights.

Certain restrictions are applied in case of returns by **scheduled flights**, namely visa requirement for escorts.

In general, almost half of the responding Member States have assessed the **overall cooperation on return and readmission** as good. One third of Member States consider the cooperation has improved, while the remaining rate it as stable. No Member State reported poor cooperation or deterioration.

With a total of 2 125 Sri Lankan nationals ordered to leave in 2019, Sri-Lanka ranks 32nd amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. Overall, almost half of Member States engaged with Sri Lanka on readmission. The Readmission Agreement provisions (and the equivalent provisions of the bilateral agreements) are mostly respected. Identifications processes are conducted satisfactorily with good results for Member States representing more than 90% of return decisions issued, including through interviews, and issuance of travel documents is mostly timely. While most Member States have not availed of using charter flights, these have been accepted by Sri Lanka in the past. As stated above, Member States have reflected the February 2020 launch of the new RCMS in their assessment for 2019 and have already

seen a significant improvement in the cooperation, resulting in timely identification and issuance of travel documents. In order to increase the return rate, these recent efforts need to be further sustained, potentially with further capacity-building support.