

## Turkey

### **EU engagement to date**

The EU-Turkey Readmission Agreement, in force since 2014 for Turkish nationals and since 2017 for third country nationals. Turkey maintains its position that it will not implement the third country nationals' provisions as long as visa liberalisation is not granted by the EU.

Only two Joint Readmission Committees have taken place since, as Turkey has refused to hold further since 2016. The Commission continues to raise the need to fully implement the Agreement in all its provisions and towards all EU Member States. For readmission of third country nationals there are three bilateral agreements in place with neighbouring countries as well as the relevant commitments in the 2016 EU-Turkey statement for readmission of all irregular migrants crossing from Turkey to the Greek islands. As of March 2020, Turkey has not been accepting returns under the EU-Turkey Statement.

### **Cooperation on readmission**

In 2019 12 835 Turkish nationals staying illegally in the Member States were issued return decisions and 3 035 effectively returned to Turkey resulting in a **return rate** of 24%. Member States submitted 685 readmission requests to the Turkish authorities, who issued 317 travel documents resulting in an **issuance rate** of 46%.

A total of 22 Member States reported having approached the authorities of Turkey for readmission matters related to its nationals in 2019.

For three quarters of the Member States engaging, where three quarters of all Turkish nationals ordered to leave are to be found, the relevant provisions of the existing EU **Readmission Agreement** are often or always respected by Turkey. One Member State reported that the EU Readmission Agreement is (almost) never respected and two others say that it is rarely respected. In these three Member States 13% of all Turkish nationals ordered to leave are found.

All Member States use the EU Readmission Agreement for Turkish nationals. Three Member States reported having **bilateral agreements/arrangements** in place with Turkey, which include third country national provisions, and is often respected in one case, not used in another, and suspended by Turkey in the third.

Overall, 16 of the responding Member States assess the overall cooperation with Turkey in the **identification procedure** as good or very good. Those Member States account for almost 70% of all irregularly staying Turkish nationals ordered to leave. The remaining Member States assess cooperation as average or poor, mainly because the deadline for replying to a readmission application is not respected. Turkey does not engage on readmission with one Member State.

This is reflected in 16 Member States having an established a business routine for cooperation on identification with Turkey's diplomatic missions, which for 15 of them is often to always effectively implemented

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For a more than half of the responding Member States consular interviews are often to always performed upon their request as necessary, with, on average, satisfactory results.

Evidence accepted includes not only valid or expired passports but also very often other identity documents and photocopies of documents.

For 11 Member States, interviews are however often to always requested by Turkish authorities in cases where sufficient evidences to establish nationality are provided (e.g. valid or expired travel documents). In addition, information non-releasable under EU/national legal framework is often to very often requested from four Member States.

For two-thirds of the responding Member States, the **issuance of travel documents** very often to always takes place in a timely manner. These are Member States where almost 80% of irregularly staying Turkish nationals are found. However, for some of these Member States the issuance of the travel document only happens after a delayed reply to the readmission application.

According to 19 Member States, Turkey rarely to never imposes restrictions to readmission upon arrival. As to acceptance of **charter flights** by Turkey, two-thirds of Member States informed that they had not attempted such return operations, while five Member States confirmed that Turkey accepts charter flights and three Member States stated that Turkey does not accept charters. In the latter group 37% of all irregularly staying Turkish nationals who were issued a return decision are found.

In general, Member States have assessed the **overall cooperation on return and readmission** positively since 2015, with only one Member State stating it had deteriorated and one Member State considering it could be improved.

*With a total of 12 835 Turkish nationals ordered to leave in 2019, Turkey ranks sixth amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. Overall, three quarters of the Member States engage on readmission with Turkey. For three quarters of these, also representing more than three quarters of return decisions issued, the EU Readmission Agreement is well established and effective (regarding readmission of own nationals), resulting in a successful identification process, including, for most, through interviews, and timely issuance of travel documents. To improve cooperation, the Turkish nationals' provisions would need to be implemented in full towards all Member States, timely replies to readmission applications be ensured and delays in the process due to consular protection activities be avoided. Identification processes should be expedited and followed through swiftly with issuing travel documents without interviews for documented cases. Further improvements could be envisaged by accepting charter flights from all requesting Member States. This should result in a better rate of issuance of travel documents and a higher return rate.*

*On the other hand, as regards the provisions on readmission of third country nationals that entered into force in October 2017, Turkey maintains its position that it would not implement them until the visa requirement for Turkish citizens travelling to the Schengen Area for a short stay is lifted. For a full implementation of readmission obligations as*

*enshrined in the Readmission Agreement, the third country nationals provisions need to be implemented and the bilateral readmission obligations with the Member State should be observed. Returns under the EU-Turkey Statement should resume.*