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EUROPEAN
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REPORT FROM THE COMMISSION TO THE COUNCIL

Assessment of third countries' level of cooperation on readmission in 2021

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Annex 1: Indicators as per Article 25a (2) of the Visa Code

Annex 2: Irregular border crossings, asylum recognition rate and visa refusal rate (ordered by irregular border crossings in 2021)

I. Introduction

This is the third report under the mechanism established by the Visa Code¹ to assess **the level of third countries' cooperation on readmission, covering the year 2021**. It constitutes the Commission's annual exercise in the framework of the implementation of **Article 25a of the Visa Code**, that foresees that the Commission assesses at least once a year third countries' cooperation with regard to readmission, and that it reports on its assessment to the Council. The mechanism contributes to ensuring that specific issues identified on readmission cooperation are regularly raised and addressed with third countries, through targeted engagement on readmission and/or as part of broader dialogues on migration. Through the first two assessment cycles, the mechanism has provided for an opportunity to re-invigorate discussions on readmission with certain third countries (e.g. Iraq), it has helped solving persistent or emerging problems with concrete positive results (e.g. Bangladesh) and, for others, the enhanced engagement in the context of the mechanism has opened new channels of discussion and communication on readmission, where no targeted engagement had taken place recently (e.g. Cameroon, Ghana).

The mechanism set up by Article 25a of the Visa Code is an important element to reinforce the EU's capacity to return in an effective, safe and dignified way those persons who do not or no longer have the right to stay in the EU and to **achieve a more effective cooperation with third countries on return and readmission** as part of the comprehensive approach to migration management put forward by the New **Pact on Migration and Asylum**². The New Pact envisages the establishment of a common EU system for returns, combining stronger structures inside the EU with more effective cooperation with third countries. It calls for joint efforts to ensure that progress on readmission and on the other areas of partnerships with third countries proceed in parallel. To achieve this progress, the full range of EU policies, tools and instruments including development, trade and visas needs to be pulled together in a strategic way and used as leverage³ to improve cooperation on readmission and to increase returns.

Similarly, to the two previous reports, the third report is based on **quantitative data related to return and readmission, as well as and qualitative information on readmission cooperation with the third countries assessed**, as provided by EU Member States and Schengen Associated Countries (thereafter "Member States"). Based on quantitative and qualitative data provided by Member States, and in reference to their caseload and scale of readmission requests, further action

¹ Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code) as amended by Regulation (EU) 2019/1155 of the European Parliament and of the Council of 20 June 2019, OJ L 188 of 12.7.2019, p. 25.

² COM(2020) 609 final.

³ Conclusions of the European Council of 16 December 2021, EUCO 22/21.

is needed with regard to a number of third countries, as indicated in the specific country sections of this report.

Follow-up to the previous assessment reports

On 10 February 2021, the Commission adopted its first assessment report on the level of cooperation on readmission of 39 visa-bound third countries in 2019⁴, accompanied by a Communication⁵ on the overall findings of this first assessment report and the process it initiated.

On the basis of that assessment report, and following exchanges with Member States in the Council, the Commission, the High Representative and the EU Delegations engaged with a number of third countries and intensified the dialogue and the exchanges on readmission at political, technical and operational level. On 15 July 2021, pursuant to the provision of Article 25a of the Visa Code, the **Commission proposed to the Council the adoption of temporary restrictive measures** on short-stay visa for nationals of Bangladesh⁶, Iraq⁷ and The Gambia⁸. The Commission and the High Representative continued their intensified engagement with these third countries, encouraging and supporting them towards substantial and sustained progress on readmission, for instance with Bangladesh during the visit of the Commission in November 2022 and meetings of the Joint Working Group held in June 2021 and March 2022, with Iraq through several exchanges held at political and senior officials' level in Brussels and Baghdad, and with The Gambia through engagement at all levels, including ad-hoc high-level meetings in Brussels and Banjul, and the holding of the 1st meeting of the Joint Working Group in October 2022.

Following the enhanced engagement with **Bangladesh** and in view of the concerted actions taken by Bangladesh and the progress demonstrated in the cooperation on readmission, the Council agreed that no action was needed at that time. In view of the overall relations between the European Union and **Iraq**, and especially its constructive action in the context of the instrumentalisation of irregular migration by the Lukashenko's regime, the Council decided to suspend the discussions on the Commission's proposal at that time. The proposal remains under the scrutiny of the Council, while the Commission and the High Representative pursue close engagement with the competent Iraqi authorities to work towards progress on substantial and sustained improvements in the cooperation on readmission. As for **The Gambia**, the Council adopted temporary restrictive

⁴ COM (2021) 55 final – EU RESTRICTED.

⁵ COM (2021) 56 final.

⁶ COM (2021) 412 final.

⁷ COM (2021) 414 final.

⁸ COM (2021) 413 final.

measures on short stay visas on 7 October 2021⁹, due to the lack of improvements in cooperation on readmission, despite the intensified engagement on the EU side. The measures cover certain procedural aspects for issuing short-stay visas. The Commission has continuously assessed and reported to Member States on the developments in the cooperation with The Gambia based on the indicators set out in Article 25a of the Visa Code.

On 21 December 2021, the Commission adopted its second report, assessing the level of cooperation of 32 visa-bound third countries in 2020.

Following the adoption of that report, the EU Delegations played a key role, engaging with the relevant authorities in third countries on the ground, and conveying, together with the Commission, tailored messages to third countries concerned. In view of the persistent challenges in the cooperation with **Senegal** and the lack of constructive cooperation on readmission, despite strong EU engagement at the highest political level and many incentives mobilised by the EU, on 9 November 2022, the **Commission proposed to adopt temporary restrictive measures** on short-stay visa for nationals of Senegal¹⁰. As regards **The Gambia**, in view of the lack of substantial and sustained progress, despite the restrictive visa measures in place, the Commission proposed to move to the next stage of measures, in accordance with Article 25a (5)(b) with a gradual increase of the visa fees¹¹. The Commission continues its constant engagement with The Gambia and Senegal.

Assessment of the level of cooperation in 2021

This third annual assessment report on readmission cooperation in the year 2021 covers 34 third countries whose nationals are subject to a short-stay visa requirement (visa-bound third countries) that fulfil one of the two criteria indicated below:

The first is a **quantitative criterion** which consists of two elements:

- a) over 1 000 return decisions issued to nationals of a third country in 2020 by all Member States (indication of the caseload Member States are confronted with)¹², and

⁹ Council Implementing Decision (EU) 2021/1781 of 7 October 2021 on the suspension of certain provisions of Regulation (EC) No 810/2009 of the European Parliament and of the Council with respect to The Gambia, OJ L 360, 11.10.2021.

¹⁰ COM(2022) 631 final.

¹¹ COM(2022) 632 final.

¹² Excluding Afghanistan, Syria, Libya and Palestine, as effective operational contacts are not possible to establish due to the conditions in the third country.

- b) at least 1 000 nationals found in 2020 in the territory of all Member States with no right to stay (indication of a potential trend of high numbers of return decisions and consequently a high readmission caseload)¹³.

The second is a **qualitative criterion** which includes all visa-bound third countries with which there is an EU Readmission Agreement or arrangement in place.

Based on these criteria, the report assesses: Algeria, Armenia, Azerbaijan, Bangladesh, Belarus, Cabo Verde, Cameroon, China, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Egypt, Eritrea, Ethiopia, The Gambia, Ghana, Guinea, India, Iran, Iraq, Kosovo*, Lebanon, Mali, Morocco, Nigeria, Pakistan, Russia, Senegal, Somalia, Sri Lanka, Sudan, Tunisia, Türkiye, Vietnam. Afghanistan, Syria, Libya and Palestine are excluded from the assessment as effective operational contacts are not possible to establish due to the conditions in the third country. The geographical scope and elaboration were presented to Member States in March 2021¹⁴.

The report is built on the qualitative input provided by all Member States through a **questionnaire** in relation to the third countries they interacted with. Building on the experience and the feedback received on the first two assessment exercises, the Commission together with the European Border and Coast Guard Agency (Frontex) further refined the questionnaire used to collect the qualitative data. The assessment is also supported by data provided by Member States to Frontex through the Irregular Migration Management Application (IRMA) on readmission requests made to third countries and travel documents issued by third countries¹⁵. The number of travel documents issued by third countries in comparison to the number of readmission requests submitted by Member States (i.e. the issuance rate) provides an additional indication of the effectiveness of third countries cooperation on the readmission process.

In addition, the report uses the **2021 statistical information** on third-country nationals ordered to leave and on third country nationals effectively returned to a third country¹⁶, as provided by Member States to Eurostat (as of 15 July 2022)¹⁷. The number of return decisions issued by

¹³ Excluding Afghanistan, Syria, Libya and Palestine as effective operational contacts are not possible to establish due to the conditions in the third country.

* This designation is without prejudice to positions on status and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

¹⁴ In the Irregular Migration and Expulsion Working Party meeting of 14 March 2022, and in the Readmission Expert Group meeting on 18 March 2022.

¹⁵ Excluding Afghanistan, Syria, Libya and Palestine as effective operational contacts are not possible to establish due to the conditions in the third country.

¹⁶ This includes forced returns and voluntary returns, to the extent that these have been reliably recorded.

¹⁷ Following the amendment of the EU regulation on community statistics on migration and international protection (Regulation (EU) 2020/815), the provision of annual data is no longer mandatory for Member States, while the reporting of quarterly data has become mandatory. This year's report is based on annual data on third country nationals

Member States to nationals of a specific third country, compared to the number of effective returns carried out to that third country (the return rate), provides an indication of the effectiveness of the entire return and readmission process, including the return procedures carried out in the Member States.

The assessment reflects the Member States' experience with readmission cooperation in 2021 with the 34 individual third countries. It describes the EU's engagement with each of the third countries in the area of readmission, as well as the existence and implementation of EU tools and projects designed to support readmission processes.

For further contextualisation of the assessment, annex 2 presents the number of **irregular border crossings**, the annual **asylum recognition**¹⁸ and **visa refusal rates** for each third country in 2021. The number of irregular border crossings by nationality indicates the potential dimension of irregular migration movements from a given third country to the EU. The asylum recognition rate gives an indication of the potential future return caseload for specific nationalities. The visa refusal rate for applicants of a given nationality provides additional contextual information in terms of the relative scale of the assessed risk for irregular migration movements from the third country concerned to the EU, which is one element taken into account at the examination of requests for visas. The combination of these three data sets provides an indication of the issue's approximate scale and of the irregular migration and readmission trends and risks.

Trends in readmission cooperation in 2021

Moving beyond the effects of the COVID-19 pandemic

The **consequences of the restrictive measures introduced to contain the COVID-19 pandemic** are taken into account in the assessment of readmission cooperation. While some COVID-19 related restrictions remained in place in the first half of 2021, affecting the return and readmission practices to a certain extent in some third countries, overall their impact was less relevant than in 2020. Only seven Member States reported that they did not initiate any cooperation on readmission related matters with 11 of the assessed third countries specifically due to restrictive measures to contain the COVID-19 pandemic.

For a few third countries, Member States assessed that the restrictive measures related to COVID-19 continued to be applied in a discriminatory manner to returnees – i.e. third country authorities imposed more stringent requirements on returnees compared to other nationals entering the country. For example, for one third country, more than half of the Member States reported a

ordered to leave, and effective returns of third country nationals in 2021, where available, and complemented with aggregated quarterly data for both indicators.

¹⁸ Based respectively on European Border and Coast Guard Agency (Frontex) and Eurostat.

discriminatory application of COVID-19 related measures to returnees. Only some third countries were open to exploring alternative solutions allowing readmission cooperation to continue, such as the organisation of identification interviews via videoconference, when in-person meetings were not feasible, or accepting quarantine measures for returnees when a negative COVID-19 RT-PCR test could not be provided.

Delivering for all Member States

The three assessment reports consistently reflected an uneven level of cooperation of certain third countries with Member States, on all steps of the readmission process. There are several factors, both, of historical and political nature, which might impact, in the long or short term, the level of cooperation on readmission. Historical bilateral relations between a Member State and a third country, or their non-existence, can affect the caseload, the bilateral cooperation on broader aspects of migration and the existence or not of bilateral instruments on readmission. Current political and diplomatic relations between the Member State and the third country, or the regional political climate and changes in migratory trends can have a more pronounced effect on the caseload and the level of cooperation.

The annual assessment reports allow the Commission to identify uneven levels of cooperation and target engagement with the third country to address challenges encountered by all Member States. In the follow up to the report, including when considering proposing visa restrictive measures, the Commission takes into account whether the third country's level of cooperation varied for Member States, regardless of their caseload, with the aim to improve cooperation for all Member States. Thereby the mechanism contributes to amplifying progress in readmission cooperation with third countries and fosters solidarity among Member States, as part of a well-functioning common EU system for returns.

Next steps

The Commission will present to and discuss this assessment report with the Council. Building on the positive dynamics of the engagement conducted in the context of the follow up of the two previous assessment reports, the Commission, together with the High Representative, including through the EU Delegations, will continuously engage with all third countries, with a special emphasis on those where cooperation on readmission is considered not sufficient and action is needed. In these exchanges, they will indicate the EU's expectations as regards improvement in readmission cooperation and will continue to inform and remind about the process and possible implications. The Commission will closely and continuously involve Member States in the process.

The Commission will consider whether to propose visa measures in relation to countries that are not cooperating sufficiently, as well as to those that are cooperating satisfactorily, in line with Article 25a (5) and (8) respectively of the Visa Code. When considering such measures, the Commission will take into account the EU's geostrategic interests and overall relations, including in the field of migration, as well as the steps taken by the EU to improve the level of readmission cooperation.

This might include the consideration of the scale of arrivals¹⁹ from a given third country to the EU as an indication for the country's relevance in regard to the irregular migration situation in the Member States, as well as the asylum recognition rate as an indication of the potential future return caseload. In addition, when considering possible measures towards specific third countries, the Commission would take into account whether cooperation varied for Member States, irrespective of the caseload, to ensure that this mechanism contributes to the objective of improved cooperation on readmission for all Member States. The Commission in cooperation with the European External Action Service will regularly inform the Member States in the Council and in relevant expert groups on the engagement with the third countries concerned.

¹⁹ For instance, the number of irregular border crossings from a given third country, listed in annex 2.

Reading guidance

The first part of each country fiche provides an overview of the framework in which readmission cooperation takes place, as well as the **EU engagement and steps taken** on readmission since the previous annual report.

The detailed assessment of each third country's level of cooperation on readmission is structured in four sections, following the sequence of the readmission process. The first section provides **general information on the cooperation on readmission**, indicating the caseload, the number of Member States that reported on their cooperation with the third country, the extent to which the measures taken to contain the COVID-19 pandemic continued to impact the cooperation, and information about the respect of the relevant provisions in EU Readmission Agreements or arrangements, if applicable. The second, third and fourth sections provide detailed information about the different steps in the readmission process:

- The second section on **cooperation in the identification process** provides detailed information on the evidence accepted by the third country, the cooperation on consular interviews and identification missions, as well as potential additional requirements requested by the third country.
- The third section looks at the **issuance of travel documents**, following positive identification, and detailed information on the timeliness of the process and validity of travel documents issued. This part also provides information as regards to the acceptance of the European Travel Document.
- The fourth section focuses on the cooperation on **return operations**, both by charter and scheduled flights, on potential restrictions Member States may have encountered during and in relation to return operations.

For each of the below sections, the qualitative questionnaire gave Member States the opportunity to provide a scaled (very good/good/average/poor/very poor) assessment of the cooperation on the respective step in the readmission process.

The detailed assessment is followed by a **summary** to reflect the assessment of the different steps in the readmission process (identification, issuance of travel documents, return operations), in reference to Member States' caseload and the scale of readmission requests. As regards the assessment of each section and the summary, which is weighted on the Member States' share in the overall caseload in terms of return decisions, minor inconsistencies of up to 1% may occur due to rounding.

Terminology

- **Discriminatory manner** (*in the first section assessing the COVID-19 impact*): It refers to cases where the third country imposes more stringent COVID-19 related measures on individuals under the readmission process than on non-returnees.
- **Timely** (*third section on the issuance of travel documents*): It should be understood as follows:
 1. In cases where there is an EU readmission agreement/arrangement, the travel documents are issued within the deadlines foreseen in that agreement/arrangement.
 2. When there is no EU readmission agreement /arrangement but a bilateral one, deadlines should be the ones foreseen in the applicable bilateral agreement/arrangement for the respective Member State.
 3. When there is no (EU or bilateral) agreement/arrangement, timely issuance should be interpreted by default as 30 days from the request for identification/re-documentation, as foreseen by the Convention on International Civil Aviation, Annex IX, Chapter 5.
- **Established practice** (*second section on cooperation in the readmission process*): It refers to an operational process established between the Member State and the third country, without necessarily being stipulated in writing. Such established practices may entail for example a list of contacts, deadlines, modalities for submitting the identification request, an established procedure for the arrangement of consular interviews, etc. These established practices exist further to Readmission Agreements and arrangements.

II. Assessment of individual third countries' level of cooperation on readmission

Algeria

EU engagement to date

The Council authorised the opening of negotiations for a Readmission Agreement with Algeria in November 2002. To this date, negotiations have not started. An Informal Dialogue on Migration and Mobility has taken place regularly since 2016. The last meeting took place on 1 July 2021. Although, Algeria agreed to holding meetings on readmission in line with the agreed Partnership Priorities²⁰ that regulate the bilateral relations between the EU and Algeria, to date no such meetings could be organised. There is no other cooperation instrument or process in place at EU-level dedicated to readmission.

Cooperation on readmission

In 2021, 26 530 Algerian nationals who had no right to stay in the Member States (the caseload) were issued return decisions and 1 135 were effectively returned following an order to leave, resulting in a **return rate** of 4%. Member States submitted 3 463 readmission requests to the Algerian authorities, who issued 232 travel documents resulting in an **issuance rate** of 7%.

26 Member States (100% of the caseload) reported having **approached the Algerian authorities** for readmission matters in 2021.

Of those who engaged, 13 Member States (17% of the caseload) reported that Algeria informed them officially of restrictions or suspensions of returns in 2021. Due to COVID-19, Algerian borders were closed for most of 2021, which seriously hampered the cooperation on readmission. Eight Member States reported that the **COVID-19** related restrictions/ requirements were applied by Algeria in a discriminatory manner for a period of generally six to nine months, and one Member State that these measures were applied for a period of three to six months, impacting all phases of readmission cooperation by allowing repatriations while not permitting return operations. Four Member States reported that Algeria's borders were closed until the end of 2021 and one of them indicated that the discriminatory measure consisted in the suspension of readmission processes while the entry to Algeria was possible for non-returnees. According to those nine Member States, Algerian authorities were not responsive to possible alternative solutions in order to lift those requirements.

²⁰ The "Priorités communes de Partenariat entre l'Algérie et l'UE au titre de la Politique européenne de voisinage" regulate the relations between the EU and Algeria, covering all aspects of the relations. The Partnership Priorities from 2017 have expired and negotiations are ongoing about their renewal.

Five Member States reported having **bilateral agreements/arrangements** in place with Algeria, the relevant provisions of which were often to always/almost always respected for four and rarely for one.

21 Member States reported having an **established practice for cooperation**, which for 17 was often, very often or always/almost always implemented. For the other four, the established practice was rarely or never/almost never implemented.

Cooperation on identification procedures

Six Member States (81% of the caseload) assessed the cooperation with Algeria in the **identification procedure** as poor or very poor, 13 Member States (17% of the caseload) assessed it as good to very good, and seven Member States (2% of the caseload) as average.

Regarding identification processes, **evidence accepted** included valid or expired passports (18 Member States) information extracted from the Visa Information System (10 Member States) and other identity documents (20 Member States) and their photocopies (18 Member States) as well as other evidence (17 Member states) such as birth, marriage and divorce certificate, drivers' license and citizenship certificate, and in some cases social media profiles and phone contacts (two Member States). Biometric evidence was generally accepted.

Of the 17 Member States that have requested **consular interviews**, nine reported that these were always/almost always, often or very often organised upon request. For other eight Member States consular interviews were rarely to never/almost never organised upon request. The remaining nine Member States had limited or no need for requesting consular interviews. If conducted, the results of consular interviews were assessed as satisfactory to very satisfactory by five Member States and acceptable by nine Member States. For five Member States, Algeria always/almost always, very often or often provided for the possibility to **conduct consular interviews by phone or videoconference**. For nine Member States it was never/almost never to rarely the case, while the remaining 12 Member States have not tried this option.

The only Member State that requested the organisation of **identification missions** reported that these were rarely organised but rated the outcome of these identification missions as good.

Interviews were always/almost always, very often or often requested by Algerian authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of six Member States. This was rarely to never/almost never the case for other 10 Member States. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was very often or always/almost always requested by Algerian authorities from two Member States.

Cooperation on issuance of travel documents

21 Member States (98% of the caseload) reported having requested travel documents during the reporting period. Six Member States (81% of the caseload) assessed Algeria's cooperation on **the issuance of travel documents** as poor or very poor, 11 Member States (16% of the caseload) as good or very good, and four Member States (less than 1% of the caseload) as average. Five Member States (3% of the caseload) have not requested any travel documents.

For 11 Member States, requests were often, very often or always/almost always responded to with the issuance of travel documents. This was rarely to never/almost never the case for the other 10 Member States. According to almost half of the Member States (82% of the caseload), the issuance of travel documents took rarely or never/almost never place in a **timely manner**, while for the other half (16% of the caseload) this was often, very often or always/almost always the case. Seven Member States reported that elements other than the nationality were often or always/almost always taken into consideration when deciding whether to issue a travel document, while this was rarely to never the case for another 14 Member States.

Travel documents were issued with a **validity** of one day for three Member States, up to three days for five Member States, up to 10 days to two Member States, 30 days for nine Member States, and one to six months for one Member State. Member States that requested the **renewal** of travel documents reported that these were often, very often to always/almost always delivered in a timely manner.

The **EU Travel Document** or *laissez-passer* issued by Member States was never/almost never accepted according to five Member States (15% of the caseload), and always/almost always by one Member State (less than 1% of the caseload). The remaining 20 Member States did not attempt to use the EU Travel Document.

Cooperation on return operations

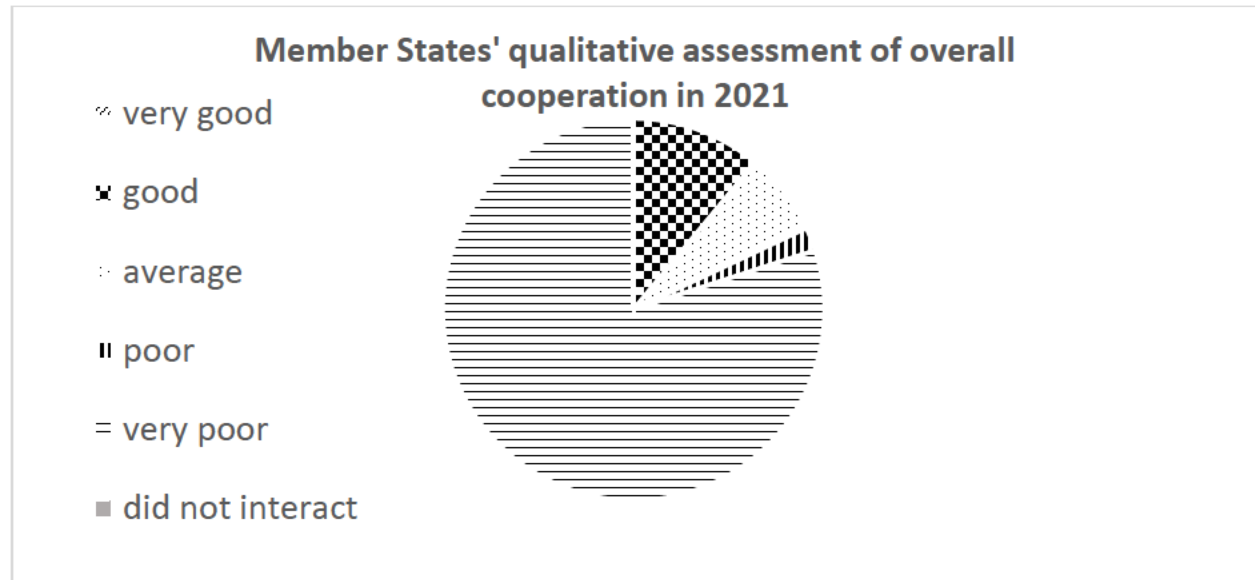
Four Member States (79% of the caseload) assessed Algeria's cooperation on **return operations** as poor or very poor, eight (11% of the caseload) as good and 10 (7% of the caseload) as average. Four Member States (3% of the caseload) have not attempted any return operation in the reporting year. No Member States reported restrictions to readmission upon arrival.

The 11 Member States having attempted to carry out return operations by **charter flights**, reported that Algeria did not accept them.

When it came to returns by **commercial (scheduled) flights**, five Member States (over 85% of the caseload), assessed the cooperation as poor or very poor, 12 (10% of the caseload) as good or very good, and six (2% of the caseload) as average. 11 Member States encountered restriction, namely regarding the requirement of visas for escorts and, to a lesser extent, the need for transit permits.

Summary

With a total of 26 530 Algerian nationals ordered to leave in 2021, Algeria ranked 1st amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. Due to COVID-19, Algerian borders were closed for most of 2021, which seriously hampered the cooperation on readmission.



26 Member States (100% of the caseload) interacted with Algeria in 2021. Of these, eight Member States (82% of the caseload) assessed Algeria's overall cooperation on readmission as poor or very poor, nine (11% of the caseload) as good, and another nine (7% of the caseload) as average. Action is needed to improve cooperation in the field of readmission.

Algeria's cooperation in the identification procedure was assessed as poor or very poor by six Member States (81% of the caseload), as good or very good by 13 (17% of the caseload), as average by seven (2% of the caseload).

Algeria's cooperation on the issuance of travel documents was assessed as poor or very poor by six Member States (81% of the caseload), as good or very good by 11 (16% of the caseload), and as average by four (less than 1% of the caseload). Five Member States (3% of the caseload) have not requested any travel documents.

As regards return operations, four Member States (79% of the caseload) assessed Algeria's cooperation as poor or very poor, eight (11% of the caseload) as good, and 10 (7% of the caseload) as average. Four Member States (3% of the caseload) have not attempted any return operation in the reporting year. The 11 Member States that attempted to carry out return operations by charter flights, reported that these were not accepted by Algeria.

The established practices were generally respected with 80% of the Member States having one in place.

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For a more effective and predictable readmission cooperation, identified good cooperation practices would need to be extended to all Member States. Algeria could further expedite identification by issuing travel documents without interviews for documented cases and by ensuring that travel documents are issued timely for all Member States; cooperation could be improved by accepting charter flights and by lifting the requirement of visas for escorts.

Armenia

EU engagement to date

The EU Readmission Agreement²¹ with Armenia entered into force on 1 January 2014. It was concluded together with a Visa Facilitation Agreement²², in the context of a Mobility Partnership²³. Eight meetings of the Joint Readmission Committee took place since then to assess the implementation of the Agreement, the last one on 14 July 2022. The latter confirmed the satisfactory implementation of the EU Readmission Agreement. The Commission encouraged Armenia to explore ways for further increasing the efficiency of readmission cooperation, through additional features in the Readmission Case Management System (RCMS)²⁴. The RCMS is operational since 2019, with currently 13 Member States connected.

Cooperation on readmission

In 2021, 2 545 Armenian nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 800 were effectively returned following an order to leave, resulting in a **return rate** of 31%. Member States submitted 1 144 readmission requests to Armenian authorities, who issued 920 travel documents resulting in an **issuance rate** of 80%.

15 Member States (99% of the caseload) reported having **approached the authorities** of Armenia for readmission matters in 2021.

Of those who engaged, two Member States (13% of the caseload) reported that Armenia informed them officially of restrictions/suspensions on return in 2021, through a notification recommending the suspension of return operations by charter flights, and information about the obligatory self-isolation for nationals upon return. In this notification Armenia expressed its readiness to nevertheless readmit returnees, should Member States decide to organise charter flights. One of these two Member States reported that the **COVID-19** related restrictions/requirements were applied by Armenia in a discriminatory manner for a period of one to three months, impacting the issuance of travel documents, the acceptance of readmission and forced returns via charter flights. According to this Member State, the discriminatory measure consisted in the suspension of readmission processes while the entry to Armenia was possible for non-returnees. The Armenian

²¹ Agreement between the European Union and the Republic of Armenia on the readmission of persons residing without an authorization, OJ L 289/12, 31.10.2013.

²² Agreement between the European Union and the Republic of Armenia on the facilitation of the issuance of visas, OJ L 289/2, 31.10.2013.

²³ Joint Declaration on a Mobility Partnership between the European Union and Armenia, 3121st Justice and Home Affairs Council meeting, Luxembourg, 27/28 October 2011.

²⁴ An electronic platform facilitating the exchange of information between competent authorities in Member States and in a given third country in order to advance on individual cases in the return and readmission process.

authorities were responsive to possible alternative solutions to lift those requirements and demonstrated constructive cooperation.

For over half of the Member States (93% of the caseload) having used the **EU-Armenia Readmission Agreement**, the relevant provisions were always/almost always respected by Armenia. This was often the case for three Member States (4% of the caseload) and very often for two (1% of the caseload).

In total, a third of the Member States, reported having **bilateral agreements/arrangements** in place with Armenia, the relevant provisions of which were always/almost always respected in the case of three and very often for the other two.

Nine Member States reported having an **established practice for cooperation**, which for over half of them was always/almost always implemented. This was very often the case for three other Member States and often for one.

Cooperation on identification procedures

Eight Member States (86% of the caseload) assessed the cooperation with Armenia in the **identification procedure** as very good, six (12% of the caseload) as good, and one (less than 1% of the caseload) as average.

Regarding identification processes, **evidence accepted** generally included valid or expired passports (13 Member States), information extracted from the Visa Information System (7 Member States), other identity documents and their photocopies (10 Member States), and in some cases other documents, such as birth, marriage, divorce and citizenship certificates, as well as drivers' licences (9 Member States). Biometric evidence was accepted in the case of six Member States, where in all cases but one the relevant evidence was submitted through the RCMS system. It was not accepted in the case of three Member States.

Of the five Member States that have requested **consular interviews**, three reported that these were always/almost always organised upon request with satisfactory outcomes. Two Member States reported that interviews were rarely or never organised by the relevant diplomatic mission upon request and one of them indicated that interviews for the purpose of identification were possible only through identification missions. The remaining 10 Member States had limited or no need for requesting consular interviews. Two thirds of the Member States did not request for the possibility to **conduct consular interviews by phone or videoconference**. For two Member States, Armenia always/almost always or often provided for the possibility to conduct consular interviews by phone or videoconference. This was never/almost never possible for two and rarely for one other Member State.

Of the two Member States that requested the organisation of **identification missions**, one reported that these were often organised and rated the outcome as very good. For the other Member State,

identification missions were never/almost never organised and, if they took place, the results were rated as very poor.

Interviews were never/almost never or rarely requested by Armenian authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of four Member States, while this was very often or often the case for two Member States. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was never/almost never requested by Armenia's authorities except from one Member State, where this was rarely the case.

Cooperation on issuance of travel documents

12 Member States (97% of the caseload) reported having requested travel documents during the reporting period. Of these, four Member States (72% of the caseload) assessed Armenia's cooperation on the **issuance of travel documents** as good and six Member States (16% of the caseload) assessed it as very good. Two Member States (8% of the caseload) as average. Three Member States (2% of the caseload) have not requested any travel documents because the cases were either documented or the nationality was not confirmed. In the case of one Member State, legal obstacles prevented the effective return.

Requests were always/almost always responded with the issuance of travel documents for 10 Member States. For the other two Member States, this was very often the case. According to two thirds of the Member States having requested the issuance of travel documents (almost three quarters of the caseload) the issuance of travel documents took place always/almost always in a **timely manner**²⁵. For three Member States (10% of the caseload) travel documents were issued very often or often in a timely manner, while this was rarely the case for one other Member State (8% of the caseload). Two Member States reported that **elements other than the nationality** were rarely taken into consideration when deciding whether to issue a travel document, while this was often the case for one other Member State and never/almost never for the others.

Travel documents were issued with a **validity**²⁶ of up to 30 days for two Member States, one to six months to nine Member States, and more than six months to one Member State. Four Member States having requested the **renewal**²⁷ of travel documents reported that these were always/almost always delivered in a timely manner, while this was very often the case for three others. All other Member States did not need to request the renewal of travel documents.

²⁵ According to the EU Readmission Agreement with Armenia, travel documents are to be issued within three working days after a positive response has been given to the readmission request.

²⁶ According to the EU Readmission Agreement, travel documents are to be issued with a validity of 120 days.

²⁷ According to the EU Readmission Agreement, a renewed travel document is to be issued within three working days.

Two Member States used the **EU Travel Document**²⁸ or *laissez-passer*, which was always/almost always accepted for one and very often for the other Member State. One Member State reported difficulties in the issuance of travel documents for non-Armenian spouses of Armenian nationals and one other Member State indicated delays in the issuance of travel documents for the readmission of families.

Cooperation on return operations

Five Member States (76% of the caseload) assessed Armenia's cooperation on **return operations** as very good, six Member States (14% of the caseload) as good and one (less than 1% of the caseload) as average. Three Member States (8% of the caseload) reported no experience on return operations in 2021. No Member State reported any restrictions to readmission upon arrival.

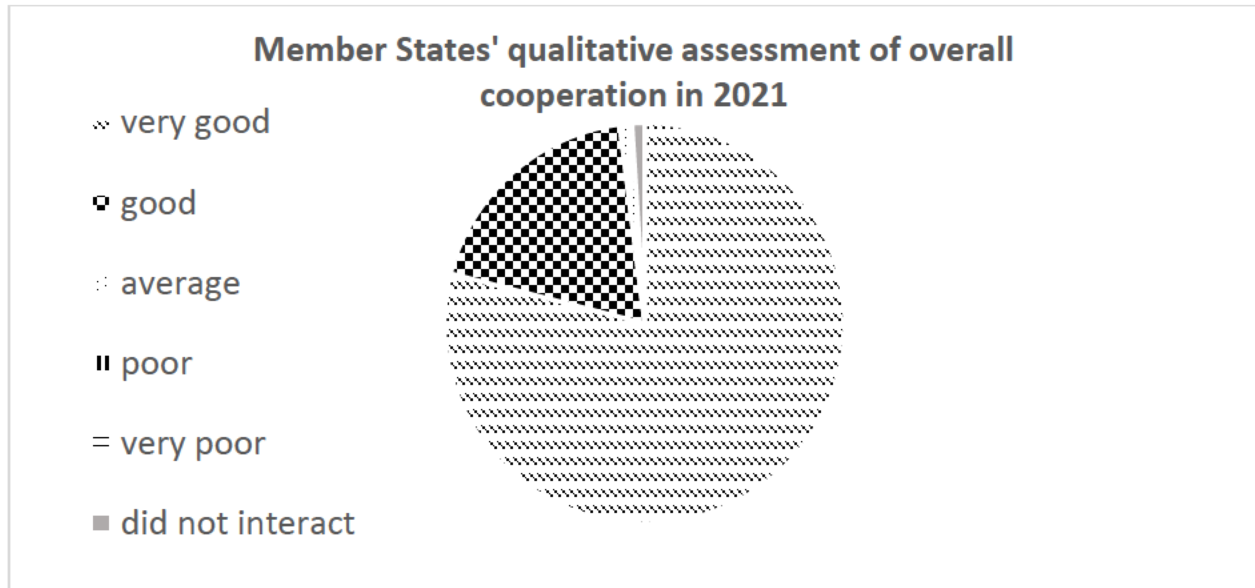
Charter flights were accepted by Armenia for all six Member States requesting them. The remaining nine Member States did not attempt to carry out return operations by charter flights. Four Member States (11% of the caseload) assessed the cooperation on charter flights generally as very good and the two others (7% of the caseload) assessed as good. One Member State encountered restrictions on the number and frequency of charter flights and another on the granting of landing permits.

When it came to returns by **commercial (scheduled) flights**, six Member States, (76% of the caseload), assessed the cooperation as very good, five (13% of the caseload) as good and one (less than 1% of the caseload) as average. Two Member States encountered restrictions, namely on the granting of transit permits.

Summary

With a total of 2 545 Armenian nationals ordered to leave in 2021, Armenia ranked 25th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. While COVID-19 related restrictions continued to impact the cooperation on readmission for two Member States, the Armenian authorities were open to alternative solutions and demonstrated constructive cooperation.

²⁸ According to the EU Readmission Agreement, the EU Travel Document or laissez passer is to be accepted if Armenia has not, within three working days, issued the travel document.



15 Member States (99% of the caseload) interacted with Armenia in 2021. Of these, six Member States (79% the caseload) reported overall very good cooperation, seven (19% of the caseload) assessed Armenia's cooperation overall as good, and two (1% of the caseload) as average.

Armenia's cooperation in the identification procedure was assessed as very good by eight Member States (86% of the caseload), as good by six (12% of the caseload), and as average by one (less than 1% of the caseload).

Four Member States (72% of the caseload) assessed Armenia's cooperation on the issuance of travel documents as good, six (17% of the caseload) as very good and two (8% of the caseload) as average. Three Member States (2% of the caseload) did not request any travel documents.

As for return operations, five Member States (76% of the caseload) assessed cooperation as very good, six (14% of the caseload) as good, and one (less than 1% of the caseload) as average. Three Member States (8% of the caseload) reported no experience on return operations in 2021.

The provisions of the EU Readmission Agreement were generally well respected with all Member States.

For a further improvement of the cooperation, processes for the readmission of families would need to be more effective and good communication practices would need to be extended to such cases. The efficiency of the cooperation could be further increased by extending to all Member States the possibility to hold identification interviews via videoconference.

Azerbaijan

EU engagement to date

The EU Readmission Agreement²⁹ with Azerbaijan entered into force on 1 September 2014. It was concluded together with a Visa Facilitation Agreement³⁰, in the context of a Mobility Partnership.³¹ Seven meetings of the Joint Readmission Committee took place since then to assess the implementation of the Agreement, the last one on 22 June 2022 in Brussels. In the latter, the Commission noted the satisfactory implementation of the EU Readmission Agreement and both parties underlined the expectation that cooperation will return to the pre-COVID-19 level.

Through the European Readmission Capacity Building Facility under the Asylum, Migration and Integration Fund, the EU is financing a project to develop a Readmission Case Management System (RCMS)³² in Azerbaijan, in parallel to the model RCMS³³. The system is expected to be fully operational by the end of 2022.

Cooperation on readmission

In 2021, 970 Azerbaijani nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 505 were effectively returned following an order to leave, resulting in a **return rate** of 52%. Member States submitted 919 readmission requests to Azerbaijani authorities, who issued 610 travel documents resulting in an **issuance rate** of 66%.

Eight Member States (64% of the caseload) reported having **approached the authorities** of Azerbaijan for readmission matters in 2021.

Of those who engaged, six Member States (61% of the caseload), reported that Azerbaijan informed them officially of restriction/suspensions on return in 2021, linked to quarantine measures in place. Three Member States reported that the **COVID-19** related restrictions/requirements affected in particular the acceptance of return operations by scheduled

²⁹ Agreement between the European Union and the Republic of Azerbaijan on the readmission of persons residing without authorization, OJ L 128/17, 30.4.2014.

³⁰ Agreement between the European Union and the Republic of Azerbaijan on the facilitation of the issuance of visas, OJ L 128/49, 30.4.2014.

³¹ Joint Declaration on a Mobility Partnership between the Republic of Azerbaijan and the European Union and its participating Member States, Brussels, 5.12.2013.

³² An electronic platform facilitating the exchange of information between competent authorities in Member States and in a given third country in order to advance on individual cases in the return and readmission process.

³³ A common centralised platform for Member States, connected to customized segments located in participating third countries, developed in 2020 by the EU and the International Organisation for Migration. The first deployment is taking place in Azerbaijan.

and charter flights, namely because of the repeated postponement of charter flights due to quarantine measures in place, despite resuming returns in general.

For all Member States (over half of the caseload) having used the **EU-Azerbaijan Readmission Agreement**, the relevant provisions were always/almost always respected by Azerbaijan.

Seven Member States reported having an **established practice for cooperation** with Azerbaijan, which for all of them was always/almost always, or very often implemented.

Cooperation on identification procedures

Five Member States (40% of the caseload) assessed the cooperation with Azerbaijan in the **identification procedure** as very good, and three (24% of the caseload) as good.

Regarding identification processes, **evidence accepted** generally included valid or expired passports (all Member States), information extracted from the Visa Information System (four Member States), other identification documents (five Member States), as well as other types of documents, such as birth and marriage certificates, drivers' licences (five Member States) and divorce and citizenship certificates (four Member States). While biometric evidence was accepted for four Member States, this was not the case for two others.

Of the four Member States that have requested **consular interviews**, one reported that these were always/almost always organised upon request, while this was rarely the case for one and never for the other two. If conducted, the results of consular interviews were assessed as very satisfactory by two Member States, while two others were not in a position to respond (one reported that the relevant diplomatic mission does not conduct interviews). The remaining four Member States had limited or no need for requesting consular interviews. Member States have not requested the Azerbaijani authorities to **conduct consular interviews by phone or videoconference**, nor to organise **identification missions**.

Authorities of Azerbaijan never/almost never **requested interviews** in cases where sufficient evidence to establish nationality was provided (e.g. valid or expired travel documents), nor **Confidential information under EU or national legal framework** (e.g. information on asylum processes, medical information or criminal records).

Cooperation on issuance of travel documents

Five Member States (58% of the caseload) reported having requested travel documents during the reporting period. Of these, four (40% of the caseload) assessed Azerbaijan's cooperation on the **issuance of travel documents** as very good, and one (18% of the caseload) as good. Three Member States (7% of the caseload) had no cases that required the request of travel documents.

For the five Member States which presented them, requests were always/almost always responded to with the issuance of travel documents. According to two Member States (almost half of the

caseload), the issuance of travel documents took very often place in a **timely manner**³⁴. This was always/almost always the case for three (11% of the caseload). **Elements other than the nationality** were never/almost never taken into consideration when deciding whether to issue a travel document.

Travel documents were issued with a **validity**³⁵ of up to 30 days for two Member States and one to six months for three other Member States. One Member State requesting the **renewal**³⁶ of travel documents reported that these were always/almost always delivered in a timely manner, while this was very often the case for one, and rarely for another. The other two Member States did not request the renewal of travel documents.

No Member State made use of the possibility to issue the **EU Travel Document**³⁷ or *laissez-passer*.

Cooperation on return operations

Four Member States (36% of the caseload) assessed Azerbaijan's cooperation on **return operations** as very good. One Member State (18% of the caseload) assessed the cooperation of Azerbaijani authorities on return operations as good and two (9% of the caseload) as average. One Member State (2% of the caseload) reported not having attempted return operations. No Member State reported restrictions to readmission upon arrival.

Charter flights were generally accepted by Azerbaijan for two Member States, however for the reporting period these Member States reported that no landing permit was granted. One of them (one fourth of the caseload) assessed the cooperation on charter flights as very good and the other (18% of the caseload) as good. The other six Member States did not attempt to carry out return operations by charter flights in 2021.

When it came to returns by **commercial (scheduled) flights**, four Member States (one third of the caseload) assessed the cooperation as very good. Two Member States (one quarter of the caseload) assessed it as good, and one (3% of the caseload) as average. Two Member States encountered restrictions, namely as regards the issuance of transit permits, visa requirements and no stop-over for escorts. One Member State reported that Azerbaijan repeatedly asked to postpone return operations in view of COVID-19 related restrictions still in place.

³⁴ According to the EU Readmission Agreement with Azerbaijan, travel documents are to be issued within five working days after a positive response has been given to the readmission request.

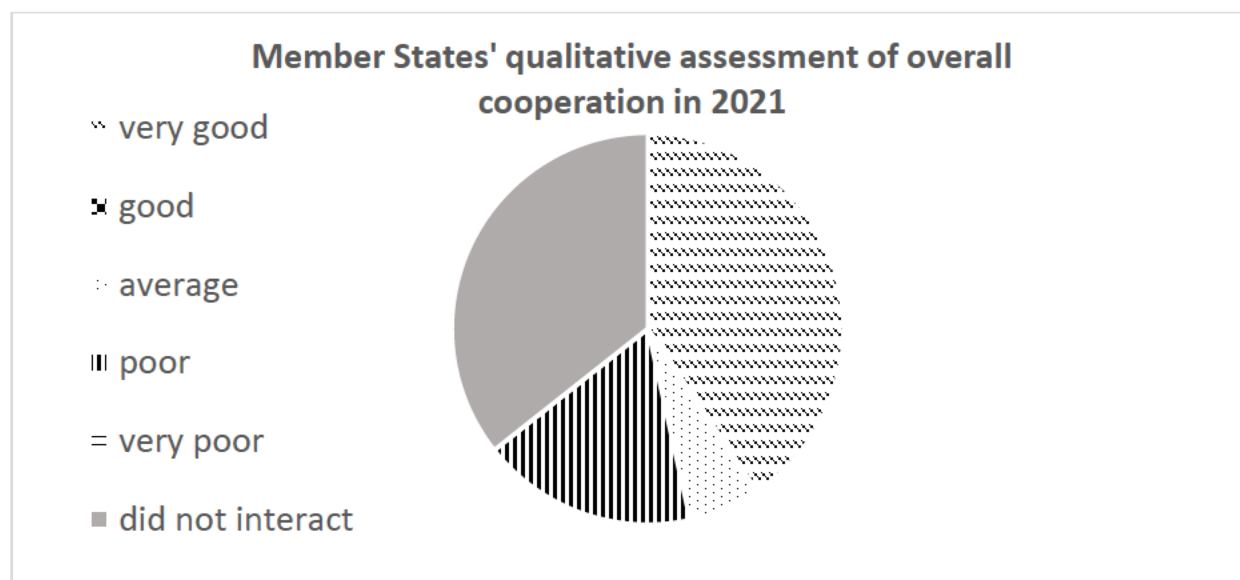
³⁵ According to the EU Readmission Agreement, travel documents are to be issued with a validity of 150 days.

³⁶ According to the EU Readmission Agreement with Azerbaijan a renewed travel document is to be issued within five working days.

³⁷ According to the EU Readmission Agreement, the EU Travel Document or laissez passer is to be accepted if Azerbaijan has not, within five working days, issued the travel document.

Summary

With a total of 970 Azerbaijani nationals ordered to leave in 2021, Azerbaijan ranked 32nd amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. Three Member States indicated difficulties in the organisation of return operations via charter flights due to COVID-19 related restrictions that were still in place for a part of the reporting period.



Eight Member States (64% of the caseload) interacted with Azerbaijan in 2021. Six of them (41% of the caseload) assessed Azerbaijan's overall cooperation on readmission as very good, one (18% of the caseload) assessed it as poor and one other (6% of the caseload) as average.

Azerbaijan's cooperation in the identification procedure was assessed as very good by five Member States (40% of the caseload), and as good by three (24% of the caseload).

Cooperation on the issuance of travel documents was assessed as very good by four Member States (40% of the caseload), and as good by one (18% of the caseload). Three Member States (7% of the caseload) had no cases that required the request of travel documents.

As for return operations, four Member States (36% of the caseload) assessed cooperation as very good, while one (18% of the caseload) as good, and two (9% of the caseload) as average. One Member State (2% of the caseload) reported not having attempted return operations.

The provisions of the EU Readmission Agreement were generally well respected with all Member States. Cooperation on readmission could be improved by lifting restrictions on return operations by scheduled and charter flights for all Member States, and in particular the visa requirement for escorts.

Bangladesh

EU engagement to date

The non-binding EU readmission arrangement with Bangladesh (Standard Operating Procedures (SOPs) for the Identification and Return of Persons without an Authorisation to Stay) was signed on 20 September 2017. In 2018, Bangladesh concluded identical Standard Operating Procedures with Norway and in April 2019 agreed to extend the application of the EU SOPs to Switzerland. Six Joint Working Group meetings on the implementation of the SOPs with Bangladesh have taken place to date, the last one on 10 March 2022. In the latter, both parties acknowledged that cooperation has improved since the previous Joint Working Group in June 2021 and that there is a need for this improved cooperation to be further strengthened and sustained. The EU reminded that further improvements are needed to respect the deadlines on identification and issuance of travel documents, as stipulated in the SOPs and expressed concerns about the accumulation of a new backlog of cases, also in view of the high number of irregular arrivals in 2021. The commitment of the Bangladeshi side to cooperate on readmissions was confirmed also at the last EU-Bangladesh Joint Commission meeting on 20 May 2022. During the visit to Bangladesh in November 2022, the Commission stressed the need for strengthened cooperation on readmission and launched a comprehensive Dialogue on Migration and Mobility with Bangladesh.

Through the European Readmission Capacity Building Facility under the Asylum, Migration and Integration Fund, the EU is financing a Readmission Case Management System (RCMS)³⁸ in Bangladesh, launched on 9 November 2020, to support the implementation of the SOPs. The extension of the project to 2023, to further refine the RCMS and to expand its use to all Member States, has been endorsed by the Bangladeshi authorities in September 2022. As it stands, 14 Member States with most of the caseload are connected to the system.

A European Return Liaison Officer (EURLO), deployed in Dhaka between January 2017 and January 2022, and a European Migration Liaison Officer (EMLO) since October 2020. The recruitment of a new EURLO is pending.

Follow-up to the assessment of cooperation in 2019 and 2020

Bangladesh's cooperation on readmission in 2019 had been assessed as insufficient and the Commission proposed visa measures on 15 July 2021. Following the enhanced engagement with Bangladesh and in view of progress made by Bangladesh, the Council agreed that no action was needed at that moment in time.

³⁸ An electronic platform facilitating the exchange of information between competent authorities in Member States and in a given third country in order to advance on individual cases in the return and readmission process.

In the follow-up to the assessment of third countries' level of cooperation on readmission in 2020, the Commission and the High Representative further intensified their engagement with Bangladesh at political, technical and operational level, as well as through the support of the EU Delegation. During these exchanges, including the 6th Joint Working Group meeting held in March 2022, the Commission stressed the EU expectations for further substantial and sustained progress in cooperation at all stages of the readmission process, from identification to effective returns, including the need to: (1) deal with the new accumulated backlog of cases submitted by Member States; (2) gradually increase the frequency and number of returnees on return flights; (3) endorse the extension of phase 1 of the RCMS project (the Bangladeshi authorities endorsed the extension of the project phase 1 in September 2022).

Cooperation on readmission

In 2021, 13 585 Bangladeshi nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 985 were effectively returned following an order to leave, resulting in a **return rate** of 7%. Member States submitted 1 002 readmission requests to the Bangladeshi authorities, who issued 1 332 travel documents resulting in an **issuance rate** of 133%. The higher number of travel documents issued compared to readmission requests submitted in 2021 is linked to the backlog of requests submitted in the previous year.

23 Member States (100% of the caseload) reported having **approached the authorities** of Bangladesh for readmission matters in 2021.

Of those who engaged, three Member States (18% of the caseload) reported that Bangladesh informed them officially of restrictions/suspensions on return in 2021. These measures consisted in the requirement for the requesting State to bear the medical costs in the country of return if the returnee is found infected with COVID-19. According to one Member State, authorities were not responsive to possible alternative solutions to lift those requirements.

16 Member States reported having used the EU-Bangladesh **readmission arrangement (the Standard Operating Procedures)**. The relevant provisions were very often or often respected by Bangladesh for eight Member States (46% of the caseload), while this was rarely or never/almost never the case for six others (19% of the caseload). They were always/almost always respected for two other Member States (15% of the caseload).

No Member State reported having **bilateral agreements/arrangements** in place with Bangladesh.

18 Member States reported having an **established practice for cooperation**, which for six was always/almost always implemented. This was very often or often the case for 10 Member States and rarely for two other Member States.

Cooperation on identification procedures

11 Member States (65% of the caseload) assessed the cooperation with Bangladesh in the **identification procedure** as very good or good, seven (21% of the caseload) as average and the remaining five Member States (15% of the caseload) as poor.

Regarding identification processes, **evidence accepted** included valid or expired passports, information extracted from Visa Information System, other identity documents and their photocopies (21 Member States). Biometric evidence was requested/accepted by 17 Member States. In most cases these were submitted through the RCMS, except for one Member State, which submitted fingerprints via email and in paper form.

Of the 14 Member States that have requested **consular interviews**, nine reported that these were always/almost always, often or very often organised upon request. This was rarely or never/almost never the case for the other five. If conducted, the results of consular interviews were assessed very satisfactory or satisfactory by six Member States, acceptable by another five and unsatisfactory by one. Two Member States were not in a position to assess the outcome of identification interviews. The remaining nine Member States had none or limited need for requesting consular interviews. For three Member States, Bangladesh provided always/almost always, very often or often for the possibility to **conduct consular interviews by phone or videoconference**, while this was rarely the case for two others and never/almost never for seven. The remaining Member States have not tried this option.

One Member State that requested the organisation of **identification missions** reported that these were often organised and rated their outcome as very good.

Interviews were always/almost always, often or very often requested by Bangladeshi authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of five Member States. This was rarely the case for five other Member States and never/almost never for seven. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was rarely requested by Bangladeshi authorities from two Member States, notably as regards the health conditions of returnees in the context of charter flights, and never from the other Member States.

Cooperation on issuance of travel documents

20 Member States (85% of the caseload) reported having requested travel documents during the reporting period. Of these, 14 Member States (82% of the caseload) assessed Bangladesh's cooperation on the **issuance of travel documents** as very good or good and four (3% of the caseload) as average. The other two Member States (less than 1% of the caseload) assessed it as poor or very poor. Three Member States (15% of the caseload) reported not having requested any travel documents due to sufficient documentation of the returnees in all cases.

For 17 Member States, requests were always/almost always, very often or often responded, with the issuance of travel documents. This was rarely the case for two Member States and never/almost never for one. Six Member States (over half of the caseload) reported that the issuance of travel documents took place rarely in a **timely manner**³⁹. This was often or very often the case for seven Member States (25% of the caseload) and always/almost always for four (5% of the caseload). Three other Member States (2% of the caseload) reported that the issuance of travel documents took place never/almost never in a timely manner. Two Member States reported that **elements other than the nationality** were always/almost always taken into consideration when deciding whether to issue a travel document. This was rarely the case for six Member States and never/almost never for 12.

Travel documents were issued with a **validity**⁴⁰ of one day for one Member State, up to 30 days for three Member States, one to six months for 14 Member States, and over six months for one Member State. All 11 Member States having requested the **renewal**⁴¹ of travel documents reported that these were always/almost always, very often or often delivered in a timely manner.

The **EU Travel Document** or *laissez-passer* issued by Member States was not accepted according to the three Member States that have tried to use it.

Cooperation on return operations

13 Member States (81% of the caseload) assessed Bangladesh's cooperation on **return operations** as good and three (15% of the caseload) as very good. Three other Member States (3% of the caseload) assessed it as average, and two (less than 1% caseload) as poor. One Member State reported restrictions to readmission upon arrival, namely the non-admission before exhaustion of legal remedies. The remaining two Member States (less than 1% of the caseload) reported that they had no experience with return operations in 2021.

Charter flights were accepted by Bangladesh for four Member States. All four of them reported having faced restrictions as regards the number of flights and their frequency, the number of returnees on board, the issuance of landing permits or visa requirements for escorts. One Member State reported that charter flights were not accepted. Of the five Member States that attempted returns by charter flights, four (81% of the caseload) assessed Bangladesh's cooperation as good,

³⁹ According to the EU-Bangladesh Standard Operating Procedures, travel documents are to be issued within two working days after the confirmation of nationality for undocumented cases; within five working days after the submission of photocopies of machine-readable passports; within two working days after the submission of identity documents.

⁴⁰ According to the EU-Bangladesh Standard Operation Procedures, travel documents are to be issued with a validity of three months.

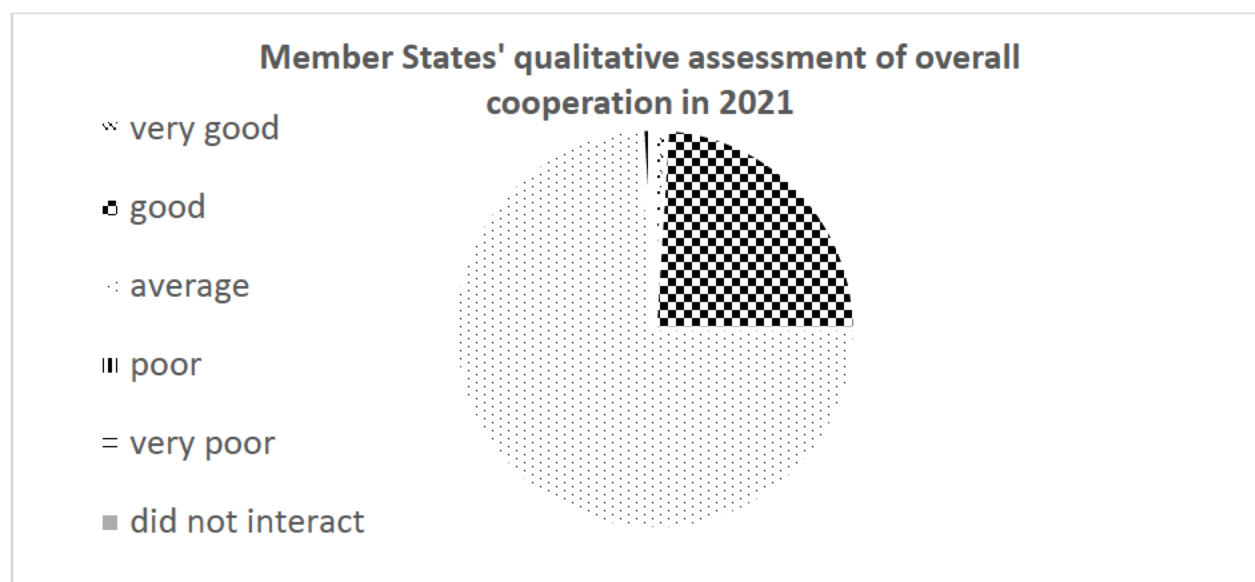
⁴¹ According to the EU-Bangladesh Standard Operation Procedures, renewed travel documents are to be issued without delay.

and one (less than 1% of the caseload) as poor. The remaining 18 Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, 14 Member States (83% of the caseload) assessed the cooperation as very good or good, five (15% of the caseload) as average and two (less than 1% of the caseload) as poor. Nine Member States encountered restrictions, namely as regards transit permits and visa requirements for escorts. Two Member States (with less than 1% of the caseload) did not attempt to carry out return operations by scheduled flights.

Summary

With a total of 13 585 Bangladeshi nationals ordered to leave in 2021, Bangladesh ranked 4th amongst assessed visa-bound third countries whose nationals have been issued return decisions in the Member States.



23 Member States (100% the caseload) interacted with Bangladesh in 2021. Of these, nine Member States (74% of the caseload) assessed the overall cooperation as average, 12 (25% of the caseload) as very good or good and two (less than 1% of the caseload) as poor.

Bangladesh's cooperation in the identification procedure was assessed as very good or good by 11 Member States (65% of the caseload), as average by seven Member States (21% of the caseload) and as poor by five Member States (15% of the caseload).

Bangladesh's cooperation in the issuance of travel documents was assessed as very good or good by 14 Member States (82% of the caseload). Of the remaining Member States, four (3% of the caseload) assessed it as average and two (less than 1% of the caseload) as poor or very poor.

Three Member States (15% of the caseload) reported not having requested any travel documents.

Bangladesh's cooperation on return operations was assessed as very good or good by 16 Member States (96% of the caseload), as average by three Member States (3% of the caseload) and as poor by two Member States (less than 1% of the caseload). The remaining two Member States (less than 1% of the caseload) reported that they had no experience with return operations in 2021.

The provisions of the EU Readmission Arrangement (the Standard Operating Procedures, SOPs) were generally well respected with all 16 Member States that used the arrangement.

To improve cooperation with Bangladesh, the existing good practices should be extended to all Member States, in compliance with the deadlines foreseen by the SOPs, including the treatment of backlogs of readmission cases. The extension of the project phase 1 of the electronic Readmission Case Management System should be fully implemented and the restriction of the number of returnees per flight should be lifted. These, facilitated by a fully functional RCMS and increased capacity to use biometric data for identification, would lead to a significant improvement of the cooperation on readmission and ultimately higher issuance rate and increased returns. Following the assessment of cooperation in 2020, the Commission continuously engaged with Bangladesh and communicated its expectations and the necessary actions, including in the context of the Joint Working Group meetings held in June 2021 and March 2022. Following the enhanced engagement with Bangladesh and in view of the progress in the cooperation on readmission, the Council agreed that no action was needed at that moment in time. The Commission continues to monitor the cooperation on readmission, including locally.

Belarus

EU engagement to date

The EU Readmission Agreement⁴² with Belarus entered into force on 1 July 2020. It was concluded together with a Visa Facilitation Agreement⁴³ in the context of a Mobility Partnership⁴⁴. Pursuant to the Council's Conclusions of 12 October 2020, which strictly limited contacts with Belarusian State actors in connection with the ongoing political crisis, no meeting of the Joint Readmission Committee took place to date and all aspects of readmission cooperation are to be looked at against this context.

On 28 June 2021, the Belarus authorities announced the suspension of the EU Readmission Agreement. The official suspension was communicated to the EU on 4 December 2021 and subsequently, the cooperation with most Member States came to a standstill. At the same time, there is evidence that the Belarus regime encouraged irregular border crossings of non-EU nationals into the EU for political purposes. This instrumentalisation of irregular migration led to a further deterioration of the relations between Belarus and the EU. On 9 November 2021, the EU decided to suspend certain provisions of the Visa Facilitation Agreement for specific categories of beneficiaries (i.e. officials of the Belarus regime).

Contacts with the authorities were influenced by the deteriorating political relations throughout 2021, and further to Russia's war of aggression against Ukraine since February 2022.

Cooperation on readmission

In 2021, 1 470 Belarusian nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 920 were effectively returned following an order to leave, resulting in a **return rate** of 63%. Member States submitted 130 readmission requests to Belarusian authorities, who issued 40 travel documents resulting in an **issuance rate** of 31%.

16 Member States (87% of the caseload) reported having **approached the authorities** of Belarus for readmission matters in 2021.

Of those who engaged, three Member States (7% of the caseload) reported that Belarus informed them officially of restrictions/suspensions on return in 2021.

⁴² Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorization, OJ L 181/3, 9.6.2022.

⁴³ Agreement between the European Union and the Republic of Belarus on the facilitation of the issuance of visas, OJ L 180/3, 9.6.2022.

⁴⁴ Joint Declaration on Mobility Partnership between the Republic of Belarus and the European Union and its participating Member States, Luxembourg, 13.10.2016.

In total, 11 Member states reported having used the **EU-Belarus Readmission Agreement**. For four of them (over one quarter of the caseload) the relevant provisions of the Agreement were very often or often respected, rarely or never/almost never for another three (16% of the caseload), while always/almost always for the remaining four Member States (10% of the caseload). Four Member States reported that the cooperation was impacted by the unilateral suspension of the Readmission Agreement by Belarus in December 2021.

One Member State reported having a **bilateral agreement/arrangement** in place with Belarus, on which cooperation was based after the suspension of the EU Readmission Agreement. The relevant provisions were rarely respected.

10 Member States reported having an **established practice for cooperation**, which for six was always/almost always implemented, and very often or often for three other Member States. This was never the case for one Member State.

Cooperation on identification procedures

12 Member States (81% of the caseload) assessed the cooperation with Belarus in the **identification procedure** as very good or good, two (5% of the caseload) as average and one (less than 1% of the caseload) as poor. One Member State reported not having submitted requests for identification in 2021.

Regarding identification processes, **evidence** accepted generally included valid/expired passport (13 Member States) information extracted from the Visa Information System (seven Member States) as well as other documents, such as ID and military ID cards, diplomatic and service passports, as well as birth, marriage and divorce certificates, drivers' license and citizenship certificates, and in some cases also their photocopies (10 Member States). Biometric evidence (fingerprints) was accepted for six Member States. It was not accepted for the remaining two that attempted submitting such evidence.

Of the six Member States that have requested **consular interviews**, four reported that these were always/almost always or often organised upon request, while this was rarely or never/almost never the case for the other two. Another 10 Member States had limited or no need for requesting consular interviews. If conducted, the results of consular interviews were assessed as acceptable by three Member States and very satisfactory by one other Member State. Belarus rarely or never/almost never provided for the possibility to **conduct consular interviews by phone or videoconference** for the two Member States having requested this possibility.

Of the two Member States that requested the organisation of **identification missions**, one reported that these were always/almost always organised with a good outcome, while for the other this was rarely the case with an acceptable outcome.

Interviews were often requested by Belarusian authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of one Member State, while this was rarely or never/almost never the case for three other Member States. **Confidential information under EU or national legal framework** was often requested by Belarusian authorities from one Member State (e.g. a ruling stating that a return order has been issued to the person concerned) while this was rarely the case for one other Member State and never/almost never for eight Member States.

Cooperation on issuance of travel documents

12 Member States (80% of the caseload) reported having requested travel documents during the reporting period. Of these, seven (61% of the caseload) assessed Belarus's cooperation on the **issuance of travel** documents as good, four (19% of the caseload) as very good and one Member State (less than 1% of the caseload) as average. Four Member States (7% of the caseload) did not need to request any travel documents (documented cases or practical impossibility of returns).

For all 12 Member States having requested the issuance of travel documents, requests were always/almost always or very often responded except for one. For the remaining Member State this was never/almost never the case. According to five Member States (almost half of the caseload) the issuance of travel documents always/almost always took place in a **timely manner**⁴⁵. Five other Member States (over one third of the caseload) reported that this was very often the case and two (3% of the caseload) this was never/almost never the case. One Member States reported that **elements other than the nationality** were often taken into consideration when deciding whether to issue a travel document. This was never/almost never the case for the remaining 11 Member States having requested the issuance of travel documents.

Travel documents were issued with a **validity**⁴⁶ of 30 days for three Member States and one to six months for nine Member States. Five Member States having requested the **renewal**⁴⁷ of travel documents reported that these were always/almost always, very often or often delivered in a timely manner.

The **EU Travel Document** or *laissez-passer*⁴⁸ issued by Member States was very often accepted according for one Member State, while this was never/almost never the case for the other Member State, having used this option.

⁴⁵ According to the EU Readmission Agreement with Belarus, travel documents are to be issued within three working days after a positive response has been given to the readmission request.

⁴⁶ According to the EU Readmission Agreement, travel documents are to be issued with a validity of six months.

⁴⁷ According to the EU Readmission Agreement, the renewal of travel documents is to be delivered within three working days.

⁴⁸ According to the EU Readmission Agreement, EU Travel Document or laissez passer is to be accepted if Belarus has not, within three working days, issued the travel document.

Cooperation on return operations

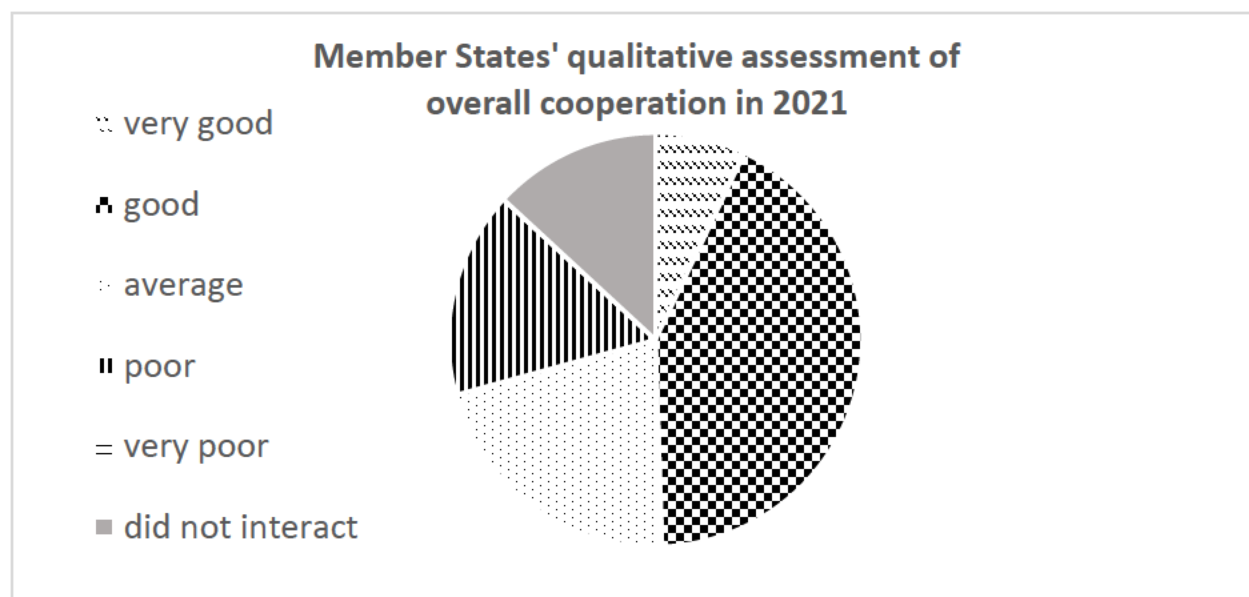
Five Member States (39% of the caseload) assessed Belarus's cooperation on **return operations** as good, four (17% of the caseload) as average and three (9% of the caseload) assessed as very good. Four Member States (23% of the caseload) reported not having experience in return operations in 2021.

Charter flights were accepted by Belarus for one Member State, while this was not the case for one other Member State. The remaining 14 Member States did not attempt to carry out return operations by charter flights. The one Member State that attempted and for which Belarus accepted the charter flight assessed the cooperation as very good.

When it came to returns by **commercial (scheduled) flights**, eight Member States (48% of the caseload) assessed the cooperation as very good or good, six (35% of the caseload) as average and two (4% of the caseload) as very poor. One Member State encountered restriction, namely on transit permit.

Summary

With a total of 1 470 Belarusian nationals ordered to leave in 2021, Belarus ranked 29th amongst visa-bound third countries assessed whose nationals have been issued return decisions in the Member States.



16 Member States (87% of the caseload) interacted with Belarus in 2021. Of these, nine Member States (49% of the caseload) assessed Belarus's overall cooperation on readmission as very good or good, five (21% of the caseload) as average and two (16% of the caseload) as poor. The overall

worsening context of Belarus' actions in relation to the EU should be taken into account in the assessment.

Belarus' cooperation in the identification procedure was assessed as very good or good by 12 Member States (81% of the caseload), as average by two (5% of the caseload) and as poor by one (less than 1% of the caseload). One Member State reported not having submitted requests for identification in 2021.

Cooperation on the issuance of travel documents was assessed as very good or good by 11 Member States (80% of the caseload) and as average by one (less than 1% of the caseload). Four Member States (7% of the caseload) have not requested any travel documents.

As regards return operations, eight Member States (47% of the caseload) assessed Belarus' cooperation as very good or good, four (17 % of the caseload) as average and four others (23% of the caseload) did not attempt return operation in 2021.

The EU-Belarus Readmission Agreement was used by 11 Member States (51% of the caseload). For eight Member States (35% of the caseload), the relevant provisions were always/almost always, very often or often respected. For the three remaining Member States (16% of the caseload), the relevant provisions were rarely or never/almost never respected by Belarus. Belarus unilaterally suspended its readmission agreement with the EU in December 2021 and cooperation is at a standstill with most Member States. Four Member States (26% of the caseload) reported the cooperation in 2021 was already impacted by the unilateral suspension of the agreement.

Cabo Verde

EU engagement to date

The EU Readmission Agreement⁴⁹ with Cabo Verde entered into force on 1 December 2014. Since then, four meetings of the Joint Readmission Committee took place, the last one on 10 September 2019. In the latter, the Commission noted a significant improvement of Cabo Verde's cooperation on the implementation of the Agreement. No meeting of the Joint Readmission Committee could be organised in 2020 and 2021 due to the COVID-19 pandemic.

The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement to which Cabo Verde is a party, also states the commitment of each State (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

Cooperation on readmission

In 2021, 405 Cabo Verdean nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 30 were effectively returned following an order to leave, resulting in a **return rate** of 7%. Member States submitted 24 readmission requests to Cabo Verdean authorities, who issued 12 travel documents, resulting in an **issuance rate** of 50%.

Six Member States (79% of the caseload) reported having **approached the authorities** of Cabo Verde for readmission matters in 2021. Of those who engaged, no Member States reported that Cabo Verde informed them officially of **COVID-19** related restrictions/suspensions on return in 2021.

For two Member States (75% of the caseload) having used the **EU-Cabo Verde Readmission Agreement**, the relevant provisions were very often to always/almost always respected by Cabo Verde. The remaining two Member States (4% of the caseload) reported that the provisions were rarely respected.

No Member State reported having **bilateral agreements/arrangements** in place with Cabo Verde.

Three Member States reported having an **established practice for cooperation**, which for one was always/almost always implemented, for one was very often implemented and for one was often implemented.

⁴⁹ Agreement between the European Union and the Republic of Cape Verde on the readmission of persons residing without authorization, OJ L 282/50, 24/10/2013.

Cooperation on identification procedures

Two Member States (75% of the caseload) assessed the cooperation with Cabo Verde in the **identification procedure** as good. The remaining Member States (4% of the caseload) assessed it as poor or very poor.

Regarding identification processes, **evidence accepted** included valid/expired passport and ID cards (five Member States), information extracted from the Visa Information System, and other identity documents (four Member States) and their photocopies (five Member States), as well as other evidence, such as birth, marriage, divorce and citizenship certificates (five Member States). Biometric evidence was accepted for one of the four Member States that requested its use.

Of the four Member States that have requested **consular interviews**, three reported that these were never/almost never organised upon request, and one that they were always/almost always organised upon request. If conducted, the results of consular interviews were as assessed satisfactory by one Member State and unsatisfactory by another. The remaining Member State had limited or no need for requesting consular interviews. For three Member States, Cabo Verde never/almost never provided for the possibility to **conduct consular interviews by phone or videoconference**, while the other Member States have not tried this option.

No Member State requested the organisation of an **identification mission**.

Interviews were always/almost always requested by Cabo Verdean authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents), in the case of one Member State. They were rarely requested in the case of one Member State and never/almost never in the case of another. Cabo Verde rarely requested **Confidential information under the EU or national legal framework** (e.g. information on asylum processes, medical information or criminal records) from two Member States, and never/almost never from another two.

Cooperation on issuance of travel documents

Five Member States (79% of the caseload) reported having requested travel documents during the reporting period. Three Member States (75% of the caseload) assessed Cabo Verde's cooperation on the **issuance of travel documents** as good. The remaining two (4% of the caseload) assessed cooperation as poor or very poor. One Member State (less than 1% of the caseload) has not requested any travel documents due to lack of significant caseload.

For three Member States who presented them, requests were always/almost always or very often responded to with the issuance of travel documents. This was rarely and never/almost never the case for the two remaining Member States. According to three Member States (77% of the caseload) the issuance of travel documents rarely or never/almost never took place in a **timely**

manner⁵⁰. The remaining two Member States (2% of the caseload) reported that travel documents were issued very often in a timely manner. One third of the Member States reported that **elements other than the nationality** (e.g., the voluntary nature of the return or family ties of the returnee in the Member State) were always/almost always or often taken into consideration when deciding whether to issue a travel document, while this was rarely to never/almost never the case for the other three.

Travel documents were issued with a **validity**⁵¹ of up to three days to one Member State, 10 days to one Member State, 30 days to two Member States and one to six months to one Member State. Member States requesting the **renewal**⁵² of travel documents reported that these were often, very often of always/almost always delivered in a timely manner.

The **EU Travel Document** or *laissez-passer*⁵³ issued by Member States was very often accepted according to one Member State, rarely for another one and never/almost never according to one Member State.

Cooperation on return operations

Three Member States (75% of the caseload) assessed Cabo Verde's cooperation on **return operations** as good. Among the remaining Member States, one (less than 1% of the caseload) assessed cooperation as a poor and two did not attempt return operations. No Member State reported restrictions to readmission upon arrival.

Charter flights were not accepted by Cabo Verde for one Member State, which assessed cooperation on charter flights as poor. The remaining five Member States did not attempt to carry out return operations by charter flights in 2021. When it came to returns by **commercial (scheduled) flights**, three Member States (75% of the caseload) assessed the cooperation as good and one (less than 1% of the caseload) as poor. Three Member States encountered restrictions, namely visa requirements for escorts and transit permits.

Summary

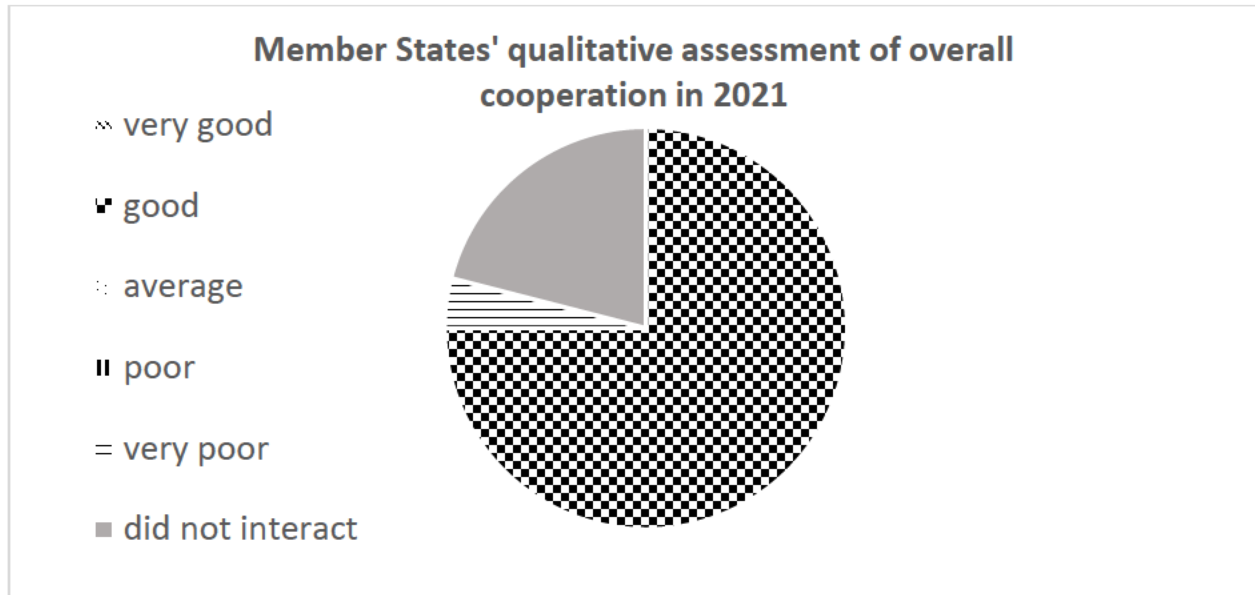
With a total of 405 Cabo Verdeans nationals ordered to leave in 2021, Cabo Verde ranked 34th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.

⁵⁰ According to the EU Readmission Agreement with Cape Verde, travel documents are to be issued within four working days after a positive response has been given to the readmission request.

⁵¹ According to the EU Readmission Agreement, travel documents are to be issued with a validity of six months.

⁵² According to the EU Readmission Agreement, the renewal of travel documents is to be delivered within four working days.

⁵³ According to the EU Readmission Agreement, the EU Travel Document or laissez passer is to be accepted if Cabo Verde has not, within four working days, issued the travel document.



Six Member States (79% of the caseload) interacted with Cabo Verde in 2021. Of them, four (75% of the caseload) assessed Cabo Verde's overall cooperation on readmission as good. The remaining two Member States (4% of the caseload) assessed it as poor or very poor.

Cabo Verde's cooperation in the identification procedure was assessed as good by two Member States (75% of the caseload), and poor to very poor by other four (4% of the caseload).

Cabo Verde's cooperation on the issuance of travel documents was assessed as good by three Member States (75% of the caseload), and poor to very poor by other two (4% of the caseload). One Member State (less than 1% of the caseload) has not requested any travel documents due to lack of significant caseload.

Cabo Verde's cooperation on return operations was assessed as good by three Member States (75% of the caseload) and as poor by one (less than 1% of the caseload), while two Member States (4% of the caseload) did not attempt return operations.

The provisions of the EU Readmission Agreement were generally well respected with half of the Member States (75 % of the caseload).

For a more effective and predictable readmission cooperation, existing good cooperation practices would need to be extended to all Member States. Cooperation could be improved by ensuring that travel documents are issued in a timely manner, and with a validity of six months as established in the EU Readmission Agreement, for all Member States. Restrictions on charter and commercial (scheduled) flights would need to be lifted as well.

Cameroon

EU engagement to date

The ACP-EU Cotonou Agreement, to which Cameroon is party, states the commitment of each State (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion. There is no other cooperation instrument or process in place with Cameroon at EU-level dedicated to readmission.

The Commission and the High Representative intensified their engagement with Cameroon in Brussels and Yaoundé. During exchanges with the Ambassador of Cameroon on 1 April 2022 in Brussels, the EU side stressed the need for Cameroon to address a number of operational issues raised by diplomatic missions of EU Member States, related to identification, the issuance of travel documents upon request of EU Member States, and the organisation of return operations. The Ambassador of Cameroon committed to report to Yaoundé. Further exchanges between the EU Delegation in Yaoundé and the Ministry of External Relations took place in September 2022.

Cooperation on readmission

In 2021, 3 200 Cameroonian nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 245 were effectively returned following an order to leave, resulting in a **return rate** of 8%. Member States submitted 203 readmission requests to Cameroonian authorities, who issued 99 travel documents resulting in an **issuance rate** of 49%.

17 Member States (94% of caseload) reported having **approached the authorities** of Cameroon for readmission matters in 2021. Of those who engaged, no Member State reported that Cameroon informed them officially of restrictions/suspensions on return in 2021 due to COVID-19.

Three Member States reported having **bilateral agreements/arrangements** in place with Cameroon, the relevant provisions of which were often to very often respected for two, and rarely respected for one.

12 Member States reported having an **established practice for cooperation**, which for three was always/almost always implemented. For seven Member States, the established practice was implemented often to very often, whereas for one it was rarely implemented. One Member State reported this was never/almost never implemented.

Cooperation on identification procedures

Eight Member States (67% of the caseload) assessed the cooperation with Cameroon in the **identification procedure** as good to very good, three (19% of the caseload) assessed it as average and six (8% of caseload) as poor to very poor.

Regarding identification processes, **evidence accepted** included valid or expired passports (14 Member States), information extracted from the Visa Information System, (five Member States), other identity documents (10 Member States), and their photocopies (11 Member States), as well as other type of evidence such as birth, marriage and divorce certificate, driver's license, citizenship certificate (11 Member States), as well as social media profile and phone contacts (one Member State). Biometric evidence (photos and fingerprints) was accepted in the case of four Member States, and not for six Member States. Seven other Member States did not attempt to use such evidence.

Of the 10 Member States that have requested **consular interviews**, three reported that these were always/almost always organised upon request. This was very often the case for two, rarely for one and never/almost never for four Member States. The remaining seven Member States had limited or no need for requesting consular interviews. If conducted, the results of consular interviews were assessed as satisfactory to very satisfactory by four Member States, and acceptable for two. For two Member States, Cameroon often to very often provided for the possibility to **conduct consular interviews by phone or videoconference**, while this rarely happened for one and it was never/almost never possible for five Member States.

Of the five Member States that requested the organisation of **identification missions**, one reported that these were always/almost always organised. This was often the case for one Member State, whereas rarely the case for one other. In the case of two Member States these identification missions were never/almost never organised. Three Member States rated the outcome of the identification missions as good to very good, while two assessed it as very poor.

Interviews were often requested by Cameroonian authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of one Member State. This was rarely the case for three and never to almost never the case for eight Member States. **Confidential information under EU or national legal framework** (e.g. information on asylum processes, medical information or criminal records) was rarely requested by Cameroonian authorities from one Member State, and never to almost never from 10 Member States.

Cooperation on issuance of travel documents

15 Member States (93% of the caseload) reported having requested travel documents during the reporting period. Of these, seven (64% of the caseload) assessed Cameroon's cooperation on the **issuance of travel documents** as good to very good, three (22% of the caseload) assessed it as

average and five (7% of the caseload) as poor to very poor. Two Member States (less than 1% of the caseload) have not requested any travel documents due to a small caseload.

Requests were always to almost always responded with the issuance of travel documents for four Member States. For other four Member States this happened very often, whereas it rarely happened in the case of two and it never to almost never happened for five Member States. Two received no travel document at all in 2021. According to six Member States (63% of the caseload) the issuance of travel documents took place often or very often in a **timely manner**. For three Member States (28% of the caseload) this was rarely the case. Travel documents were always/almost always issued in a timely manner for two Member States (2% of the caseload), while never/almost never for four Member States (1% of the caseload). Two Member States reported that **elements other than the nationality** (e.g. medical issues, family ties in the Member State) were always/almost always taken into consideration when deciding whether to issue a travel document, while this was often the case for one, and rarely the case for two Member States. 10 Member States reported that this was never/almost never the case.

Travel documents were issued with a **validity** of up to 10 days to one Member State, up to 30 days to five Member States and one to six months to seven Member States.

The **EU Travel Document** or *laissez-passer* issued by Member States was always/almost always accepted according to one Member State, and never/almost never accepted according to two Member States. This document was not used by the other 14 Member States.

Cooperation on return operations

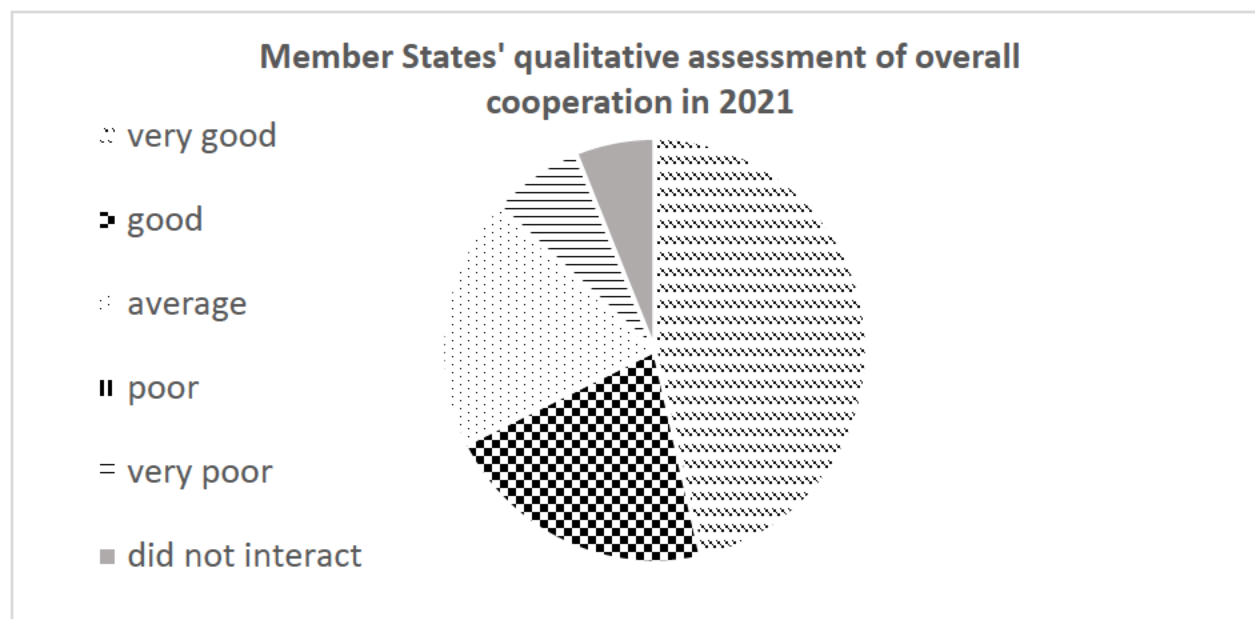
Eight Member States (67% of the caseload) assessed Cameroon's cooperation on **return operations** as good or very good. Three Member States (19% of the caseload) assessed it as average and three (7% of the caseload) as poor to very poor. Three Member States did not attempt to organise return operations. No Member State reported restrictions to readmission upon arrival.

Charter flights were accepted by Cameroon for two Member States, while this was not the case for one other Member State. The remaining 14 Member States did not attempt to carry out return operations by charter flights. One Member State (6% of the caseload) assessed the cooperation on charter flights as poor, while one other Member State (4% of the caseload) assessed it as very good, and one (3% of the caseload) as average. One Member State encountered restrictions, notably on visa requirement for escorts and on the granting of landing permits.

When it came to returns by **commercial (scheduled) flights**, eight Member States (67% of the caseload) assessed the cooperation as good or very good. Two Member States (19% of the caseload) assessed it as average, and three (7% of the caseload) as poor or very poor. Nine Member States encountered restrictions, namely on transit permits, visa requirements for escorts and COVID-19 RT-PCR test requirements.

Summary

With a total of 3 200 Cameroonian nationals ordered to leave in 2021, Cameroon ranked 22nd amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



17 Member States (94% of the caseload) interacted with Cameroon in 2021. Of these, eight (67% of the caseload) assessed Cameroon's overall cooperation on readmission as good or very good, four (19% of the caseload) assessed it as average, and five (7% of the caseload) as very poor. Action is needed to improve cooperation in the field of readmission.

Cameroon's cooperation in the identification procedure was assessed as good or very good by eight Member States (67% of the caseload), as average by three (19% of the caseload), and as poor or very poor by six Member States (8% of the caseload).

Cameroon's cooperation on the issuance of travel documents was assessed as good or very good by seven Member States (64% of the caseload), as average by three (22% of the caseload), and as poor or very poor by five Member States (7% of the caseload). Two Member States (less than 1% of the caseload) have not requested any travel documents.

As regards return operations, eight Member States (67% of the caseload) assessed Cameroon's cooperation on return operations as good or very good, three (19% of the caseload) as average, and three (7% of the caseload) as poor or very poor. Three Member States (1% of the caseload) did not attempt return operations.

The provisions of the established practices were generally respected with the majority of Member States.

For a more effective and predictable readmission cooperation, existing good cooperation practices would need to be extended to all Member States. Cooperation could be improved by ensuring timely communication and a higher level of responsiveness of the Cameroonian authorities, notably at the Cameroonian embassies in the Member States.

China⁵⁴

EU engagement to date

The Council has authorised the opening of negotiations for a Readmission Agreement with China in 2002. The Agreement is being negotiated in parallel with a Visa Facilitation Agreement as part of the second phase of the roadmap agreed under the EU-China Mobility and Migration Dialogue (MMD). The negotiations started in 2017. The last round of negotiations took place in May 2019, marking little progress. A seminar on return management, with the participation of Member States, took place in December 2021.

Cooperation on readmission

In 2021, 3 650 Chinese nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 1 070 were effectively returned following an order to leave, resulting in a **return rate** of 29%. Member States submitted 167 readmission requests to Chinese authorities, who issued 40 travel documents resulting in an **issuance rate** of 27%.

15 Member States (84% of the caseload) reported having **approached the authorities** of China for readmission matters in 2021. Of those who engaged, five Member States (almost one third of the caseload) reported that China informed them officially of restrictions/suspensions on return in 2021, such as entry restrictions. Four Member States, reported that the **COVID-19** related restrictions/requirements were applied by China in a discriminatory manner for a period of 6 to 9 months, impacting the acceptance of forced returns, the issuance of travel documents and the acceptance of returns by scheduled flights, namely by not allowing for forced returns on scheduled and charter flights, while repatriations were being organised, and voluntary returns accepted, as well as the non-acceptance of returnees previously infected with COVID-19. According to the four Member States, authorities were not responsive to possible alternative solutions to lift those requirements.

No Member State reported having **bilateral agreements/arrangements** in place with China.

Seven Member States reported having an **established practice for cooperation**, which for one of them was always/almost always implemented, while it was very often or often the case for five others and rarely for one Member State.

⁵⁴ The inclusion of Hong Kong for the purpose of this exercise is without prejudice to the EU's support for Hong Kong's high degree of autonomy under the 'One Country, Two Systems', as stated in Council Conclusions 9872/1/20. of 28 July 2020 <https://www.consilium.europa.eu/media/45225/st09872-re01-en20.pdf>. Since 2004, EU Readmission Agreements are in place with Hong-Kong and Macao, which are not subject to a specific assessment in this report.

Cooperation on identification procedures

Five Member States (44% of the caseload) assessed the cooperation with China in the **identification procedure** as poor or very poor, five Member States (32% of the caseload) as very good or good, and five other (8% of the caseload) as average.

Regarding identification processes, **evidence accepted** included valid or expired passports (12 Member States), information extracted from the Visa Information System (six Member States), other identity documents (12 Member States) and their photocopies, as well as other types of evidence such as birth, marriage and divorce certificates, drivers' licenses and citizenship certificates (seven Member States). The use of biometric evidence was attempted by nine Member States and accepted for six of them, while not for the other three.

Of the 11 Member States that have requested **consular interviews**, two reported that these were always/almost always organised upon request, while this was very often or often the case for four other Member States. Two Member States reported that consular interviews were rarely organised upon request, and for three other Member States this was never/almost never the case. The remaining four Member States had limited or no need for requesting consular interviews. If conducted, the results of consular interviews were assessed as satisfactory or very satisfactory by two Member States and acceptable by four other Member States. Three Member States assessed the results of consular interviews as unsatisfactory. For four Member States, China always/almost always or often provided for the possibility to **conduct consular interviews by phone or videoconference**, while this was rarely or almost never/never the case for three other Member States. The remaining Member States have not tried this option.

One Member State reported having requested the organisation of **identification missions**, which were rarely organised. When identification missions took place, the outcome was assessed as acceptable.

Interviews were very often requested by Chinese authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of three Member States, and rarely or never/almost never in the case of six others. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was rarely or never/almost never requested by Chinese authorities from eight Member States.

Cooperation on issuance of travel documents

11 Member States (48% of the caseload) reported having requested travel documents during the reporting period. Six (33% of the caseload) assessed China's cooperation on the **issuance of travel documents** as very good or good, two (8% of the caseload) as poor or very poor, and three (7% of the caseload) as average. Four Member States (37% of the caseload) have not requested any travel

documents because of a limited number of cases, valid travel documents held by the persons concerned or because of absconding.

For four Member States, requests were always/almost always responded to with the issuance of travel documents. This was very often or often the case for five other Member States, and rarely or never/almost never for two. According to seven Member States (over one third of the caseload) the issuance of travel documents took place very often or often in a **timely manner**. This was rarely or never/almost never the case for other two (8% of the caseload). For another two Member States (2% of the caseload) the issuance of travel documents always/almost always took place in a timely manner. One Member State reported that **elements other than the nationality** were always/almost always taken into consideration when deciding whether to issue a travel document while this was rarely or never/almost never the case for the other 10 Member States (e.g. social ties in China or the situation related to COVID-19).

Travel documents were issued with a **validity** of up to 10 days to one Member State and one to six months or more to 10 Member States. The six Member States requesting the **renewal** of travel documents reported that these were always/almost always, very often or often delivered in a timely manner, except for one where this was rarely the case.

No Member State attempted using an **EU Travel Document** or *laissez-passer*.

Cooperation on return operations

Six Member States (38% of the caseload) assessed China's cooperation on **return operations** as average, five (13% of the caseload) assessed it as poor or very poor and two (6% of the caseload) as very good or good. Two Member States reported restrictions to readmission upon arrival, namely restrictions related to the COVID-19 pandemic, limiting entry and availability of flights and imposing quarantine obligations. The remaining two Member States (26% of the caseload) reported not having experience with return operations in 2021.

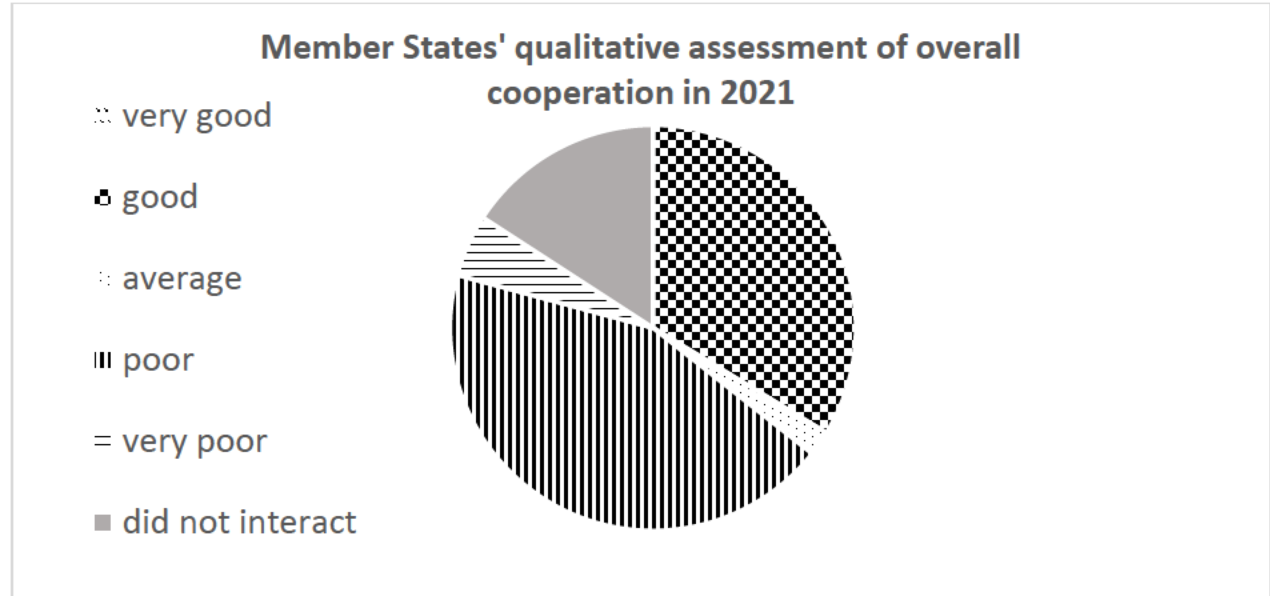
Charter flights were not accepted by China for the one Member State that reported having attempted it, which assessed cooperation on the organisation of return operations via charter as very poor.

When it came to returns by **commercial (scheduled) flights**, seven Member States (almost two thirds of the caseload), assessed the cooperation as average, four (9% of the caseload) assessed it as poor or very poor and two (6% of the caseload) as very good or good. Six Member States encountered restrictions, namely on transit permits, visa requirements for escorts, and refusal of entry for escorts.

Summary

RESTREINT UE/EU RESTRICTED

With a total of 3 650, Chinese nationals ordered to leave in 2021, China ranked 21st amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. COVID-19 related restrictions continued to impact the cooperation in particular on return operations.



15 Member States (84% of the caseload) interacted with China in 2021. Of these, seven (49% of the caseload) assessed China's overall cooperation on readmission as poor or very poor, six (34% of the caseload) as good and two (2% of the caseload) as average. Action is needed to improve cooperation in the field of readmission.

China's cooperation in the identification procedure was assessed as poor or very poor by five Member States (44% of the caseload), as good or very good by five others (32% of the caseload), and as average by the remaining five (8% of the caseload).

China's cooperation on the issuance of travel documents was assessed as very good or good by six Member States (33% of the caseload), as poor or very poor by two (8% of the caseload), and as average by three (7% of the caseload). Four Member States (37% of the caseload) did not request any travel documents.

As regards return operations, six Member States (38% of the caseload) assessed China's cooperation in return operations as average, five (13% of the caseload) as poor or very poor, and two (6% of the caseload) as good or very good. The remaining two Member States (26% of the caseload) reported not having experience with return operations in 2021.

Existing established practices were generally respected with all Member States, except with one.

For a more effective and predictable readmission cooperation, existing good cooperation practices would need to be extended to all Member States, identification processes and issuance of travel documents would need to be expedited. Cooperation could also be improved by accepting charter flights and lifting visa requirements for escorts.

Congo

EU engagement to date

The ACP-EU Cotonou Agreement, to which the Congo is party, states the commitment of each State (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion. There is no other cooperation instrument or process in place with Congo at EU-level dedicated to readmission.

Cooperation on readmission

In 2021, 1 570 Congolese nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 75 were effectively returned following an order to leave, resulting in a **return rate** of 5%. Member States submitted 27 readmission requests to Congolese authorities, who issued 16 travel documents resulting in an **issuance rate** of 59%.

Six Member States (84% of the caseload) reported having **approached the authorities** of Congo for readmission matters in 2021. Of those who engaged, no Member State reported that Congo informed them officially of **COVID-19** related restrictions on return in 2021.

One Member State reported having a **bilateral agreement/arrangement** in place with Congo, the relevant provisions of which were rarely respected.

Two Member States reported having an **established practice for cooperation**, which was implemented very often for one and often for the other one.

Cooperation on identification procedures

Congo's cooperation in the identification procedure was assessed as poor or very poor by five Member States (84% of the caseload), and as average by one (less than 1% of the caseload).

Regarding identification processes, **evidence accepted** included valid/expired passport (four Member States), information extracted from the Visa Information System (two Member States), other identification documents (three Member States), and their photocopies, as well as other evidence (two Member States) including birth certificates, marriage certificates and divorce certificates. Biometric evidence was accepted for two Member States, and not accepted for one.

Of the four Member States that have requested **consular interviews**, two reported that these were rarely organised upon request. One other Member State reported that consular interviews were often organised upon request, whereas for one this was never/almost never the case. The remaining two Member States had limited or no need for requesting consular interviews. If conducted, the

results of consular interviews were assessed as satisfactory by two Member States, and as unsatisfactory by the other one. For three Member States, Congo never/almost never provided for the possibility to **conduct consular interviews by phone or videoconference**, while the remaining three Member States have not tried this option.

One Member State requested the organisation of **identification missions** and reported that these were often organised, albeit with a very poor outcome.

Interviews were always/almost always requested by Congolese authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of two Member States. They were very often requested for one other Member State, and never/almost never for another one. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was rarely requested by Congolese authorities from one Member State, and never/almost never from the other two.

Cooperation on issuance of travel documents

Three Member States (84% of the caseload) reported having requested travel documents during the reporting period. All three Member States (84% of the caseload) assessed Congo's cooperation on the **issuance of travel documents** as poor or very poor. The remaining three Member States (less than 1% of the caseload) have not requested any travel documents due to low caseload.

Requests were never/almost never responded to with the issuance of travel documents for two Member States, and rarely for one. According to one Member State (80% of caseload) the issuance of travel documents took place rarely in a **timely manner**. Two Member States (4% of the caseload) reported that the issuance of travel documents took place never/almost never in a timely manner. Two Member States reported that **elements other than the nationality** were never/almost never taken into consideration when deciding whether to issue a travel document, while one Member State answered that such elements were very often taken into consideration.

Travel documents were issued with a **validity** of one to three days to one Member State, up to 30 days to one Member State and one to six months to one other Member State. Of the two Member States having requested the **renewal** of travel documents, one reported that these were always/almost always delivered in a timely manner, and another one that this was never/almost never the case.

The **EU Travel Document** or *laissez-passer* issued by Member States was never/almost never accepted according to two Member States who tried to use it, while the remaining four have not attempted this option.

Cooperation on return operations

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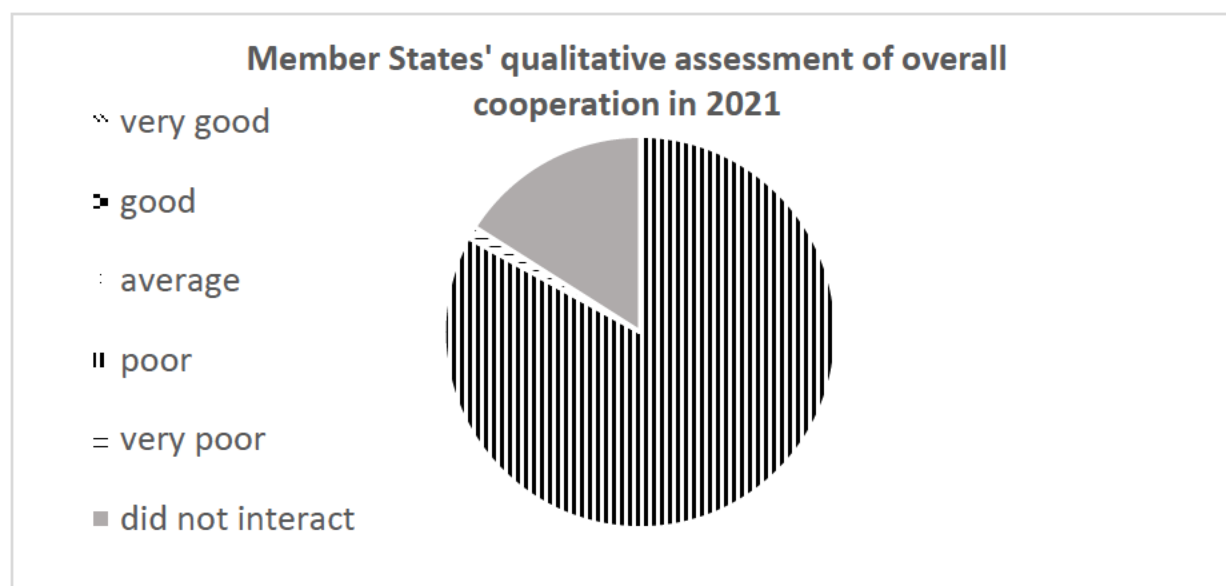
One Member State (80% of the caseload) assessed Congo's cooperation on **return operations** as average, while two (4% of the caseload) assessed it as poor to very poor. No Member State reported any kind of restrictions to readmission upon arrival. The remaining three Member States (less than 1% of the caseload) reported no experience on return operations.

Charter flights were not accepted by Congo for the one Member State that requested them. This Member State (4% of the caseload) assessed the cooperation on charter flights as poor. The remaining Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, one Member State (80% of the caseload) assessed the cooperation as good and one (less than 1% of the caseload) assessed it as very poor. One Member State encountered restrictions, namely on visa requirements for escorts and transit permits. The remaining four Member States had no experience on return operations by commercial (scheduled) flights.

Summary

With a total of 1 570 Congolese nationals ordered to leave in 2021, Congo ranked 28th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



Overall, six Member States (84% of the caseload) interacted with Congo in 2021. Of those that interacted, five Member States (84% of the caseload) assessed Congo's overall cooperation on readmission as poor or very poor. The remaining Member State (less than 1% of the caseload) assessed Congo's overall cooperation as average. Action is needed to improve cooperation in the field of readmission.

Congo's cooperation in the identification procedure was assessed as poor to very poor by five (84% of the caseload) and as average by one Member State (less than 1% of the caseload).

Congo's cooperation on the issuance of travel documents was assessed as very poor by two Member States (80% of the caseload) and as poor by one (4% of the caseload). Three Member States (less than 1% of the caseload) have not requested any travel documents due to low caseload.

As regards return operations, one Member State (80% of the caseload) assessed Congo's cooperation as average, and the two other (4% of the caseload) assessed it as very poor to poor. No Member State reported any kind of restrictions to readmission upon arrival. The remaining three Member States (less than 1% of the caseload) reported no experience on return operations.

For a more effective and predictable readmission cooperation, existing good cooperation practices would need to be extended to all Member States. Cooperation could be improved by ensuring the organisation of consular interviews, also via videoconferencing tools or by phone, ensuring that of identification missions are followed by a swift issuance of travel documents, and by proceeding more swiftly with the issuance of travel documents in general.

Côte d'Ivoire

EU engagement to date

The EU non-binding readmission arrangement with Côte d'Ivoire (le Document partagé entre le gouvernement de la République du Côte d'Ivoire et l'Union Européenne) was signed on 17 October 2018. Since then, four meetings of the Joint Working Group took place to assess the implementation of the arrangement, the last one on 20 September 2022. In the latter, both sides noted the progress made in the implementation of the arrangement and concretised steps to be taken on the challenges that need to be further addressed. Côte d'Ivoire positively responded to the Commission's proposal to start the process of launching the introductory phase of the Readmission Case Management System.⁵⁵

To support identification and overall operational cooperation, four Ivoirian liaison officers have been deployed in the embassies to Belgium, Germany, France and Italy, and a European Return Liaison Officer (EURLO) was deployed in Abidjan (also covering Guinea) between September 2019 and August 2022. Recruitment for a replacement is ongoing.

The ACP-EU Cotonou Agreement, to which Côte d'Ivoire is party, states the commitment of each State (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the New EU/Africa-Caribbean-Pacific Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

Cooperation on readmission

In 2021, 5 255 Ivorian nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 170 were effectively returned following an order to leave, resulting in a **return rate** of 3%. Member States submitted 284 readmission requests to Côte d'Ivoire authorities, who issued 105 travel documents resulting in an **issuance rate** of 37%.

14 Member States (99% of the caseload) reported having **approached the authorities** of Côte d'Ivoire for readmission matters in 2021.

Of those who engaged, one Member State (less than 1% of the caseload) reported that Côte d'Ivoire informed it officially of **COVID-19** related restrictions/suspensions on return in 2021. The restrictions consisted in the requirement for a negative COVID-19 RT-PCR Test or Rapid Antigen test for returnees in the case of two Member States and led to the cancellation of an identification interview for one other Member State. One Member State reported that the **COVID-19** related

⁵⁵ An electronic platform facilitating the exchange of information between competent authorities in Member States and in a given third country in order to advance on individual cases in the return and readmission process.

restrictions/requirements were applied by Côte d'Ivoire in a discriminatory manner for a period of 6 to 9 months, impacting all phases of readmission cooperation, namely by not accepting returns, while entry was allowed for travelers in general. According to these Member States, authorities were not responsive to possible alternative solutions to lift COVID-19 related requirements.

Seven Member States reported using the **EU-Côte d'Ivoire readmission arrangement**, the relevant provisions of which were often, very often or always to almost always respected by Côte d'Ivoire for four (95% of the caseload). For the other three Member States (1% of the caseload) the relevant provisions of the Arrangement were rarely or never/almost never respected, mainly due to the fact that Côte d'Ivoire often insisted its own interpretation to the Joint document. Two Member States reported having **bilateral agreements/arrangements** in place with Côte d'Ivoire, the relevant provisions of which were often or very often respected.

Two thirds of the Member States reported having an **established practice for cooperation**, which for seven was often, very often or always/almost always implemented, and for the remaining two was rarely or never/almost never implemented.

Cooperation on identification procedures

Over one third of the Member States (93% of the caseload) assessed the cooperation with Côte d'Ivoire in the **identification procedure** as good or very good, two (3% of the caseload) as average, and the remaining seven (3% of the caseload) as poor or very poor, mainly due to a slow response rate.

Regarding identification processes, **evidence accepted** included valid/expired passports (12 Member States) ID cards (nine Member States) expired travel documents (seven Member States), information extracted from the Visa Information System (five Member States), other identity documents (seven Member States), and their photocopies (11 Member States), as well as other evidence such as birth, marriage, divorce and citizenship certificates, drivers' licenses, social media profiles and phone contacts (one Member State). Biometric evidence was accepted in the case of three Member States.

Of the 10 Member States that requested **consular interviews**, more than half reported that these were often, very often or always/almost always organised upon request. For four other Member States, consular interviews were rarely or never/almost never organised upon request. If conducted, the results were assessed as acceptable by four Member States, as satisfactory by two and as very satisfactory by two others. The remaining four Member States had limited or no need for requesting consular interviews. For three Member States, Côte d'Ivoire always/almost always provided for the possibility to **conduct consular interviews by phone or videoconference**, for two this possibility was rarely provided, and for four this was never/almost never the case. The remaining Member States have not tried this option.

Of the three Member States that requested the organisation of **identification missions**, one reported that these were always/almost always organised with an outcome rated as good, one that these were rarely organised with an outcome rated as very poor, and one that these were never/almost never organised. However, when organised, the outcome was assessed as very good.

Interviews were very often to always/almost always requested by Côte d'Ivoire authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of three Member States. They were rarely requested in the case of two and never/almost never in the case of five. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal record) was very often requested by Côte d'Ivoire authorities from one Member State, and rarely from another one. For six other Member States, this was never/almost never the case.

Cooperation on issuance of travel documents

13 Member States (97% of the caseload) reported having requested travel documents during the reporting period. Of these, almost half (95% of the caseload) assessed Côte d'Ivoire's cooperation on the **issuance of travel documents** as good or very good, five (3% of the caseload) as poor or very poor and two (less than 1% of the caseload) as average. Due to pending identification, one Member State (2% of the caseload) did not request any travel documents.

For seven Member States, requests were often or always/almost always responded to with the issuance of travel documents. For the remaining six this was rarely or never/almost never the case. According to six Member States (95% of the caseload) the issuance of travel documents always/almost always, very often or often took place in a **timely manner**⁵⁶, while rarely or never/almost never for seven Member States (2% of the caseload). 10 Member States reported that **elements other than the nationality** were never/almost never or rarely taken into consideration when deciding whether to issue a travel document. For other three Member States, this was often or always/almost always the case (e.g. the family situation or health related considerations).

Travel documents were issued with a **validity**⁵⁷ of up to 30 days for five Member States and one to six months for four Member States. Member States requesting the **renewal**⁵⁸ of travel documents reported that these were often or always to almost always delivered in a timely manner. This was rarely done for one Member State.

⁵⁶ According to the EU readmission arrangement Côte d'Ivoire, for documented cases, travel documents are to be issued within 10 days after submission of relevant documents by Member States, whereas for undocumented cases, travel documents are to be issued within 10 days after confirmation of the nationality. In cases where biometric evidence is submitted by Member States, travel documents are to be issued within seven days.

⁵⁷ According to the EU readmission arrangement, travel documents are to be issued with a validity of three months.

⁵⁸ According to the EU readmission arrangement, renewal of travel documents is to be delivered within seven days.

The **EU Travel Document** or *laissez-passer* issued by Member States was always/almost always accepted according to one Member State and never/almost never accepted for another.

Cooperation on return operations

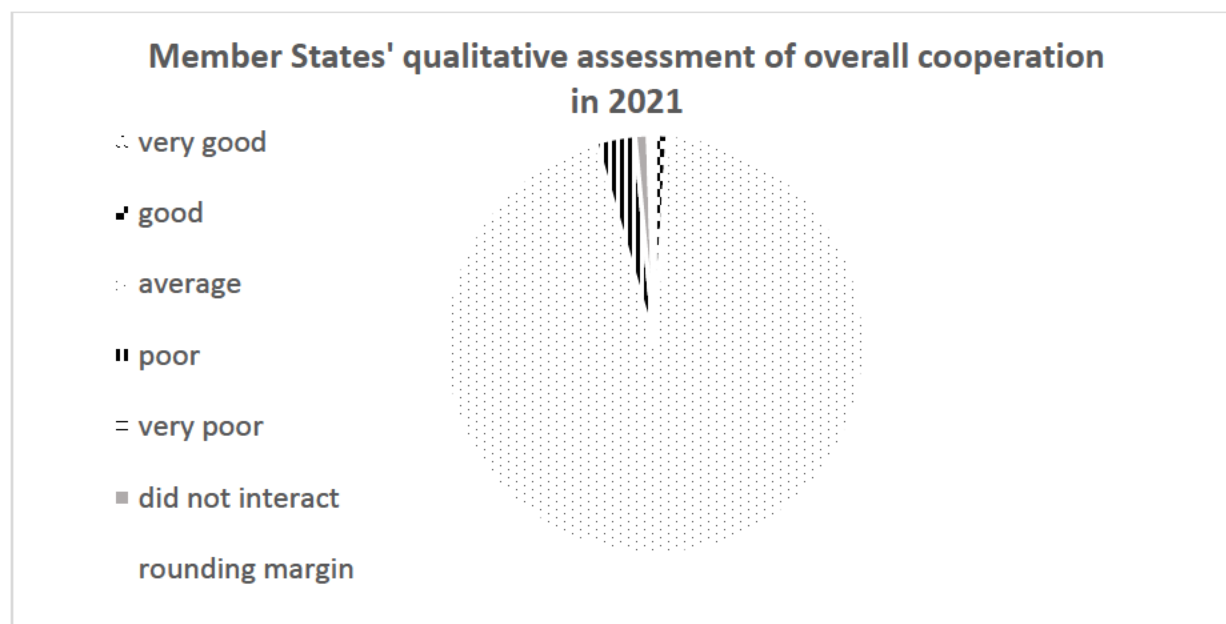
Three Member States (93% of the caseload) assessed Côte d'Ivoire's cooperation on **return operations** as average, three others (3% of the caseload) as poor or very poor and three (1% of the caseload) as good. Five Member States (2% of the caseload) did not attempt any return operation. All 14 Member States reported that no restrictions to readmission were imposed upon arrival.

Côte d'Ivoire accepted **charter flights** for one Member State, which assessed cooperation on charter flights as good, while reporting challenges related to the granting of landing permits. Charter flights were not accepted for another Member State, which assessed cooperation as poor. The remaining 12 Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, one Member State (92% of the caseload) assessed cooperation as poor, one as very poor (3% of the caseload), two as average (less than 1% of the caseload), and four as good (1% of the caseload). Five Member States encountered restrictions, namely on transit permits and visa requirements for escorts.

Summary

With a total of 5 255 nationals ordered to leave in 2021, Côte d'Ivoire ranked 14th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



14 Member States (99% of the caseload) interacted with Côte d'Ivoire in 2021. Of these, four Member States (94% of the caseload) assessed Côte d'Ivoire's overall cooperation on readmission as average, seven (3% of the caseload) as poor and three (1% of caseload) as good.

Côte d'Ivoire's cooperation in the identification procedure was assessed as good or very good by five Member States (93% of the caseload), as average by two (3% of the caseload), and as poor or very poor by seven (3% of the caseload).

Côte d'Ivoire's cooperation in the issuance of travel documents was assessed as good or very good by six Member States (95% of the caseload), as poor to very poor by five (3% of the caseload), and as average by two (less than 1% of the caseload). One Member State (2% of the caseload) did not request any travel documents due to pending identification.

As regards return operations, three Member States (93% of the caseload) assessed Côte d'Ivoire's cooperation as average, three (3% of the caseload) as poor or very poor, and another three (1% of the caseload) as good. Five Member States (2% of the caseload) did not attempt any return operation.

The provisions of the EU readmission arrangement were generally well respected with more than half of the responding Member States (95% of the caseload).

For a more effective and predictable readmission cooperation, good existing cooperation practices would need to be extended to all Member States. Identification could be improved by expediting relevant procedures (i.e., ensuring timely responses to identification, excluding interviews for documented cases, and providing the possibility to conduct interviews by phone or videoconference, when necessary). Cooperation could also be improved by fully respecting the provisions of the EU readmission arrangement in place, ensuring the timely issuance of travel documents for all Member States and removing the restrictions imposed on charter and commercial (scheduled) flights.

Democratic Republic of the Congo

EU engagement to date

The ACP-EU Cotonou Agreement, to which Democratic Republic of the Congo (DRC) is party, states the commitment of each State (party to the agreement) to accept the return and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the New EU/Africa-Caribbean-Pacific Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion. There is no other cooperation instrument or process in place at EU-level with DRC dedicated to readmission.

On 3 June 2022 exchanges with the Ambassador of DRC were held in Brussels, where the EU stressed the need for additional efforts in the cooperation on readmission, and in particular the suspension of the issuance of travel documents for Congolese (DRC) citizens who have no right to stay in EU Member States. The Ambassador committed to report to Kinshasa.

A European Return Liaison Officer (EURLO) has been deployed to Kinshasa in August 2016 to support cooperation on readmission, including on identification missions and return operations.

Cooperation on readmission

In 2021, 3 820 Congolese nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 155 were effectively returned following an order to leave, resulting in a **return rate** of 4%. Member States submitted 226 readmission requests to the Congolese authorities, who issued 103 travel documents resulting in an **issuance rate** of 46%.

15 Member States (92% of the caseload) reported having **approached the authorities** of the Democratic Republic of the Congo for readmission matters in 2021. Of those who engaged, one Member State (8% of the caseload) reported that the Democratic Republic of the Congo informed them officially of restrictions/suspensions on return in 2021, namely the requirement of a negative COVID-19 RT-PCR test or an Antigen test.

One Member State reported having a **bilateral agreement/arrangement** in place with the Democratic Republic of the Congo, the relevant provisions of which were very often respected.

Seven Member States reported having an **established practice for cooperation**, which for one was always/almost always implemented, whereas for four was very often or often implemented. Two Member States reported that the established practice was rarely implemented.

Cooperation on identification procedures

Two Member States (66% of the caseload) assessed the cooperation with the Democratic Republic of the Congo in the **identification procedure** as average, five (14% of the caseload) assessed it as very good or good, and eight (12% of the caseload) as very poor or poor.

Regarding identification processes, **evidence accepted** included passports (11 Member States), information extracted from the Visa Information System (four Member States), other identity documents, as well as their photocopies, (12 Member States), as well as other evidence, such as birth certificates, marriage and divorce certificates, driver's licenses, citizenship certificates (11 Member States), social media profile and phone contacts (one Member State), and school certificates (one Member State). Biometric evidence (fingerprints) was accepted for three Member States, and not accepted for five while seven Member States did not attempt to use such evidence.

Of the 10 Member States that have requested **consular interviews**, three reported that these were always/almost always organised upon request, while this occurred often to very often for three Member States. Consular interviews were rarely organised in the case of two Member States and never/almost never in the case of other two. The remaining five Member States had limited or no need for requesting consular interviews. If conducted, the results of consular interviews were assessed as satisfactory by three Member States, as acceptable by one, and as unsatisfactory by five. For one Member State, the Democratic Republic of the Congo rarely provided for the possibility to **conduct consular interviews by phone or videoconference**, while this never/almost never happened for seven Member States. The remaining Member States have not tried this option.

Of the two Member States that requested the organisation of **identification missions**, one reported that these were often organised, and one that they were never/almost never organised. One Member State rated the outcome of identification missions as very good, while it was considered as very poor by one other Member State.

Interviews were always/almost always requested by Congolese authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of four Member States. This happened often to very often for three Member States, rarely for one and never/almost never for one other Member State. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was always/almost always requested by Congolese authorities from one, often requested from three and never/almost never requested from eight Member States.

Cooperation on issuance of travel documents

14 Member States (90% of the caseload) reported having requested travel documents during the reporting period. Of these, six Member States (69% of the caseload) assessed DRC's cooperation **in the issuance of travel documents** as average, three (12% of the caseload) as good or very good,

and five (9% of the caseload) as poor or very poor. One Member State (2% of the caseload) did not request any travel documents.

Requests were always/almost always responded to with the issuance of travel documents for two Member States, and often or very often for five. For seven other Member States requests were rarely to never/almost never answered with the issuance of travel documents. Five Member States (69% of the caseload) reported that the issuance of travel documents often or very often took place in a **timely manner**. This was always/almost always the case for three Member States (11% of the caseload), never/almost never for three (9% of the caseload) and rarely for three other Member States (1% of the caseload). One Member State reported that **elements other than the nationality** (e.g. family situation or health related considerations) were always/almost always taken into consideration when deciding whether to issue a travel document. This was very often the case for one Member State, rarely the case for three and never/almost never the case for nine.

Travel documents were issued with a **validity** of up to 10 days for one Member State, up to 30 days for three Member States, one to six months for seven Member States, and more than six months in the case of two. Two Member States having requested the **renewal** of travel documents reported that these were always/almost always delivered in a timely manner. Six Member States reported that renewed travel documents were often or very often issued in a timely manner and two that this was rarely the case.

The **EU Travel Document** or *laissez-passer* issued by Member States was always/almost always accepted in the case of one Member State, while it was never/almost never accepted according to one other Member State. The rest of the Member States did not request it.

Cooperation on return operations

Two Member States (67% of the caseload) considered the DRC's cooperation on **return operations** as average, five (13% of the caseload) as good or very good and five others (12% of caseload) as poor or very poor. Three Member States (1% of the caseload) have not conducted any return operation. No Member State reported restrictions to readmission upon arrival.

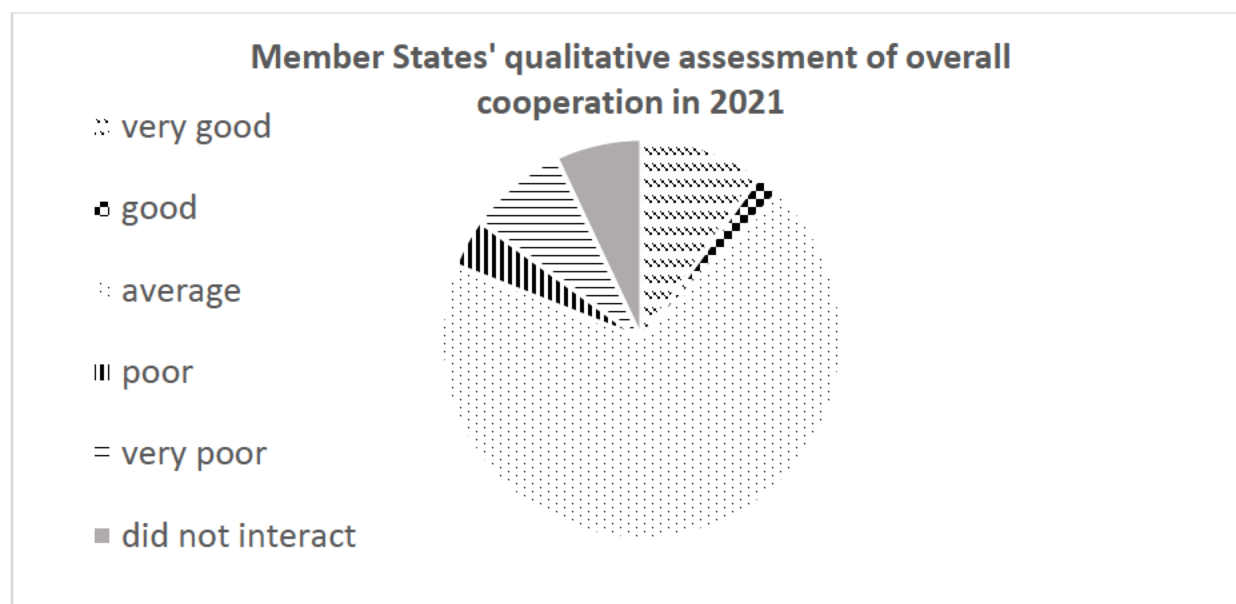
Charter flights were accepted by the Democratic Republic of the Congo for two Member States while this was not the case for one Member State. The remaining 12 Member States that engaged with DRC did not attempt to carry out return operations by charter flights. One Member State (10% of the caseload) assessed the cooperation on charter flights as average, and one other (1% of the caseload) as good. No Member State encountered restrictions.

When it came to returns by **commercial (scheduled) flights**, six Member States (79% of the caseload) assessed the cooperation as good or very good, four (10% of the caseload) assessed it as poor or very poor and one (1% of the return caseload) as average. Seven Member States

encountered restrictions on scheduled flights operations, namely on transit permits and visa requirements for escorts.

Summary

With a total of 3 820 Congolese nationals ordered to leave in 2021, the Democratic Republic of the Congo ranked 18th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



15 Member States (92% of the caseload) interacted with the Democratic Republic of the Congo in 2021. Of these, six Member States (69% of the caseload) assessed the Democratic Republic of Congo's overall cooperation on readmission as average, three (12% of the caseload) as good or very good, and six (12% of the caseload) as poor to very poor. Action is needed to improve cooperation in the field of readmission.

The Democratic Republic of the Congo's cooperation in the identification procedure was assessed as average by two Member States (66% of the caseload), as good or very good by five (14% of the caseload), and as poor to very poor by eight Member States (12% of the caseload).

The Democratic Republic of the Congo's cooperation on the issuance of travel documents was assessed as average by six Member States (69% of the caseload), as good or very good by three (12% of the caseload), and as poor to very poor by five (9% of the caseload). One Member State (2% of the caseload) did not request any travel documents.

As regards return operations, two Member States (67% of the caseload) assessed the Democratic Republic of the Congo's cooperation as average, five (13% of the caseload) as good to very good,

and five (12% of the caseload) as poor to very poor. Three Member States (1% of the caseload) have not conducted any return operation.

The existing established practices were generally implemented with the majority of Member States.

For a more effective and predictable readmission cooperation, cooperation practices could be enhanced through improvements in the issuance of travel documents. This mainly implies achieving a greater flexibility from the Congolese authorities in the acceptance of a wider variety of identification documents and evidence, accelerating the process leading to the actual issuance of the travel documents and achieving a higher responsiveness by the Congolese authorities.

Egypt

EU engagement to date

The EU-Egypt Association Agreement, which refers to readmission obligations in relation to own nationals, entered into force on 1 June 2004. There is no other cooperation instrument or process in place at EU level with Egypt dedicated to readmission. The third EU-Egypt Migration Dialogue took place on 16 November 2021, back-to-back with a visit by the Commission. In the meeting, Egypt expressed interest a structured cooperation at EU level on return and readmission.

A European Return Liaison Officer (EURLO) has been deployed since 2019. The deployment was prolonged until 31 March 2024. The EU will continue to request the deployment of a European Migration Liaison Officer (EMLO), who would have a regional mandate for East Africa.

Cooperation on readmission

In 2021, 5 765 Egyptian nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 700 were effectively returned following an order to leave, resulting in a **return rate** of 12%. Member States submitted 1 158 readmission requests to Egyptian authorities, who issued 141 travel documents, resulting in an **issuance rate** of 12%.

23 Member States (100% of the caseload) reported having **approached the authorities** of Egypt for readmission matters in 2021.

Of those who engaged, three Member States (13% of the caseload) reported that Egypt informed them officially of restrictions/suspensions on return in 2021, namely the requirement of a negative COVID-19 RT-PCR test or an antigen test for returnees, and the closure of borders for an undefined period. According to those Member States, authorities were not responsive to possible alternative solutions to lift those requirements.

Three Member States reported having **bilateral agreements/arrangements** in place with Egypt, the relevant provisions of which were always or very often respected.

Over three quarters of the responding Member States reported having an **established practice for cooperation** on the identification procedure, which for all of them was often, very often or always/almost always implemented.

Cooperation on identification procedures

Four Member States (46% of the caseload) assessed the cooperation with Egypt in the **identification procedure** as poor or very poor, 15 (37% of the caseload) assessed it as good or very good, and four (17% of the caseload) as average.

Regarding identification, **evidence accepted** included valid or expired passports (all Member States), information extracted from the Visa Information System (six Member States), other identification documents (half of the Member States) and their photocopies (18 Member States), as well as other types of documents, such as birth certificates (nine Member States), marriage and divorce certificates (five Member States) and drivers' licenses (seven Member States). Biometric evidence was provided and accepted in the case of 12 Member States, while it was not accepted for three.

Of the 19 Member States that have requested **consular interviews**, seven reported that these were always/almost always organised upon request with very satisfactory or satisfactory outcomes. For eight other Member States, consular interviews were very often or often organised upon request, with satisfactory or acceptable outcomes for five Member States and unsatisfactory outcomes for three. The remaining four Member States reported that consular interviews were rarely or never/almost never organised upon request and, if conducted, outcomes were assessed as unsatisfactory. For three Member States, Egypt always/almost always or often provided for the possibility to **conduct consular interviews by phone or videoconference**, while for 10 this was never/almost never possible.

None of the Member States that reported engagement with Egypt requested the organisation of **identification missions**.

Interviews were always/almost always requested by Egypt authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of six Member States. For five this was often or very often the case. **Confidential information under EU or national legal frameworks** (e.g. criminal records, in particular terrorism related crimes) was often requested by Egyptian authorities from five Member States.

Cooperation on issuance of travel documents

22 Member States (92% of the caseload) reported having requested travel documents during the reporting period. Four (46% of the caseload) assessed Egypt's cooperation on the **issuance of travel documents** as poor to very poor, 14 (39% of the caseload) assessed it as good or very good, and four (7% of the caseload) as average. One Member State (7% of the caseload) has not requested any travel documents due a bilateral agreement providing for the possibility to return without prior identification of the returnee.

For eight of the requesting Member States, requests were always/almost always responded to with the issuance of travel documents, for eight others this happened very often or often, and for six this was rarely or never/almost never the case. According to seven Member States (63% of the caseload), the issuance of travel documents took place rarely or never/almost never in a **timely manner**. For five (18% of the caseload) this was always/almost always the case, and for nine (14% of the caseload) travel documents were often or very often issued in a timely manner. Four Member

States reported that **elements other than the nationality** (e.g. the willingness of the returnee to return to Egypt and the socio-economic situation upon arrival) were always/almost always or very often taken into consideration when deciding whether to issue a travel document.

Travel documents were issued with a **validity** of one day (the day of the return) for one Member State, one to three days for one other Member State, up to 10 days to four Member States, up to 30 days for 12 Member States, and up to 6 months for three Member States. Of the Member States having requested the **renewal** of travel documents, almost two thirds reported that these were always/almost always, very often or often delivered in a timely manner, while for two this was rarely or never/almost never the case.

The **EU Travel Document** or *laissez-passer* issued by Member States was never/almost never accepted according to four Member States and never requested by the remaining Member States.

Cooperation on return operations

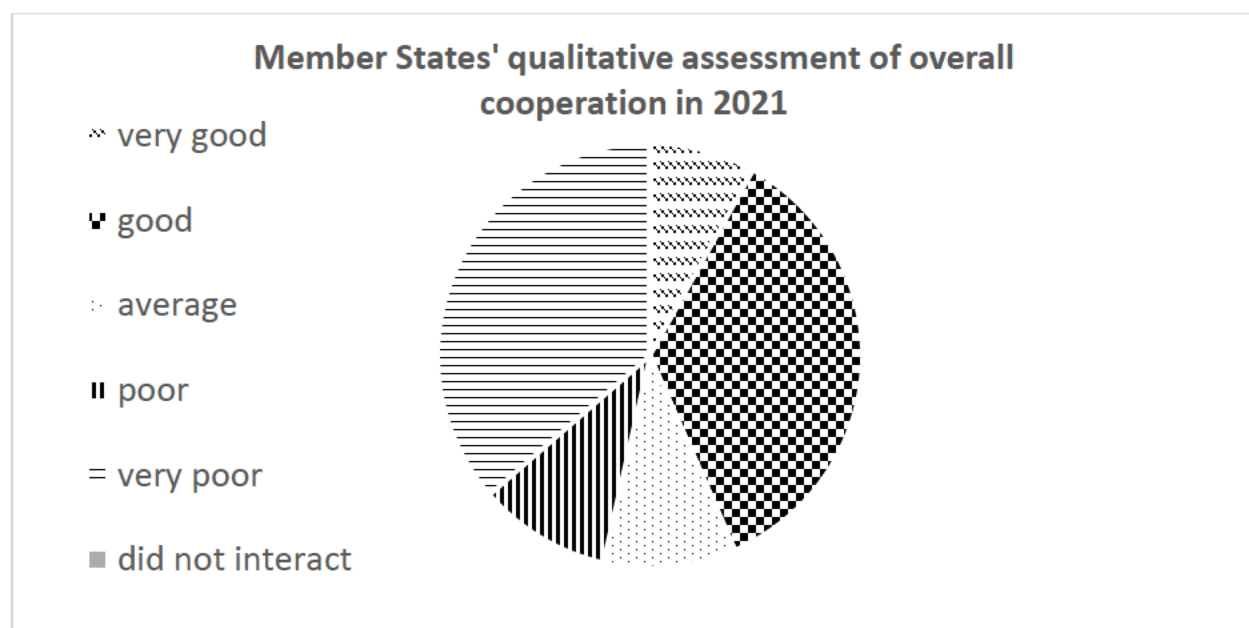
Two Member States (44% of the caseload) assessed Egypt's cooperation on **return operations** as poor, 15 (38% of the caseload) as good or very good, and six (18% of the caseload) as average. No Member State reported restrictions to readmission upon arrival.

Egypt accepted **charter flights** from five Member States, while this was not the case for two Member States. Of these, two (20% of the caseload) assessed the cooperation on charter flights as average with restrictions faced on the number of returnees on board and on visa requirements for escorts, and four Member States assessed it as good or very good (15% of the caseload). The remaining Member State (less than 1% of the caseload) having attempted return operations by charter flights was not in a position to assess Egypt's cooperation. The other 16 Member States having interacted with Egypt in the reporting period, did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, 15 Member States (48% of the caseload) assessed the cooperation as good or very good, one (34% of the caseload) assessed it as poor and six (17% of the caseload) as average. Eight Member States encountered restrictions, namely on transit permits and visa requirements for escorts.

Summary

With a total of 5 765 Egyptian nationals ordered to leave in 2021, Egypt ranked 11th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



23 Member States (100% of the caseload) interacted with Egypt in 2021. Of these, four (46% of the caseload) assessed Egypt's overall cooperation on readmission as poor or very poor, 15 (43% of the caseload) as good or very good, and four (10% of the caseload) as average. In view of the overall readmission context, action is needed to improve cooperation in the field of readmission.

Egypt's cooperation in the identification procedure was assessed as poor to very poor by four Member States (46% of the caseload), as good to very good by 15 (37% of the caseload) and as average by four (17% of the caseload).

Egypt's cooperation on the issuance of travel documents was assessed as very poor or poor by four Member States (46% of the caseload), as good or very good by 14 (39% of the caseload) and as average by four (7% of the caseload). One Member State (7% of the caseload) did not request any travel document in 2021.

As regards return operations, two Member States (44% of the caseload) assessed Egypt's cooperation as poor, 15 (38% of the caseload), as good or very good and six (18% of the caseload) as average.

For a more effective and predictable readmission cooperation, the existing good practices would need to be extended to all Member States, including the organisation of consular interviews for the purpose of identification for all Member States upon request, and a timely issuance of travel documents, following the confirmation of nationality. The restrictions on scheduled (commercial) flights would need to be lifted for all Member States.

Eritrea

EU engagement to date

To date, there has been no concerted engagement on readmission with Eritrea. The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement, to which Eritrea is party, states the commitment of each state (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the negotiated New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

While political engagement continues through the political dialogue, development cooperation is de facto suspended, in view of human rights concerns and the political situation in the country. This challenging context affects engagement on readmission which has so far not been prioritised.

Cooperation on readmission

In 2021, 3 115 Eritrean nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 55 were effectively returned following an order to leave, resulting in a **return rate** of 2%. Member States submitted 122 readmission requests to Eritrean authorities, who issued 13 travel documents resulting in an **issuance rate** of around 11%.

Six Member States (13% of the caseload) reported having **approached the authorities** of Eritrea for readmission matters in 2021.

Of those who engaged, one Member State (7% of the caseload) reported that Eritrea informed them officially of restrictions/suspensions on return in 2021, namely of the closure of the airport. According to three Member States the pandemic did not affect readmission cooperation at all due to prior levels of already poor cooperation.

None of the Member States who interacted reported having **bilateral agreements/arrangements** in place with Eritrea.

Two Member States reported having an **established practice for cooperation** in place, which for one was often implemented only for voluntary returns and for one was never/almost never implemented.

Cooperation on identification procedures

The six reporting Member States (13% of the caseload) assessed the cooperation with Eritrea in the **identification procedure** as very poor or poor.

Regarding identification processes, **evidence accepted** included valid/expired passport (four Member States), other identity documents (two Member States) and their photocopies (one Member State) as well as other evidence, such as birth certificates, marriage certificates, divorce certificates, and drivers' license. Biometric evidence was accepted for one Member State and was not accepted for one other Member State. The remaining Member States did not attempt to use such evidence.

Of the three Member States that have requested **consular interviews**, two reported that these were never/almost never organised upon request and one that they rarely were organised upon request. If conducted, the results of consular interviews were assessed as unsatisfactory by one Member State. The other two Member States were not in a position to assess the interviews. The remaining three Member States had limited or no need for requesting consular interviews. For one Member State, Eritrea never/almost never provided for the possibility to **conduct consular interviews by phone or videoconference**, while the remaining Member States have not tried this option.

No Member State reported requesting the organisation of **identification missions**.

Interviews were always/almost always requested by Eritrean authorities **even if sufficient evidence to establish nationality was provided** (e.g. valid or expired travel documents) in the case of two Member States.

Cooperation on issuance of travel documents

Half of the Member States (12% of the caseload) reported having requested travel documents during the reporting period. Of these, one (7% of the caseload) assessed Eritrea's cooperation on the **issuance of travel documents** as good and two (5% of the caseload) as very poor. The remaining three Member States (1% of the caseload) have not requested any travel documents mostly due to lack of replies to identification requests.

For one of the responding Member State, requests were very often responded to with the issuance of travel documents, while for the other two travel documents were never/almost never issued. According to one Member State (7% of the caseload) the issuance of travel documents very often took place in a **timely manner** only for voluntary returns. For the other two Member States (5% of the caseload) this was never/almost never the case. Two Member States reported that **elements other than the nationality** were always/almost always taken into consideration when deciding whether to issue a travel document, such as a declaration that the return is voluntary and a letter of regret for leaving the home country irregularly, and the payment of a tax.

Travel documents were issued with a **validity** of one day (the day of return) to one Member State and one to six months for two Member States. One Member State reported requesting the **renewal** of travel documents which were often delivered in a timely manner.

The **EU Travel Document** or *laissez-passer* issued by Member States was never/almost never accepted, according to the one Member State who requested it.

Cooperation on return operations

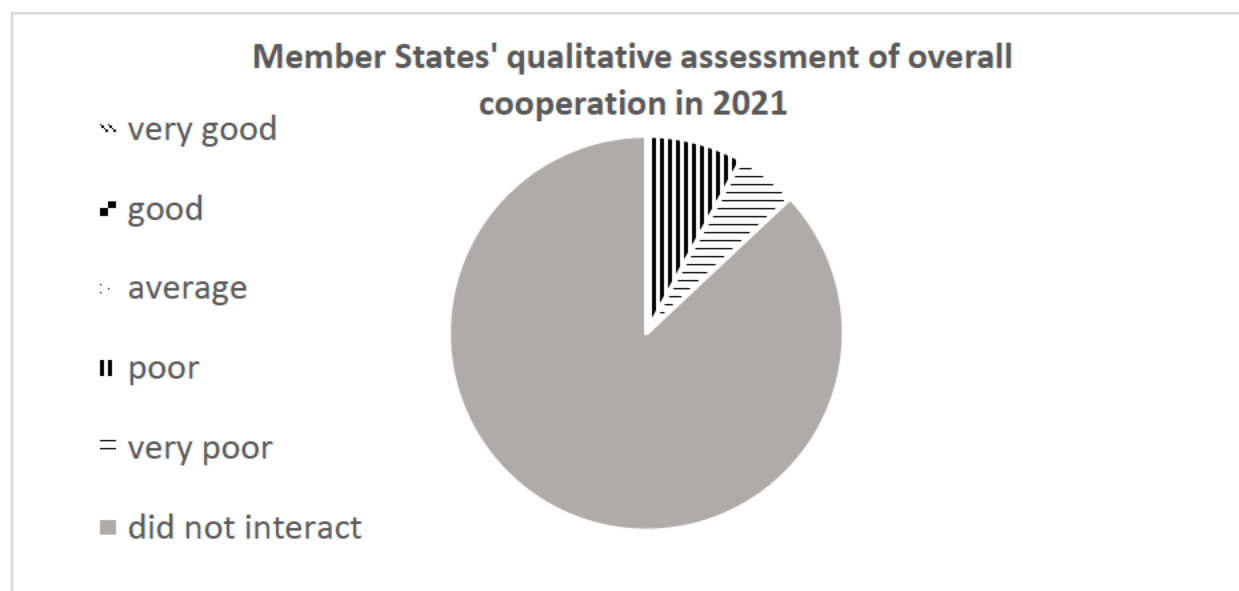
Half of the Member States (13% of the caseload) assessed Eritrea's cooperation on **return operations** as very poor to poor. Of these, no Member State reported restrictions to readmission upon arrival. The other half (less than 1% of the caseload) reported that they had no experience of return operations in 2021.

Charter flights were not accepted by Eritrea for one Member State, which assessed cooperation as poor (7% of the caseload). The remaining five Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, one Member State (7% of the caseload) assessed the cooperation as average while two (6% of the caseload) assessed it as very poor to poor.

Summary

With a total of 3 115, Eritrea nationals ordered to leave in 2021, Eritrea ranked 23rd amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



With six Member States (13% of the caseload) having interacted with Eritrea on readmission related matters in 2021, Eritrea is one of the third countries where less than one third of the Member States engaged. All of them (13% of the caseload) assessed Eritrea's overall

cooperation on readmission as very poor or poor. Action is needed to improve cooperation in the field of readmission. However, the challenging relations between the EU and Eritrea, and the political situation in the country could affect possibilities for engagement.

The six reporting Member States (13% of the caseload) assessed the cooperation with Eritrea in the identification procedure as very poor to poor.

Eritrea's cooperation on the issuance of travel documents was assessed as good by one Member State (7% of the caseload), and as very poor by two (5% of the caseload). The remaining three Member States (1% of the caseload) have not requested any travel documents mostly due to lack of replies to identification requests.

As regards return operations, half of the Member States (13% of the caseload) assessed Eritrea's cooperation as very poor to poor. The other half (1% of the caseload) reported that they had no experience of return operations in 2021.

The asylum recognition rate of Eritrean nationals is high in most Member States, leading to a limited operational practice on readmission. For a more effective and predictable readmission cooperation, clear practice implemented in a uniform way to all Member States, would need to be built, while ensuring respect of fundamental rights of returnees.

Ethiopia

EU engagement to date

The non-binding EU readmission arrangement with Ethiopia (Admission procedures for the return of Ethiopians from European Union Member States) entered into force on 5 February 2018. To monitor and facilitate the implementation of the arrangement, two meetings of the Joint Working Group took place to date, the last one on 29 November 2019. Two technical meetings, the last one on 6 March 2020, have taken place in addition to the Joint Working Group.

The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement, to which Ethiopia is party, also states the commitment of each state (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the negotiated New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

Following the beginning of the conflict in northern Ethiopia in 2020, there was a nation-wide state of emergency introduced by the government of Ethiopia in November 2021 which ended in February 2022. Even though the lifting of the state of emergency allowed the return of persons in possession of valid passports or travel documents, no effective returns have taken place so far. The current political situation impacts engagement.

A meeting on readmission between the EU Delegation and the Ministry of Foreign Affairs took place on 19 March 2021. While the meeting led to specific commitments from the Ethiopian side on processing and verifying return cases, as well as the confirmation of nationality via Notes Verbales to EU diplomatic missions, there have been no concrete developments.

To support identification and overall operational cooperation a European Return Liaison Officer (EURLO) has been present in the country from October 2020 to August 2022, and a new deployment is expected in December 2022. A European Migration Liaison Officer (EMLO) has been deployed since February 2017 with a regional mandate, covering the Horn of Africa.

Technical exchanges took place in June 2022 through the EU Delegation in Addis Ababa. During these exchanges, Ethiopia acknowledged the backlog on requests for identification and committed to working together with the EU on return and readmission. Ethiopia proposed to address the backlog and proceed with the internal reorganisation of relevant national agencies, prior to identifying a possible timing for a meeting the Joint Working Group.

Cooperation on readmission

In 2021, 1 090 Ethiopian nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 110 were effectively returned following an order to leave,

resulting in a **return rate** of 10%. Member States submitted 523 readmission requests to Ethiopian authorities, who issued 84 travel documents resulting in an **issuance rate** of 16%.

Nine Member States (57% of the caseload) reported having **approached the authorities** of Ethiopia for readmission matters in 2021.

While no Member State reported that Ethiopia informed them officially of restrictions/suspensions of returns in 2021, two Member States indicated that **COVID-19** related requirements impacted cooperation on return operations, namely as regards entry requirements for one and a suspension of returns for the other.

Of the eight Member States having used the **EU-Ethiopia readmission arrangement**, four (36% of the caseload), reported that the relevant provisions were never/almost never respected by Ethiopia. For the other four Member States (12% the caseload) the provisions of the arrangement were rarely respected.

Five Member States reported having an **established practice for cooperation**, which for three was never/almost never implemented and for two rarely implemented.

Cooperation on identification procedures

Seven Member States (49% of the caseload) assessed the cooperation with Ethiopia in the **identification procedure** as very poor or poor, and one (less than 1% of the caseload) as average. One Member State (8% of the caseload) reported no cooperation on identification, due to a limited amount of cases which were documented.

Regarding identification processes, **evidence accepted** included valid/expired passport (six Member States), information extracted from the Visa Information System (four Member States), other identity documents (five Member States) and their photocopies (four Member States). Biometric evidence was accepted for one Member State and not accepted for one other Member State that tried using such evidence.

Of the five Member States that have requested **consular interviews**, two reported that these were never/almost never organised upon request, two that they were rarely organised upon request, and one that they were often organised upon request. If conducted, the results of consular interviews were assessed as unsatisfactory by one Member State and as acceptable for two. The remaining four Member States had limited or no need for requesting consular interviews. For four Member States, the possibility to **conduct consular interviews by phone or videoconference** was never/almost never provided, while for one it was rarely provided. The remaining Member States have not tried this option.

The two Member States that requested the organisation of **identification missions** reported that these were never/almost never organised, with the outcome assessed as acceptable by one Member

State. For the other two Member States, no identification mission has been organised in the reporting period.

In the case of one Member State, **interviews** were always/almost always requested by Ethiopian authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) and rarely for another. **Confidential information under EU or national legal framework** (e.g. information on asylum processes, medical information or criminal records) was never/almost never requested by Ethiopian authorities from three Member States and rarely from two others.

Cooperation on issuance of travel documents

Six Member States (48% of the caseload) reported having requested travel documents during the reporting period. All of them assessed Ethiopia's cooperation on the **issuance of travel documents** as very poor. The remaining three Member States (9% of the caseload) have not requested any travel documents because the persons concerned were in the possession of valid passports, or due to a lack of response to identification requests and overall poor cooperation.

For over half of the Member States, requests were rarely to never/almost never responded to with the issuance of travel documents, whereas for two they were often to very often responded to with the issuance of travel documents. According to four Member States (36% of the caseload) the issuance of travel documents rarely to never/almost never took place in a **timely manner**⁵⁹. For the remaining two Member States (12% of the caseload) the issuance of travel documents often or very often took place in a timely manner. Three Member States reported that **elements other than the nationality** (i.e. the voluntary nature of the return, the medical condition of the returnee or the place of birth of the person concerned) were very often or often taken into consideration when deciding whether to issue a travel document, one reported that this was always/almost always the case, and one that this was rarely the case.

Travel documents were issued with a **validity**⁶⁰ of one day for one Member State, up to 30 days for one other Member State, and one to six months for four Member States. The one Member State requesting the **renewal**⁶¹ of travel documents reported that these were rarely delivered in a timely manner.

⁵⁹ According to the EU readmission arrangement with Ethiopia, travel documents are issued within three working days after the submission of the readmission request for documented cases, provided an Ethiopian consulate is located in the requesting Member State; otherwise, within eight working days. For undocumented cases, to be issued within three working days following the confirmation of identification, provided an Ethiopian consulate is located in the requesting Member State; otherwise, the travel document shall be issued within eight working days.

⁶⁰ According to the EU readmission arrangement, travel documents are to be issued with a validity of six months.

⁶¹ According to the EU readmission arrangement, the renewal of travel documents is to be done within three working days.

The **EU Travel Document** or *laissez-passer* issued by Member States was never/almost never accepted according to one Member State who requested it.

Cooperation on return operations

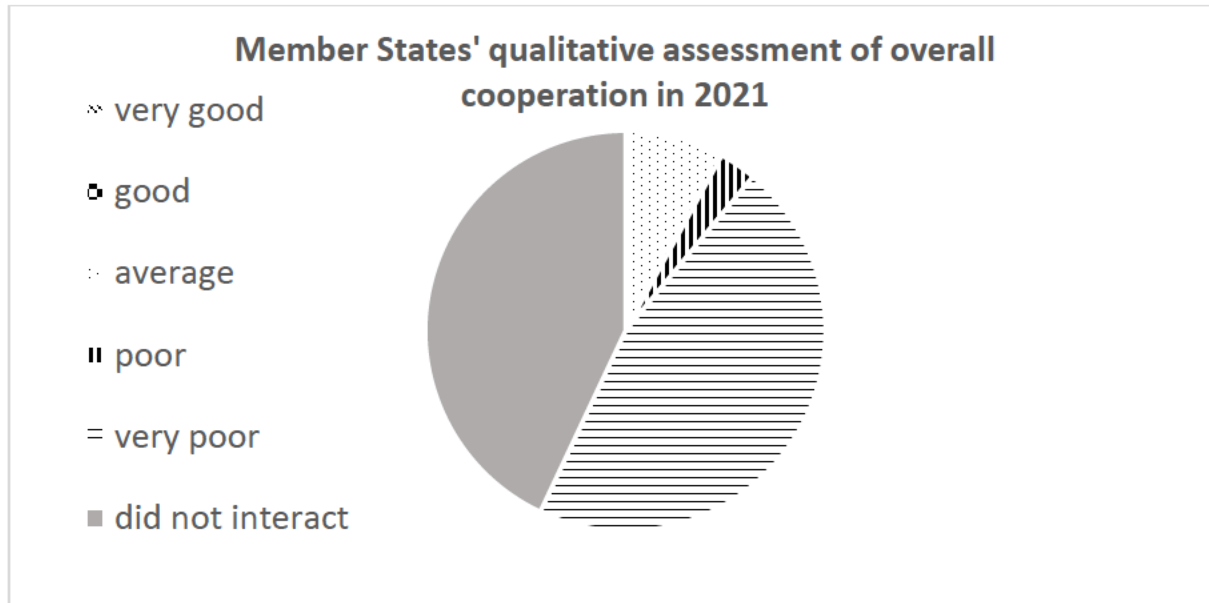
Two Member States (28% of the caseload) assessed Ethiopia's cooperation on **return operations** as good to very good, four (17% the caseload) as average and one Member States (6% of the caseload) as very poor. No Member State reported restrictions to readmission upon arrival. The remaining two Member States (6% of the caseload) reported not having experience in return operations in 2021.

Charter flights were accepted by Ethiopia for two Member States. The remaining seven Member States did not attempt to carry out return operations by charter flights and one specified that the caseload was too small to carry out such operations. One Member State (25% of the caseload) assessed the cooperation on return operations by charter flights as very good and two (12% of the caseload) as average. One Member State encountered restrictions on the number and frequency of flights, the number of returnees on board, the issuance of landing permits, the visa requirement for escorts and the fact that only Frontex charter operations were accepted. Two Member States reported that landing permits were not granted.

When it came to returns by **commercial (scheduled) flights**, two Member States (28% of the caseload) assessed the cooperation as good to very good, four (17% of the caseload) as average, and one (6% of the caseload) as very poor. Two Member States encountered restrictions, namely visa requirements for escorts and mandatory COVID-19 RT-PCR testing.

Summary

With a total of 1 090 Ethiopian nationals ordered to leave in 2021, Ethiopia ranked 31st amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



With nine Member States (57% of the caseload) that interacted with Ethiopia in 2021, Ethiopia was one of the third countries where less than one third of the Member States initiated cooperation on readmission. Of those that engaged, seven Member States (49% of the caseload) assessed Ethiopia's overall cooperation on readmission as very poor or poor, and two (8% of the caseload) as average. Action is needed to improve cooperation in the field of readmission.

Seven Member States (49% of the caseload) assessed cooperation on the identification procedure as poor or very poor, and one (less than 1% of the caseload) as average.

Ethiopia's cooperation on the issuance of travel documents was assessed as very poor or poor by six Member States (48% of the caseload). The remaining three Member States (9% of the caseload) reported that they did not request any travel document.

As regards return operations, two Member States (28% of the caseload) assessed Ethiopia's cooperation as good or very good, four (17 % of the caseload) as average and one (6% of the caseload) as very poor. The remaining two Member States (6% of the caseload) reported not having experience in return operations in 2021.

The provisions of the EU readmission arrangement were generally never/almost never or rarely respected for all Member States.

For a more effective and predictable readmission cooperation, timely responses to readmission requests would need to be ensured. Identification could be improved by providing the possibility to organise interviews for the purpose of identification for all Member States, and travel documents would need to be issued in a timely manner following the positive identification.

The Gambia

EU engagement to date

The non-binding EU readmission arrangement with The Gambia (the Good Practices on identification and return) entered into operation on 16 November 2018. The arrangement is complemented by Operational Conclusions, agreed in May 2019, which define the modalities for return operations, including the number of persons on board per charter flight and the number of charter return flights per month.

The arrangement and the operational conclusions have hardly been tested, due to a series of moratoria imposed by The Gambia on returns by charter flights, starting from March 2019. While briefly resumed in 2021, return operations by charter flights were again suspended by the Gambian authorities on 6 April 2021, invoking the limited capacity of security services due to the presidential elections of December 2021. The moratorium was finally lifted in March 2022, following which four successful return operations were carried out in June, July, September and November 2022 with landing permits issued in a timely manner in the last three cases. The first Joint Working Group (JWG) meeting took place on 12 October 2022, four years after the conclusion of the arrangement. The Commission acknowledged some constructive steps taken by The Gambia, but indicated that additional efforts are needed to ensure the full implementation of the arrangement towards all Member States and address the current backlog of cases in a sustainable way.

A European Return Liaison Officer (EURLO) is deployed to Banjul since January 2020. A European Migration Liaison Officer (EMLO) is also deployed since 2017.

The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement, to which The Gambia is a party, states the commitment of each state (which is party to the agreement) to accept the return and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

Follow-up to the assessment of cooperation in 2019 and 2020

Cooperation on readmission with The Gambia has been assessed as insufficient in the assessment of third countries' level of cooperation on readmission in 2019 and the Commission proposed temporary restrictive measures on short-stay visas for Gambian nationals on 15 July 2021⁶². In view of the lack of improvement in the cooperation and the Gambian non-cooperative attitude

⁶² COM (2021) 413 final.

despite the additional steps taken by the EU, the Council adopted restrictive measures on 7 October 2021 (in force as of 1 November 2021)⁶³.

The EU continued its enhanced engagement over the months following the adoption of restrictive visa measures by the Council, including locally. A meeting with the Gambian Ambassador took place on 9 March 2022 where the EU highlighted that cooperation on readmission had not resumed after the presidential elections in December in the way it was expected by the EU and its Member States. At the meeting, the EU agreed to reduce temporarily the frequency of charter flights to two flights per month in 2022 to accommodate The Gambia's constraints in regard to their capacity linked to return.

The EU reiterated the need to restart cooperation on processing of readmission applications and on return operations based on the existing Good Practices in two high-level meetings held with the Gambian Ministry of Foreign affairs in Brussels in mid-June 2022, as well as during the first meeting of the JWG in October 2022. The EU stressed the need to relaunch and upscale cooperation on all phases of the readmission process to demonstrate substantive and sustained progress, as a prerequisite for the Commission to repeal or amend the restrictive visa measures.

Despite the continuous engagement of the EU to improve the level of cooperation with The Gambia, and considering the EU's overall relations, the Commission assessed that substantive and sustained progress has not been achieved and The Gambia's cooperation remained insufficient, and that further action is needed. On 09 November 2022, the Commission therefore proposed to move to the next stage of measures, in accordance with Article 25a (5)(b), and to apply an increased visa fee to nationals of The Gambia⁶⁴.

Cooperation on readmission

In 2021, 1 720 The Gambian nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 135 were effectively returned following an order to leave, resulting in a **return rate** of 8%. Member States submitted 1 111 readmission requests to The Gambian authorities, who issued 307 travel documents, resulting in an **issuance rate** of 28%. Almost all of the travel documents were issued to one Member State.

11 Member States (86% of the caseload) reported having **approached the authorities** of The Gambia for readmission matters in 2021.

⁶³ Council Implementing Decision (EU) 2021/1781 of 7 October 2021 on the suspension of certain provisions of Regulation (EC) No 810/2009 of the European Parliament and of the Council with respect to The Gambia, OJ L 360, 11.10.2021, p. 124.

⁶⁴ COM(2022) 632 final.

Of those who engaged, four Member States (40% of the caseload) reported that The Gambia informed them officially of restrictions/suspensions on return in 2021, linked to the national elections in December 2021.

For eight Member States, using the **EU-The Gambia readmission arrangement** (over two thirds of the caseload), the relevant provisions were rarely or never respected by The Gambia, while they were always/almost always or often respected for two other Member States (15% of the caseload). Member States referred to a lack of responses from the relevant diplomatic missions to the readmission requests despite several reminders.

Two Member States reported having **bilateral agreements** in place with The Gambia, the relevant provisions of which were very often respected for both of them.

In total, 10 Member States reported having an **established practice for cooperation** in place, which was always/almost always or very often implemented for five Member States. This was rarely the case for three other Member States and never/almost never for two.

Cooperation on identification procedures

Five Member States (45% of the caseload) assessed the cooperation with The Gambia in the **identification procedure** as poor or very poor, two (24% of the caseload) as average, and four (17% of the caseload) including those benefitting from a long-term identification mission or a bilateral agreement as good or very good.

Regarding identification processes, **evidence accepted** included valid/expired passports (nine Member States), information extracted from the Visa Information System (five Member States), other identity documents (eight Member States) and their photocopies (seven Member States), as well as other evidence (six Member States) such as birth certificates, citizenship certificates or driving licenses. Biometric evidence (fingerprints) was accepted from two Member States, while not from five others.

Of the seven Member States that have requested the organisation of **consular interviews**, four reported that these were always/almost always, very often or often organised by the competent diplomatic mission. This was never/almost never or rarely the case for the three remaining Member States. If conducted, the results of consular interviews were assessed as very satisfactory, satisfactory or acceptable by three Member States and unsatisfactory by the two others. The remaining four Member States did not request consular interviews, mainly due to the historical lack of responses, the refusal of relevant diplomatic missions or honorary consuls to organise identification interviews or the presence of alternative means in place (i.e. long terms identification mission in one Member State). The Gambia rarely provided for the possibility to **conduct consular**

interviews by phone or videoconference to one Member State and never/almost never to three other Member States. The remaining Member States have not tried this option.

Of the five Member States that requested the organisation of **identification missions**, three reported that these were very often or always/almost always organised. One of them confirmed regularly prolonging the long-term mission since 2016. For two other Member States, identification missions were never/almost never organised. If identification missions were organised their outcome was assessed as very good or good by two Member States, acceptable by two other Member States and very poor by one Member State.

Two Member States reported that **interviews** were very often or often requested by the Gambian authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents). **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was requested by The Gambian authorities from one Member State.

Cooperation on issuance of travel documents

10 Member States (85% of the caseload) reported having requested travel documents during the reporting period. Of these, four Member States (44% of the caseload) assessed The Gambia's cooperation on the **issuance of travel documents** as poor or very poor, and six (41% of the caseload) as good or very good. One Member State (2% of the caseload) has not requested any travel documents due to lack of responses from The Gambian since 2019.

For six Member States requests were always/almost always or often responded with the issuance of travel documents. This was never/almost never the case for two and rarely for two. According to four Member States (almost half of the caseload) the issuance of travel documents took place never/almost never or rarely in a **timely manner**⁶⁵. For six Member States (almost the other half of the caseload) this was always/almost always or often the case. One Member State reported that **elements other than the nationality** were very often or often taken into consideration when deciding whether to issue a travel document. This was never/almost never or rarely the case for eight Member States.

Travel documents were issued with a **validity**⁶⁶ of one day for four Member States, of up to three days for another one, of up to 30 days for one Member State, of one to six months for three Member States, and of more than six months for one Member State. Six Member States asked for the

⁶⁵ According to the EU readmission arrangement with The Gambia, travel documents are to be issued within 7 working days if the person subject to return is documented, or within 3 working days of the date of the interview or after presentation of copies of official documents, or within 5 working days following identification through biometric databases.

⁶⁶ According to the EU readmission arrangement, travel documents are to be issued with a validity of six months.

renewal⁶⁷ of travel documents, which was always/almost always or very often provided for four, while rarely or never/almost never for the two others.

The **EU Travel Document** or *laissez-passer* issued by Member States was not accepted by The Gambia.

Cooperation on return operations

Five Member States (72% of the caseload) assessed The Gambia's cooperation on **return operations** as poor to very poor, four (12% of the caseload) as very good or good and two (1% of the caseload) as average. No Member States reported restrictions to readmission upon arrival.

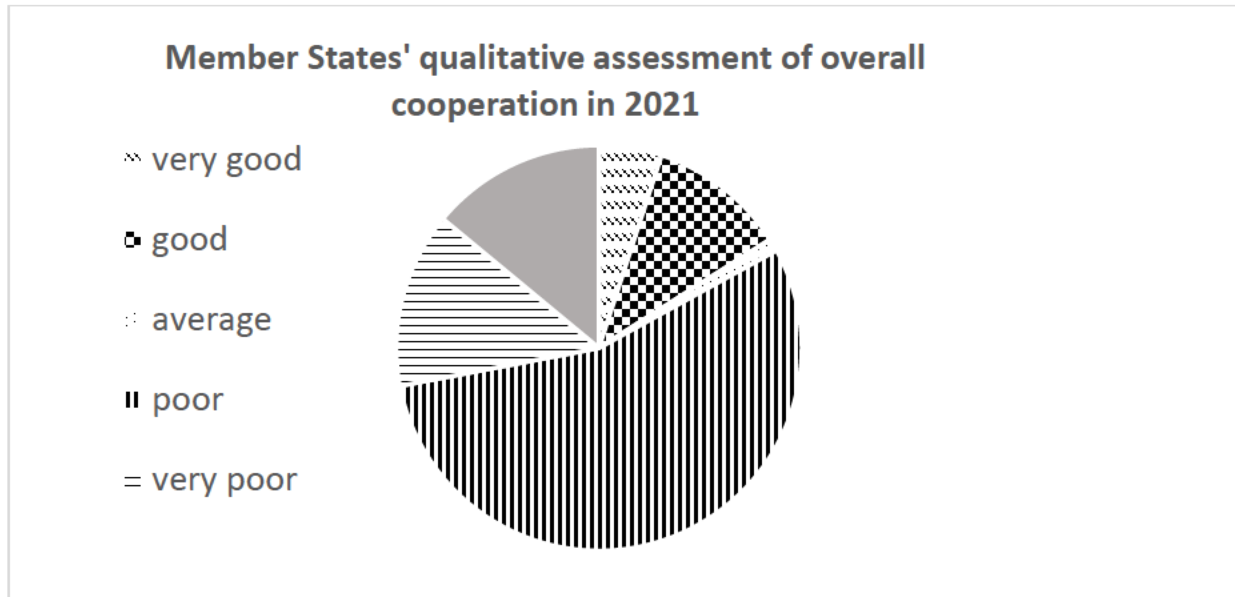
Charter flights were not attempted by most of Member States in view of the moratorium unilaterally imposed by The Gambia, which applied to almost all Member States. For one other Member State charter flights were not accepted and cooperation was assessed as very poor. The remaining nine Member States did not attempt to carry out returns via charter flights.

When it came to returns by **commercial (scheduled) flights**, four Member States (62% of caseload) assessed the cooperation as poor to very poor, four (12% of the caseload) as good or very good and two (2% of the caseload) as average. Seven Member States encountered restrictions, namely as regards transit permits and visa requirements for escorts which were applied unevenly among these Member States, as well as the payment of a EUR 20 fee upon entry for holders of service/official passports.

Summary

With a total of 1 720 Gambian nationals ordered to leave in 2021, The Gambia ranked 27th amongst assessed visa-bound third countries whose nationals have been issued return decisions in the Member States. Between March 2021 and March 2022, returns by charter flights had been unilaterally suspended by The Gambia and Member States' requests (for identification and/or issuance of travel documents) were not processed by the diplomatic missions despite the arrangement in place.

⁶⁷ According to the EU readmission arrangement, travel documents are to be renewed within 14 working days.



11 Member States (86% of the caseload) interacted with The Gambia in 2021. Of these, over half of the Member States (69% of the caseload) assessed The Gambia's overall cooperation on readmission as poor or very poor, three (16% of the caseload) as good or very good and two (1% of the caseload) as average. Action is needed to improve cooperation in the field of readmission.

Five Member States (45 % of the caseload) assessed the cooperation with The Gambia in the identification procedure as poor or very poor. Of the remaining Member States, two (24% of the caseload) assessed it as average and four (17% of the caseload) as good or very good.

The Gambia's cooperation on the issuance of travel documents was assessed as poor or very poor by four Member States (44% of the caseload) and good or very good by six (41% of the caseload).

As regards return operations, five Member States (72% of the caseload) assessed the Gambia's cooperation as poor or very poor, four (12% of the caseload) as good or very good and two (1% of the caseload) as average.

The provisions of the EU Readmission Arrangement were generally not respected for most Member States (over two thirds of the caseload).

The EU readmission arrangement has been rarely implemented, due to the series of moratoria in place until March 2022. Following the lifting of the moratorium on return flights, the provisions of the arrangement need to be effectively implemented and respected for all Member States. This was communicated to The Gambia and discussed the first Joint Working Group meeting that took place in October 2022. The Gambian consular authorities would need to provide timely responses to readmission requests from all Member States and issue the travel

documents for documented cases, as well as following the confirmation of identification. Good cooperation practices such as the issuance of travel documents by the honorary consuls would need to be extended to all Member States. Identification could be improved by accepting that the long-term identification experts seconded to one Member State also support identification processes in other Member States. Following the lifting of the moratorium in March 2022, timely delivery of landing permits is important to allow for the smooth and regular organisation of return operations by charter flights. Positive developments stemming from increased diplomatic engagement in summer and autumn 2022 will have to translate in substantial and sustained progress.

Ghana

EU engagement to date

Since 2019, efforts to engage with Ghana in formalising cooperation on readmission practices at EU level were put on hold, as both the Member States and Ghana preferred bilateral cooperation.

The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement, to which Ghana is party, states the commitment of each state (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the negotiated New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

To support identification and overall operational cooperation on readmission, a European Return Liaison Officer (EURLO) was deployed from 2018 to mid-2020, and again since March 2021.

A government-to-government project under the EU-funded European Return and Reintegration Network (ERRIN) on the “Migration Information Centre for Returnees (MICR)” is ongoing. The project is being expanded under the EU-funded Return and Reintegration Facility implemented by ICMPD and aims at strengthening the institutional capacities of relevant governmental actors involved in the return and readmission processes, namely the Ghana Immigration Services (GIS) and the National Disaster Management Organisation (NADMO).

In May 2022 a meeting with the Ambassador of Ghana took place, where the Commission underlined the EU’s expectations towards achieving sustainable progress on cooperation on readmission. Ghana acknowledged the assessment and welcomed the openness of the discussion. It was agreed to continue the exchanges, including locally, and to reconvene for a technical discussion to look for solutions to the outstanding cooperation issues.

Cooperation on readmission

In 2021, 1 400 Ghanaian nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 360 were effectively returned following an order to leave, resulting in a **return rate** of 25%. Member States submitted 883 readmission requests to Ghanaian authorities, who issued 281 travel documents resulting in an **issuance rate** of around 32%.

14 Member States (83% of the caseload) reported having **approached the authorities** of Ghana for readmission matters in 2021. Of those who engaged, three Member States (5% of the caseload) reported that Ghana informed them officially of restrictions/suspensions on return in 2021.

No Member State reported having **bilateral agreements/arrangements** in place with Ghana.

12 Member States reported having an **established practice for cooperation**, which for three was rarely implemented, while for six this was often or very often the case, and for other three it was always/almost always the case.

Cooperation on identification procedures

Six Member States (49% of the caseload) assessed Ghana's cooperation in the **identification procedure** as good to very good, five Member States (30% of caseload) assessed it as poor, and two (4% of the caseload) as average. One Member State (less than 1% of the caseload) reported not having carried out any identification procedures with Ghana.

Regarding identification processes, **evidence accepted** included valid or expired passport (11 Member States), information extracted from the Visa Information System (five Member States), other identity documents and their photocopies (11 Member States) as well as other evidence, such as birth certificates, marriage certificates, divorce certificates, driver's licenses, citizenship certificates, social media profile and phone contacts (10 Member States). Biometric evidence (fingerprints and photos) was accepted for three Member States, while it was not the case for four other Member States. The seven remaining Member States did not attempt to use such evidence.

Of the 11 Member States that have requested **consular interviews**, one reported that these were rarely organised upon request, two that these were often to very often organised upon request, and the remaining nine that these were always/almost always organised upon request. If conducted, the results of consular interviews were assessed as unsatisfactory by two Member States, as acceptable by four and as satisfactory to very satisfactory by the remaining five. The remaining two Member States had limited or no need for requesting consular interviews. For three Member States, Ghana very often to always/almost always provided for the possibility to **conduct consular interviews by phone or videoconference**, for two Member States this possibility was rarely provided and for four it was never/almost never provided. The remaining two Member States have not tried this option.

The one Member State that requested the **organisation of identification missions** reported that these were very often organised and rated the outcome of identification missions as acceptable.

Interviews were never/almost never or rarely requested by Ghanaian authorities **if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of six Member States, and almost/almost always for five Member States. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was always/almost always requested by Ghanaian authorities from two Member States. This was rarely the case for four Member States and never/almost never for six other Member States.

Cooperation on issuance of travel documents

13 Member States (80% of the caseload) reported having requested travel documents during the reporting period. Five (38% of the caseload) assessed Ghana's cooperation on the **issuance of travel documents** as good or very good, four (21% of the caseload) as poor and four others (21% of the caseload) as average. One Member State (3% of the caseload) did not request travel documents due to the absconding of the returnee.

For seven Member States, requests were responded to often or very often with the issuance of travel documents, for three this was always/almost always the case, while for other three Member States, it was rarely the case. According to two Member States (34% of the caseload) the issuance of travel documents took always/almost always place in a **timely manner**. For five Member States (13% of the caseload) this was often or very the case. The remaining six Member States, (33% of the caseload) reported that this was rarely or never/almost never the case. Three Member States reported that **elements other than the nationality** were always/almost always taken into consideration when deciding whether to issue a travel document, while five reported that this happened rarely.

Travel documents were issued with a **validity** of up to 10 days for one Member State, up to 30 days for five and one to six months for seven Member States. Member States requesting the **renewal** of travel documents reported that these were often to very often and always/almost always delivered in a timely manner.

The **EU Travel Document** or *laissez-passer* issued by Member States was never/almost never accepted according to one Member State who requested it.

Cooperation on return operations

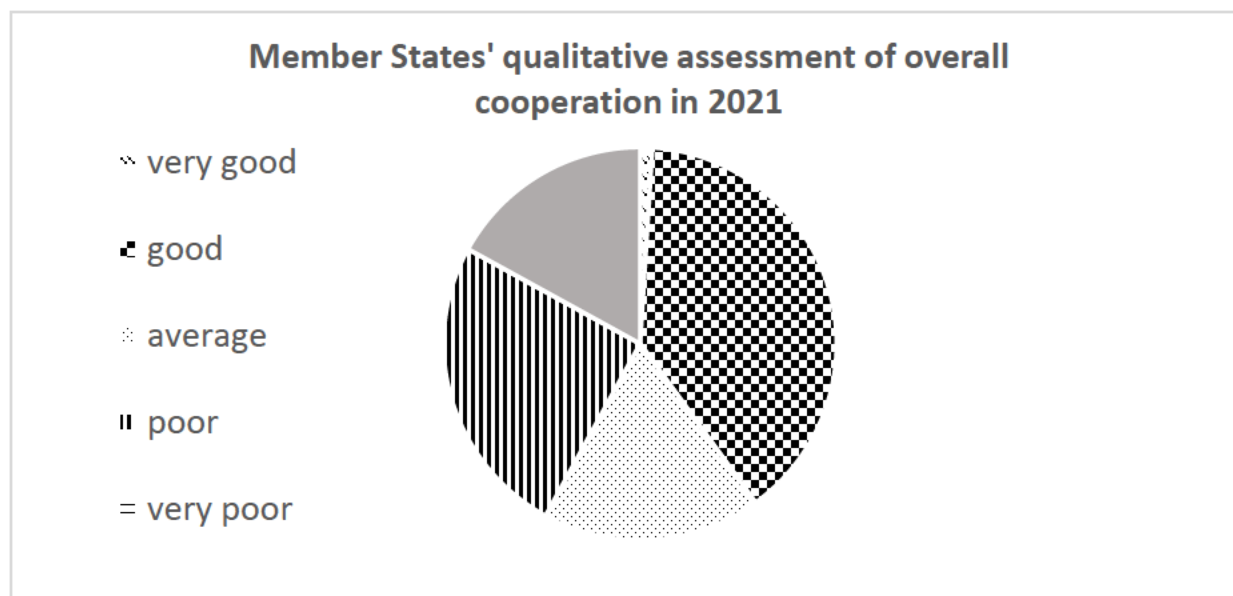
Seven Member States (63% of the caseload) assessed Ghana's cooperation on **return operations** as good or very good, three (14% of the caseload) as average and two (4% of the caseload) as poor. No Member State reported restrictions to readmission upon arrival. The two remaining Member States (2% of the caseload) reported having no experience on return operations in 2021.

Charter flights were accepted by Ghana for four Member States, all of which assessed Ghana's cooperation on return operations by charter flights as good to very good. One reported that limitations on the number of returnees on board were imposed. The remaining 10 Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, seven Member States (63% of the caseload) assessed cooperation as good to very good, four (16% of the caseload) assessed it as average and one (3% of the caseload) as very poor. Two Member States reported that they did not have any experience with return operations by commercial (scheduled) flights in the reporting period. Eight Member States encountered restrictions, namely on transit permit, visa requirements for escorts and the need for a negative COVID-19 RT-PCR test.

Summary

With a total of 1 400 Ghanaian nationals ordered to leave in 2021, Ghana ranked 30th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



14 (83% of the caseload) interacted with Ghana in 2021. Of them, five (40% of the caseload) assessed Ghana's overall cooperation on readmission as good to very good, three (25% of the caseload) as poor and six (18% of the caseload) as average.

Ghana's cooperation in the identification procedure was assessed as good or very good by six Member States (49% of the caseload), as poor by five (30% of the caseload) and as average by two (4% of the caseload). One Member State (1% of the caseload) did not request for identification.

Ghana's cooperation on the issuance of travel documents was assessed as good or very good by five Member States (38% of the caseload), as poor by four (21% of the caseload) and as average by another four (21% of the caseload). One Member State (3% of the caseload) did not request travel documents.

As regards return operations, seven Member States (63% of the caseload) assessed Ghana's cooperation as good or very good, three (14% of the caseload) as average and two (4% of the caseload) as poor. The two remaining Member States (2% of the caseload) reported having no experience on return operations in 2021.

For a more effective and predictable readmission cooperation, good practices, such as providing the opportunity to conduct identification by phone or videoconference, should be extended to all

Member States. Discontinuing the practice of considering elements other than nationality when issuing travel documents and reducing the time needed to issue travel documents would also result in better cooperation and an overall increase in returns.

Guinea

Engagement up to date

The non-binding EU readmission arrangement with Guinea (*Document partagé entre les représentants du Gouvernement Guinéen et de l'Union Européenne portant sur la coopération en matière de migration irrégulière*) was concluded in July 2017. Four meetings of the Joint Working Group took place since then to assess the implementation of the arrangement, the last one on 19 October 2019. Since the September 2021 coup, no political dialogue has taken place, but the EU maintained relations with the transition authorities.

The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement, to which Guinea is party, states the commitment of each state (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the negotiated New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

The follow-up to identification requests and operational cooperation with the authorities on the ground has been supported by the European Return Liaison Officer (EURLO), deployed in Abidjan with a mandate on Guinea and Côte d'Ivoire until August 2022. Recruitment for a replacement is ongoing.

Negotiations on a Working Arrangement with the European Border and Coast Guard Agency (Frontex) were put on hold due to the political situation.

In light of the political situation, further engagement and the organisation of the next Joint Working Group is put on hold.

Cooperation on readmission

In 2021, 5 670 Guinean nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 240 were effectively returned following an order to leave, resulting in a **return rate** of 4%. Member States submitted 592 readmission requests to Guinean authorities, who issued 377 travel documents resulting in an **issuance rate** of 64%.

13 Member States (96% of the caseload) reported having **approached the authorities** of Guinea for readmission matters in 2021.

Of those who engaged, three Member States (8% of the caseload) reported that Guinea informed them officially of restrictions/suspensions on return in 2021. One Member State reported that the **COVID-19** related restrictions/requirements were applied by Guinea in a discriminatory manner for a period of 6 to 9 months, notably by refusing to issue travel documents for forced returns. According to this Member State, authorities were not responsive to possible alternative solutions to lift those requirements.

For one Member State (79% of the caseload), the relevant provisions of the **EU-Guinea readmission arrangement** were very often respected. For four Member States (2% of the caseload) using the EU readmission arrangement, the relevant provisions were never/almost never respected by Guinea. This was rarely the case for another two Member States (1% of the caseload).

One Member State not using the EU readmission arrangement, reported having a **bilateral agreement/arrangement** in place with Guinea, the relevant provisions of which were often respected.

Eight Member States reported having an **established practice for cooperation**, which for four was never/almost never to rarely implemented, for three was often to very often implemented, and for one was always/almost always implemented.

Cooperation on identification procedures

Three Member States (92% of the caseload) assessed the cooperation with Guinea in the **identification procedure** as good, six (3% of the caseload) as very poor to poor and four (less than 1% of the caseload) as average.

Regarding identification processes, **evidence accepted** included valid/expired passport (12 Member States), information extracted from the Visa Information System (three Member States), other identity documents (eight Member States) and their photocopies (10 Member States), as well as other evidence, such as birth certificate, marriage certificate, divorce certificate, drivers' license, and citizenship certificate (seven Member States). Biometric evidence was accepted for three Member States and not accepted for two.

Of the eight Member States that have requested **consular interviews**, four reported that these were never/almost never to rarely organised upon request, while for other two they were very often organised, and for the remaining two they were always/almost always organised. If conducted, the results of consular interviews were assessed as acceptable by one Member State, and as satisfactory to very satisfactory by the other four. The remaining five Member States had limited or no need for requesting consular interviews. For one Member State, Guinea always/almost always provided for the possibility to **conduct consular interviews by phone or videoconference**, for three it did so never/almost never or rarely, while the remaining Member States have not tried this option.

Of the two Member States that requested the organisation of **identification missions**, one reported that these were often organised and the other that they were always/almost always organised. The two Member States assessed the outcome of identification missions as good to very good.

Interviews were always/almost always requested by Guinea authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of one Member State, and rarely in the case of two. **Confidential information under EU or**

national legal frameworks (e.g. medical information) was often requested by Guinean authorities from one Member State.

Cooperation on issuance of travel documents

12 Member States (95% of the caseload) reported having requested travel documents during the reporting period. Of these, one Member State (79% of the caseload) assessed Guinea's cooperation on the **issuance of travel documents** as good, five (14% of the caseload) as average and six (3% of the caseload) as very poor or poor. One Member State (less than 1% of the caseload) did not request any travel documents due to lack of answers to identification requests.

For six Member States, requests were never/almost never or rarely responded to with the issuance of travel documents, for five they were often to very often responded to and for one always/almost always. According to four Member States (85% of the caseload) travel documents were often or always/almost always issued in a **timely manner**⁶⁸. For eight Member States (11% of the caseload) the issuance of travel documents never/almost never or rarely took place in a timely manner. One Member State reported that **elements other than the nationality** were always/almost always taken into consideration when deciding whether to issue a travel document (e.g. the voluntary nature of the return) and two Member States reported that this happened rarely.

Travel documents were issued with a **validity**⁶⁹ of one day to one Member State, up to 30 days for two Member States, and one to six months for nine. Member States requesting the renewal of travel documents reported that these were very often to always/almost always delivered in a timely manner.

The **EU Travel Document** or *laissez-passer* issued by Member States was never/almost never accepted according to the two Member States that requested it.

Cooperation on return operations

Six Member States (95% of the caseload) assessed cooperation on **return operations** as average, four (less than 1% of the caseload) assessed it as very poor to poor and two (less than 1% of the caseload) as good or very good. No Member State reported restrictions to readmission upon arrival. The remaining one Member State (2% of the caseload) reported not having had any experience with return operations in 2021.

Charter flights were accepted by Guinea for three Member States. The remaining 10 Member States did not attempt to carry out return operations by charter flights. Two Member States, (13%

⁶⁸ According to the EU readmission arrangement with Guinea, travel documents are to be issued within 15 calendar days when the person subject to return has an expired passport, a valid or expired identify card, or an expired consular laissez-passer, or when their details are registered in the VIS. When the person has none of these documents, the travel documents shall be issued within 5 calendar days after nationality has been confirmed through an interview.

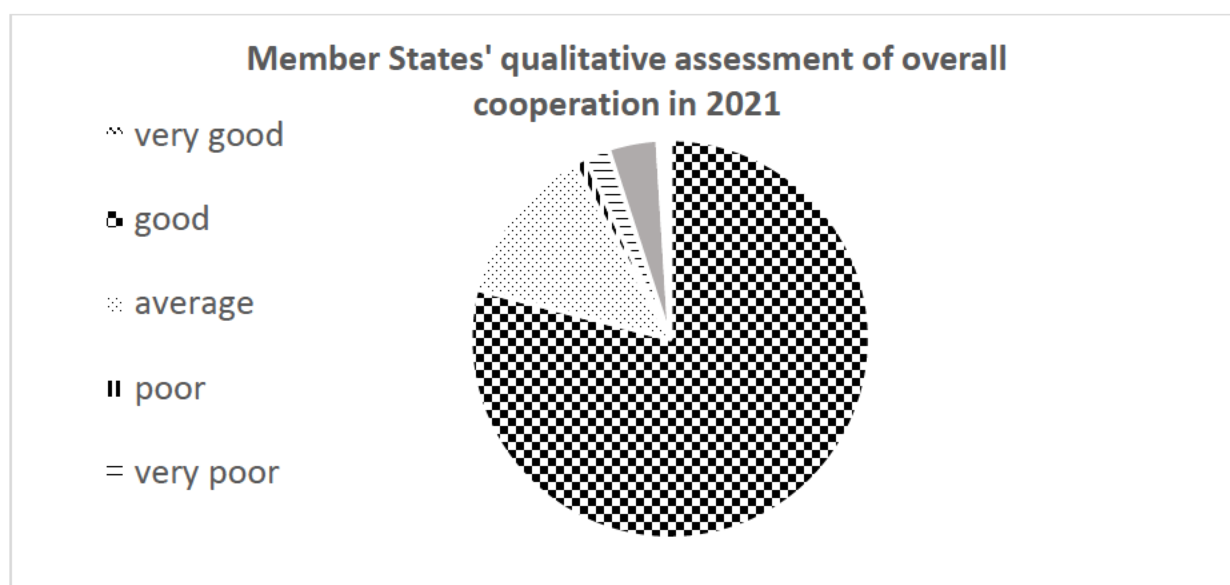
⁶⁹ According to the EU readmission arrangement, travel documents are to be issued with a validity of three months.

of the caseload) assessed cooperation on charter flights as average, and one (less than 1% of the caseload) assessed it as good. One Member State encountered restrictions, regarding number of flights and their frequency, the number of returnees on board and on the issuance of landing permits; one Member State encountered restrictions on the visa requirement for escorts and on the issuance of the landing permit; one Member State encountered restrictions on the issuance of landing permits and on the number of returnees.

When it came to returns by **commercial (scheduled) flights**, three Member States (80% of the caseload) assessed Guinea's cooperation as good to very good, four Member States (14% of the caseload) assessed it as average, and five (1% of caseload) as very poor to poor. Five Member States encountered restrictions, namely on transit permits, visa requirement for escorts, and the need for COVID-19 RT-PCR test for returnees.

Summary

With a total of 5 670 Guinean nationals ordered to leave in 2021, Guinea ranked 12th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. Three Member States reported COVID-19 restrictions with one Member State indicating that these restrictions were applied in a discriminatory manner, impacting negatively the issuance of travel documents.



13 Member States (96% of the caseload) interacted with Guinea in 2021. Of these, two (79% of the caseload) assessed Guinea's overall cooperation on readmission as good, four (13% of the caseload) as average and seven (3% of the caseload) as very poor or poor.

Guinea's cooperation in the identification procedure was assessed as good by three Member States (92% of the caseload), as very poor or poor by six (3% of the caseload) and as average by four (less than 1% of the caseload).

One Member State (79% of the caseload) assessed Guinea's cooperation on the issuance of travel documents as good, five (14% of the caseload) as average and seven Member States (3% of the caseload) assessed it as very poor to poor. One Member State (less than 1% of the caseload) did not request any travel document.

As regards return operations, six Member States (95% of the caseload) assessed Guinea's cooperation as average, four (less than 1% of the caseload) as very poor to poor and two Member States (less than 1% of the caseload) as good to very good. One Member State (2% of the caseload) reported no experience on return operations in 2021.

The provisions of the EU readmission arrangement were generally very often respected with one Member State (79% of the caseload) and rarely to never/almost never respected with six Member States (3% of the caseload).

For a more effective and predictable readmission cooperation, the respect of the provisions of the EU readmission arrangement should be improved and existing good cooperation practices should be extended to all Member States notwithstanding their caseload.

India

EU engagement to date

A Joint Declaration on a Common Agenda on Migration and Mobility (CAMM) between India and the European Union and its Member States was agreed on 29 March 2016 in the framework of the EU-India High Level Dialogue on Migration and Mobility (HLDMM). Irregular migration is one of the priority areas of the CAMM. The last meeting of the High-Level Dialogue took place in October 2022. A seminar on irregular migration was held in June 2021 followed by a workshop on return and readmission in June 2022. There is no targeted cooperation instrument or process in place at EU-level dedicated to readmission.

Cooperation on readmission

In 2021, 8 985 Indian nationals who had no right to stay in the Member States (the caseload) were issued return decisions and 1 225 were effectively returned following an order to leave, resulting in a **return rate** of 14%. Member States submitted 351 readmission requests to the Indian authorities, who issued 79 travel documents resulting in an **issuance rate** of 23%.

23 Member States (99% of the caseload) reported having **approached the authorities** of India for readmission matters in 2021.

Of those who engaged, three Member States (8% of caseload) reported that India informed them officially of restrictions/ suspensions on return in 2021, mostly due to the high number of COVID-19 cases. According to the Member State authorities were not responsive to possible alternative solutions to lift those requirements.

Two Member States reported having **bilateral agreements/arrangements** in place with India, the relevant provisions of which were very often to always/almost always respected.

Almost three quarters of the Member States reported having an **established practice for cooperation**, which for 10 was often/very often implemented and for six always/almost always implemented.

Cooperation on identification procedures

11 of the Member States (74% of the caseload) assessed the cooperation with India in the **identification procedure** as good or very good, seven (18% of the caseload) as average and five (8% of the caseload) as poor or very poor.

Regarding identification processes, **evidence accepted** included valid/expired passport (20 Member States), information extracted from the Visa Information System (seven Member States), other identity documents (13 Member States) and their photocopies (14 Member States), as well as other evidence (13 Member States) such as birth, marriage and divorce certificates, driver's

licenses, citizenship certificates, and in some cases social media profiles and phone contacts (two Member States). Biometric evidence was accepted for nine Member States, not accepted for five Member States and never proposed by nine.

Of the 17 Member States that have requested **consular interviews**, over half reported that these were always/almost always organised upon request, almost half that these were often/very often organised upon request, and one that these were rarely organised upon request. If conducted, the results of consular interviews were assessed as very satisfactory by four Member States, as satisfactory by six and as acceptable by four. The remaining six Member States had limited or no need for requesting consular interviews. For one Member State, India often provided for the possibility to **conduct consular interviews by phone or videoconference**, while for one this was rarely the case and for eight this was never/almost never the case. The remaining Member States have not tried this option.

The one Member State that requested the organisation of **identification missions** reported that these were never/almost never organised, rating the outcome of these missions as very poor.

Interviews were always/almost always requested by Indian authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of five Member States. They were often/very often requested in the case of six Member States, rarely for two and never/almost never for two others. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was often or always/almost always requested by Indian authorities from two Member States.

Cooperation on issuance of travel documents

21 Member States (97% of the caseload) reported having requested travel documents during the reporting period. Of these, 12 (79% of the caseload) assessed India's cooperation on the **issuance of travel documents** as good to very good, five (13% of the caseload) as poor or very poor, and four (5% of the caseload) as average. Two Member States (2% of the caseload) did not request any travel documents, as they were not necessary.

Requests were always/almost always responded with the issuance of travel documents for 11 Member States, for four often or very often and for six rarely or never/almost never. According to over one quarter of the Member States (58% of the caseload) the issuance of travel documents always/almost always took place in a **timely manner**. For the remaining Member States, this was often or very often the case for five, rarely for six and never/almost never for four. Four Member States reported that **elements other than the nationality** were always/almost always taken into consideration when deciding whether to issue a travel document and two reported they were often taken into consideration. This was rarely to never/almost never the case for other 15 Member States.

Travel documents were issued with a **validity** of up to 10 days for one Member State of up to 30 days for four Member States, and of one to six months for 14 Member States. Member States requesting the **renewal** of travel documents reported that these were always/almost always delivered in a timely manner for four Member States, very often or often for five and rarely for one.

The **EU Travel Document** or *laissez-passer* issued by Member States was accepted very often according to one Member State, and never/almost never according to two Member States. The remaining 20 Member States did attempt to use the EU Travel Document.

Cooperation on return operations

12 Member States (61% of the caseload) assessed India's cooperation on return operations as good to very good, three (23% of the caseload) as poor and six (15% of the caseload) as average. All Member States reported that no restrictions to readmission were imposed upon arrival. Two Member States (1% of the caseload) reported not having had any experience on return operations in 2021.

Charter flights were not accepted by India for two Member States (9% of the caseload) that assessed cooperation on return operations by charter flights as poor. The remaining 21 Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, over half of the Member States (66% of the caseload) assessed the cooperation as very good or good, five (10% of the caseload) as average and three (23% of the caseload) as poor. Almost half of the Member States encountered restrictions, namely on visa requirements for escorts, transit permits and COVID-19 related restrictions.

Summary

With a total of 8 985 Indian nationals ordered to leave in 2021, India ranked 8th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



23 Member States (99% of the caseload) interacted with India in 2021. Of these, 13 (80% of the caseload) assessed India's overall cooperation on readmission as good or very good, six (13% of the caseload) as average and four (7% of the caseload) as poor.

India's cooperation in the identification procedure was assessed as good or very good by 11 Member States (74% of the caseload), as average by seven (18% of the caseload) and as poor or very poor by five (8% of the caseload).

India's cooperation on the issuance of travel documents was assessed as good to very good by 12 Member States (79% of the caseload), as poor to very poor by five (13% of the caseload) and as average by four (5% of the caseload). Two Member States (2% of the caseload) did not request any travel documents.

As regards return operations, 12 Member States (61% of the caseload) assessed India's cooperation as good to very good, three Member States (23% of the caseload) assessed it as poor and six (15% of the caseload) as average. Two Member States (1% of the caseload) reported not having had any experience on return operations in 2021.

For the two Member States who reported having bilateral agreements/arrangements in place with India, the relevant provisions were very often or always/almost always respected. The existing established practices were implemented for 16 Member States.

For a more effective and predictable readmission cooperation, good cooperation practices would need to be extended to all Member States, including for forced returns. Identification could further be improved by ensuring swifter procedures and the follow-up to undocumented cases as well.

Iran

EU engagement to date

To date, there has been no specific engagement on readmission with Iran.

Terms of References (ToRs) for a Comprehensive Dialogue between Iran and the EU on Migration and Refugee issues, including a reference to cooperation on non-voluntary returns, have been agreed in 2019, pending formal signature.

The Commission and the High Representative intensified their engagement with Iran at senior officials' level in Brussels: a meeting with the Iranian Ambassador took place on 30 March 2022 to explore the readiness of the Iranian side to hold the first meeting of the comprehensive dialogue at senior officials' level. Iranian authorities looked positively on a pragmatic approach, however the dialogue is still pending. A mission to Brussels was proposed to the relevant parts of the Iranian administration to cover migration and other issues. The process under Article 25a of the Visa Code and the link between cooperation on readmission and visa policy was highlighted in the meeting.

Cooperation on readmission

In 2021, 7 065 Iranian nationals who had no right to stay in the Member States (the caseload), were issued return decisions and 510 were effectively returned following an order to leave, resulting in a **return rate** of 7%. Member States submitted 588 readmission requests to Iranian authorities, who issued 53 travel documents resulting in an **issuance rate** of 9%.

21 Member States (73% of the caseload) reported having **approached the authorities** of Iran for readmission matters in 2021.

Of those who engaged, two Member States (1% of the caseload) reported that Iran informed them officially of restrictions/suspensions on return in 2021.

No Member State reported having a **bilateral agreement/arrangement**.

Two thirds of Member States reported having an **established practice for cooperation**, which for five was always/almost always implemented, for six it was often to very often and for two rarely or never/almost never.

Cooperation on identification procedures

12 Member States (56% of the caseload) assessed Iran's cooperation in the **identification procedure** as poor or very poor, mainly because Iran only accepted voluntary returns. Three Member States (11% of the caseload) assessed it as average, and six (6% of the caseload) as very good or good.

Regarding identification processes, **evidence accepted** included valid/expired passport, (14 Member States), information extracted from the Visa Information System (one Member State), other identity documents (10 Member States) and their photocopies (11 Member States), as well as other evidence (eight Member States) such as birth, marriage and divorce certificate, drivers' license, citizenship certificate and in some cases social media profile and phone contacts (one Member State). Biometric evidence was not accepted for six Member States, while six other Member States reported that such evidence was accepted.

More than half of the Member States reported that **consular interviews** were always/almost always or very often organised upon their request, with very satisfactory to satisfactory outcomes for five Member States, acceptable outcomes for two Member States, and unsatisfactory outcomes for four. For four Member States such interviews were never/almost never or rarely organised, with unsatisfactory outcomes when organised. The possibility to **conduct consular interviews by phone or videoconference** were rarely available for three Member States.

None of the responding Member States, except one, requested the organisation of **identification missions**.

Interviews were always/almost always or very often requested by Iranian authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of seven Member States. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was often to very often requested by Iranian authorities from two Member States and rarely from two others.

Cooperation on issuance of travel documents

19 of the responding Member States (59% of the caseload) reported having requested travel documents during the reporting period. Of them, 13 (58% of the caseload) assessed Iran's cooperation on the **issuance of travel documents** as poor or very poor, three (less than 1% of the caseload) as average and three (less than 1% of the caseload) as good. Two Member States (14% of the caseload) have not requested any travel documents due to non-cooperation by the Iranian authorities on forced returns or to lack of cases.

For seven of the requesting Member States, requests were very often or always/almost always responded with the issuance of travel documents, while for 12 this was never/almost never or rarely the case. According to eight Member States (19% of the caseload) the issuance of travel documents always/almost always or very often took place in a **timely manner**, while for 11 (39% of the caseload) this was rarely or never/almost never the case. 11 Member States reported that **elements other than the nationality** were always/almost always taken into consideration when deciding whether to issue a travel document, while one indicated this was often the case.

Travel documents were issued with a **validity** of one day to four Member States, of up to 30 days to 11 Member States, of one to six months to two Member States, and of more than six months to two other Member States. The six Member States that had requested the **renewal** of travel documents reported that these were often or always/almost always delivered in a timely manner.

No Member State reported that the **EU Travel Document** or *laissez-passer* issued by Member States was accepted by the Iranian authorities.

Cooperation on return operations

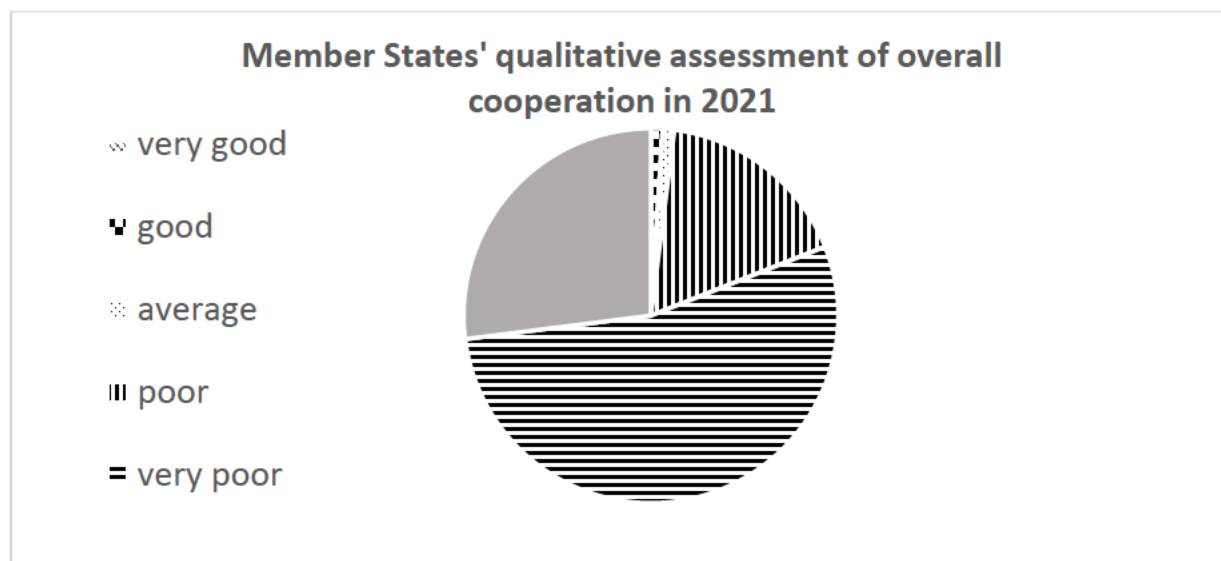
Nine Member States (46% of the caseload) assessed Iran's cooperation on **return operations** as poor or very poor, six (19% of the caseload) as average and two (1% of the caseload) as good. Of the remaining Member States, four (7% of the caseload) reported that they had no experience in return operations in 2021. Two Member States reported restrictions to readmission upon arrival, namely because Iran only accepts voluntary returns and/or imposes conditions related to the status of the returnee (e.g. criminal, vulnerable, family members, etc.) and to the exhaustion of legal remedies.

Charter flights were accepted by Iran from one Member State, while this was not the case for three Member States. The one Member State concerned (9% of the caseload) assessed the cooperation on charter flights as very poor and encountered restrictions on the number of flights and their frequency, the number of returnees aboard, and the issuance of landing permits. The remaining 17 Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, seven Member States (39% of the caseload) assessed the cooperation as poor or very poor, six (23% of the caseload) as average and three (1% of the caseload) as good. Six Member States encountered restrictions, mainly on visa requirements for escorts. Forced returns were generally not accepted.

Summary

With a total of 7 065 Iranian nationals ordered to leave in 2021, Iran ranked 10th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



21 Member States (73% of the caseload) interacted with Iran in 2021. Of these, 15 Member State (71% of the caseload) assessed Iran's overall cooperation on readmission as poor to very poor, four (1% of the caseload) as average, and two (1% of the caseload) as good. Iran generally did not accept forced returns. Action is needed to improve cooperation in the field of readmission.

Iran's cooperation in the identification procedure was assessed as poor to very poor by 12 Member States (56% of the caseload), as average by three (11% of the caseload) and as good or very good by six (6% of the caseload).

Iran's cooperation on the issuance of travel documents was assessed as poor or very poor by 13 Member States (58% of the caseload), as average by three (less than 1% of the caseload) and as good by three others (less than 1% of the caseload). Two Member States (14% of the caseload) did not request any travel documents in 2021.

As regards return operations, nine Member States (46% of the caseload) assessed Iran's cooperation as poor or very poor, six (19% of the caseload) as average and two (1% of the caseload) as good. The four remaining Member States (7% of the caseload) reported that they had no experience in return operations in 2021.

The established practices were implemented for 11 Member States, while for two they were rarely implemented.

Cooperation should be improved by finding a common understanding on ways to cooperate on forced returns based on clear and predictable procedures, and swift issuance of travel documents. This, potentially facilitated by capacity building projects, should result in overall increased returns.

Iraq

EU engagement to date

The EU–Iraq Partnership and Cooperation Agreement entered into force in 2018 provides for an obligation for both parties to readmit their own nationals (Article 105a). The next meeting of the Cooperation Council is envisaged to take place in the first trimester 2023. Migration management will feature prominently on the agenda.

The EU-Iraq Informal Migration Dialogue sets out a comprehensive cooperation on migration, notably irregular migration and return, migration and development and migration governance. The fourth Informal EU-Iraq Migration Dialogue at senior officials' level took place on 15 February 2021 via videoconference. In the meeting, Iraq reiterated its position that it can only cooperate on voluntary returns (with the exception of forced returns of Iraqis with a criminal record, in certain cases)

Iraq has shown constructive cooperation regarding the situation at the EU-Belarus external border since the summer of 2021, where Iraqi nationals represented most of the irregular migrants present, including by repatriating over 3 800 persons from the territory of Belarus.

Iraq participates in the Budapest Process, the regional dialogue on migration focusing on the Silk Route, return and readmission is one of the priority areas. The process to deploy a European Return Liaison Officer (EURLO), as of February 2023, is underway.

Follow-up to the assessment of cooperation in 2019 and 2020

Iraq's cooperation on readmission in 2019 had been assessed as insufficient and the Commission proposed visa measures on 15 July 2021. The Council decided to suspend discussions on the Commission's proposal at that time. The proposal remains under the scrutiny of the Council, while the Commission and the High Representative pursue continued engagement.

In the follow-up to the assessment of third countries' level of cooperation in 2020, the Commission, together with the High Representative, further intensified their engagement with Iraq at political, senior officials' and technical levels in Brussels and in Iraq. Several high-level discussions with the Iraqi Foreign Minister and meetings at senior officials' level took place in the first half of 2022 in Brussels and Baghdad, including a mission to Iraq, with the aim to improve cooperation on returns while bearing in mind that the proposal for restrictive measures is still on the table of the Council. In these exchanges, the Commission has expressed its expectations for Iraq to follow-up to the commitments taken towards the EU, in particular as regards the acceptance

of all returns and the agreement in writing on basic readmission principles. The idea of a gradual return plan aimed at reducing the backlog was introduced.

The protracted negotiations on the formation of the government and the civil unrest of August 2022 added further complexities to the engagement with the Iraqi authorities, including the still awaited appointment of the interlocutor chairing the inter-ministerial committee on migration on the Iraqi side, who is also to be the interlocutor for the EU on return and readmission. The political stalemate ended on 27 October 2022. In high-level contacts and written exchanges between the High Representative and the re-appointed Foreign Minister in November 2022, Iraq proposed further joint discussions with the EU and its Member States through a working group.

Cooperation on readmission

In 2021, 13 180 Iraqi nationals who had no right to stay in the Member States (the caseload), were issued return decisions and 1 965 were effectively returned following an order to leave, resulting in a **return rate** of 15%. Member States submitted 1 217 readmission requests to Iraqi authorities, who issued 199 travel documents resulting in an **issuance rate** of 16%.

20 Member States (80% of the caseload) reported having **approached the authorities** of Iraq for readmission matters in 2021. Member States assessed Iraq's cooperation on voluntary returns only, as Iraq does not accept forced returns (except for returnees with a criminal record, in certain cases).

Of those who engaged, one Member State (1% of the caseload) reported that Iraq informed them officially of restrictions/suspensions on return in 2021.

Four Member States reported having **bilateral agreements/arrangements** in place with Iraq, the relevant provisions of which were rarely or never/almost never respected for three, and very often for one.

15 Member States reported having an **established practice for cooperation**, which for 12 was often, very often or always/almost always implemented, while it was rarely or never/almost never implemented for three. *Member States assessed Iraq's cooperation solely based on cooperation on voluntary returns as Iraq does not accept forced returns (except returnees with criminal records in certain cases).*

Cooperation on identification procedures

Eight Member States (34% of the caseload) assessed the cooperation with Iraq in the **identification procedure** as poor to very poor, six (30% of the caseload) as good to very good and the remaining six (17% of the caseload) as average.

Regarding identification processes, **evidence accepted** included valid/expired passports (16 Member States), information extracted from the Visa Information System (two Member States), other identity documents (15 Member States) and their photocopies (11 Member States), as well as other evidence (10 Member States) such as birth, marriage, divorce and citizenship certificates, and drivers' licenses. Biometric evidence was accepted according to seven Member States, while it was not accepted, according to seven other Member States.

Of the 18 Member States that have requested **consular interviews**, 12 reported that these were often, very often or always/almost always organised upon request, while five Member States reported that this was rarely or never/almost never the case. If conducted, the results of consular interviews were assessed as satisfactory to very satisfactory by five Member States, as acceptable by five others, and as unsatisfactory by four. For one Member State, the possibility to **conduct consular interviews by phone or videoconference** was always/almost always available, while for 12 Member States this was never/almost never available.

Of the six Member States that requested the organisation of **identification missions**, one reported that these were always/almost always organised, four that were often or very often organised, and one that were never/almost never organised upon request. When conducted, five Member States assessed their outcome as good to very good, and one as acceptable.

Interviews were very often to always/almost always requested by Iraqi authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of 11 Member States. This was rarely the case for four. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was often, very often or always/almost always requested by Iraqi authorities from seven Member States. In most cases, this concerned the criminal record of the returnee as the only forced returns Iraq accepts are returns of criminals, and only in some cases.

Cooperation on issuance of travel documents

18 Member State (77% of the caseload) reported having requested travel documents during the reporting period. Of these, 11 Member States (50% of the caseload) assessed Iraq's cooperation on the **issuance of travel documents** as poor or very poor, four (25% of the caseload) as good, and the remaining three (2% of the caseload) as average. Two Member States (2% of the caseload) have not requested any travel documents, due to Iraq only accepting voluntary returns or returnees in possession of travel documents.

For 10 Member States, requests were rarely or never/almost never replied to with the issuance of travel documents. For the other eight Member States, requests were always/almost always, very often or often responded with the issuance of travel documents. According to eight Member States (20% of the caseload) the issuance of travel documents often, very often or always took place in a

timely manner, while for eight other Member States (50% of the caseload) this was rarely or never/almost never the case. 11 Member States reported that **elements other than the nationality** were often or always/almost always taken into consideration when deciding whether to issue a travel document.

Travel documents were issued with a **validity** of one day for three Member States, of up to 30 days for two Member States and of one to six months for another 12 Member States. Of the 10 Member States that requested the **renewal** of travel documents, nine reported that these were often, very often or always/almost always delivered in a timely manner, and one that this was never/almost never the case.

The **EU Travel Document** or *laissez-passer* issued by Member States was always/almost always accepted for one Member State, rarely for two, and never/almost never for two others.

Cooperation on return operations

Nine Member States (46% of the caseload) assessed Iraq's cooperation on **return operations** as poor to very poor, six Member States (31% of the caseload) as good or very good, and four (3% of the caseload) as average. Three Member States reported restrictions to readmission upon arrival. The reasons for this varied from non-exhaustion of legal remedies, family ties or non-acceptance by Iraq of forced returns.

Iraq accepted **charter flights** for six Member States, while it did not for three Member States. The remaining 11 Member States did not attempt to carry out return operations by charter flights. Of the Member States that attempted return operations via charter flights, four (31% of the caseload) assessed cooperation as very poor, one (2% of the caseload) as average, and four (30% of the caseload) as good to very good, albeit only for voluntary returnees. Of the six Member States from which charter flights were accepted, only one did not encounter any restrictions. The other five encountered restrictions ranging from the number of returnees on board to the number of flights and the issuing of landing permits.

When it came to returns by **commercial (scheduled) flights**, eight Member States (46% of the caseload) assessed the cooperation as good or very good, five (16% of the caseload) as poor to very poor, and five (21% of the caseload) as average. Nine Member States encountered restrictions, namely on visa requirement for escorts and/or transit permits and as regards the acceptance of forced returns.

Summary

With a total of 13 180 Iraqi nationals ordered to leave in 2021, Iraq ranked 5th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



20 Member States (80% of the caseload) interacted with Iraq in 2021. Of these, 12 Member States (52% of the caseload) assessed Iraq's overall cooperation on readmission as poor to very poor, three (18% of the caseload) as good or very good. The remaining five Member States (10% of the caseload) assessed cooperation as average. Member States assessed Iraq's cooperation solely based on cooperation on voluntary returns as Iraq does not accept forced returns (except returnees with criminal records in certain cases). Action is needed to improve cooperation in the field of readmission.

Iraq's cooperation in the identification procedure was assessed as poor to very poor by eight Member States (34% of the caseload), as good or very good by six (30% of the caseload), and as average by the remaining six (17% of the caseload).

11 Member States (50% of the caseload) assessed Iraq's cooperation on the issuance of travel documents as poor to very poor, four (25% of the total caseload) as good, and the remaining three (2% of the caseload) as average. Two Member States (2% of the caseload) did not request the issuance of travel documents.

As regards return operations, nine Member States (46% of the caseload) assessed it as poor to very poor, six (31% of the caseload) as good or very good, and the remaining four (3% of the caseload) as average.

The relevant provisions of the bilateral agreements/arrangements were generally respected with one Member State. The existing established practices were implemented with 12 Member States.

Cooperation could be improved by agreeing on ways to cooperate on forced returns along a clear and predictable procedure, and swift issuance of travel documents. This, potentially facilitated by capacity building projects, should result in a better issuance rate for travel

documents and increased returns. The Commission communicated its expectations and the necessary actions to Iraq during the engagement with the country at political and senior officials' level in Brussels and in Iraq in 2021 and 2022, in the context of the follow-up to the first and second assessment reports. As a priority, this regards the acceptance of forced returns and the prioritisation of work on a gradual return plan to address the backlog of cases, as well as the agreement on basic return and readmission principles. The commitments expressed by the new government will have to translate in substantial and sustained progress.

Kosovo*

EU engagement to date

Cooperation on readmission with Kosovo continued on bilateral tracks. Kosovo has concluded readmission agreements with the majority of EU Member States and Schengen Associated Countries and is seeking to launch negotiations with some of the remaining ones.

The Stabilisation and Association Agreement between the EU and Kosovo (Article 88) also provides a basis for cooperation on readmission.

Cooperation on readmission

In 2021, 4 100 Kosovo citizens who had no right to stay in the Member States (the caseload) were issued return decisions and 1 455 were effectively returned following an order to leave, resulting in a **return rate** of 35%. Member States submitted 554 readmission requests to Kosovo authorities, who issued 217 travel documents resulting in an **issuance rate** of 39%.

18 Member States (99% of the caseload) reported having **approached the authorities** of Kosovo for readmission matters in 2021.

Of those who engaged, three Member States (23% of the caseload) reported that Kosovo informed them officially of restrictions/suspensions on return in 2021.

Four Member States (38% of the caseload) informed that cooperation took place on the basis of the Stabilisation and Association Agreement between the EU and Kosovo (Article 88), of which relevant provisions were always/almost always or very often respected for all of them.

15 Member States (85% of the caseload) informed that they have a **bilateral agreement/arrangement** or Memorandum of Understanding with Kosovo, the relevant provisions of which were in all cases always/almost always, very often or often respected.

12 Member States reported having an **established practice for cooperation**, which for 10 was always/almost always implemented. This was very often the case for one Member State and often for one other Member State.

Cooperation on identification procedures

Six Member States (55% of the caseload) assessed the cooperation with Kosovo in the **identification procedure** as good, 11 (44% of the caseload) as very good and one (less than 1% of the caseload) as average.

* This designation is without prejudice to positions on status and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Regarding identification processes, **evidence accepted** included valid or expired passport (17 Member States), information extracted from Visa Information System (eight Member States), other identity documents (17 Member States) and their photocopies (15 Member States), as well as other evidence (12 Member States) such as birth, marriage and divorce certificates, drivers' licenses, citizenship certificates and in some cases social media profiles and phone contacts (one Member State). Biometric evidence was used by 10 Member States: it was accepted for seven, while for the other three this was not the case.

The one Member States that has requested **consular interviews** reported that these were always/almost organised upon request and assessed their results as very satisfactory. The other 17 Member States had limited or no need for requesting consular interviews. For two Member States that requested this possibility, Kosovo did not provide the possibility to **conduct consular interviews via phone or videoconference**. The remaining Member States have not tried this option.

No Member State requested the organisation of **identification missions**.

Interviews were always/almost always requested by Kosovo authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of one Member State. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was not requested by Kosovo authorities from Member States.

Cooperation on issuance of travel documents

11 Member States (51% of the caseload) reported having requested travel documents during the reporting period. Of these, eight Member States (34% of the caseload) assessed Kosovo's cooperation on the **issuance of travel documents** as very good and three (17% of the caseload) as good. Seven Member States (48% of the caseload) have not requested any travel documents due to the fact that the returnees were in possession of a travel document (voluntary return) or because return was carried out with an EU travel document, issued by the Member States.

For all of the Member States that requested the issuance of travel documents, requests were always/almost always or often responded to with the issuance of travel documents. According to nine Member States (46% of the caseload) the issuance of travel documents took always/almost always place in a **timely manner**. This was very often or often the case for the two others (5% of the caseload). One Member States reported that **elements other than the citizenship** were taken into consideration when deciding whether to issue a travel document, while this was never/almost never the case for the other 10 Member States.

Travel documents were issued with a **validity** of up to 30 days for 10 Member States and of one to six months for one other Member State. Member States requesting the **renewal** of travel

documents reported that these were always/almost always delivered in a timely manner, except for one Member State, where this was never/almost never the case.

The **EU Travel Document** or *laissez-passer* issued by Member States was accepted always/almost always according to seven, and rarely for one, where the *laissez-passer* is only accepted when accompanied by relevant documents for identification. The other 10 Member States have not requested this option.

Cooperation on return operations

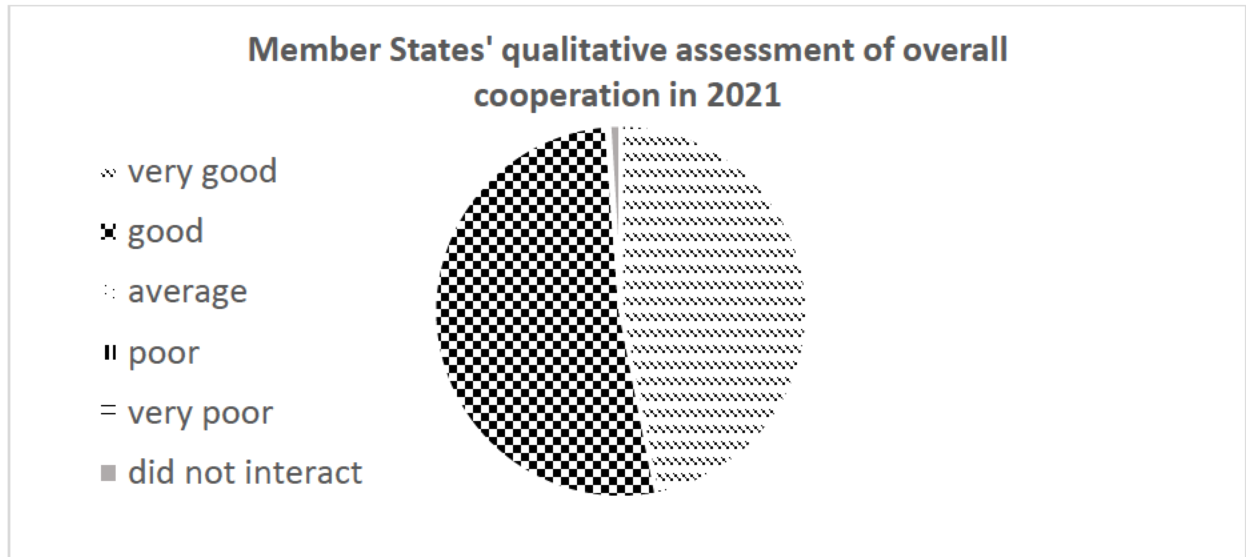
15 Member States (96% of the caseload) assessed Kosovo's cooperation on **return operations** as very good or good, and three (3% of the caseload) as average. One Member States reported difficulties to readmission upon arrival, namely concerning the non-admission of vulnerable cases, such as persons with medical issues and unaccompanied minors, and medical issues as disqualifying factor. In these cases, the difficulty was to secure an orderly reception.

Charter flights were accepted by Kosovo for seven Member States, while 11 Member States did not attempt to carry out return operations by charter flights. One Member State encountered restrictions on charter flights as regards COVID-19 related requirements for returnees. All seven Member States (64% of the caseload) assessed the cooperation on charter flights as very good or good.

When it came to returns by **commercial (scheduled) flights**, 13 Member States (94% of the caseload) assessed the cooperation as very good, three (3% of the caseload) as good and two (2% of the caseload) as average. One Member State encountered restrictions, namely as regards the requirement for a negative COVID-19 RT-PCR test, for both returnees and escorts, which in practice prevented forced returns. For the same Member State, stop-over for escorts was not allowed due to the high number of COVID-19 cases.

Summary

With a total of 4 100, Kosovo citizens ordered to leave in 2021, Kosovo ranked 17th in the visa-bound list based on the number of return decisions issued in the Member States.



18 Member States (99% of all the caseload) interacted with Kosovo in 2021. Of these, 17 Member States (99% of the caseload) assessed Kosovo's overall cooperation on readmission as very good or good and one (less than 1% of the caseload) as average.

Kosovo's cooperation in the identification procedure was assessed as good by six Member States (55% of the caseload), as very good by 11 (44% of the caseload) and as average by one (less than 1% of the caseload).

Kosovo's cooperation on the issuance of travel documents was assessed as very good by eight Member States (34% of the caseload), and as good by three (17% of the caseload). Seven Member States (48% of the caseload) have not requested any travel documents.

As regards return operations, 15 Member States (96% of the caseload) assessed Kosovo's cooperation as very good or good, and three (3% of the caseload) as average.

Despite the absence of an EU readmission agreement, cooperation with Kosovo continued to proceed smoothly, based on a large number of bilateral agreements and established practices with the Member States, which were generally respected for all of them.

Lebanon

EU engagement to date

The EU-Lebanon Association Agreement, which refers to readmission obligations and provides for the conclusion of bilateral readmission agreements upon parties' request (Article 69), entered into force on 1 April 2006. There is no other cooperation instrument or process in place at EU-level dedicated to readmission.

Negotiations on a Mobility Partnership started in 2014 and were put on hold in the context of the Syrian refugee crisis. The current political situation in the country impacts engagement.

Cooperation on readmission

In 2021, 945 Lebanese nationals who had no right to stay in the Member States (the caseload), were issued return decisions and 155 were effectively returned following an order to leave, resulting in a **return rate** of 16%. Member States submitted 353 readmission requests to Lebanese authorities, who issued 59 travel documents resulting in an **issuance rate** of 17%.

16 Member States (73% of the caseload) reported having **approached the authorities** of Lebanon for readmission matters in 2021.

Of those who engaged, no Member State reported that Lebanon informed them officially of restrictions/suspensions on return in 2021.

Three Member States reported having **bilateral agreements/arrangements** in place with Lebanon, the relevant provisions of which were very often respected for one Member State, often in the case of one other Member State and rarely for the third one.

Nine Member States reported having **an established practice for cooperation**, which for four was very often to always/almost always implemented. This was often the case for two Member States and rarely to never/almost never for the other three. In addition, one Member State reported that practical cooperation was established only for returnees with a criminal record and/or posing a security risk, which are the only returns accepted by Lebanon. In these cases, the established practice is very often implemented.

Cooperation on identification procedures

Eight Member States (62% of the caseload) assessed cooperation on **identification procedure** as poor to very poor, five Member States (8% of the caseload) as very good or good and two (2% of the caseload) as average. One Member State (1% of the caseload) indicated that it did not need to interact with the authorities on identification due to no relevant cases.

Regarding identification processes, **evidence accepted** included valid or expired passports (13 Member States), information extracted from the Visa information System (four Member States) and other identity documents (12 Member States), and their photocopies (13 Member States), as well as other evidence (eight Member States) such as birth marriage, divorce and citizenship certificates, drivers' licences, and in one case social media profiles and phone contacts. Biometric evidence was accepted in the case of two Member States that submitted fingerprints in paper form, while these were not for the other five Member States having proposed such evidence.

Of the nine Member States that have requested **consular interviews**, three reported that these were always/almost always organised upon request. This was very often or often the case for four and rarely for two. The remaining seven Member States had no need for requesting consular interviews. If interviews were organised, their outcomes were assessed as very satisfactory or satisfactory by three Member States and as acceptable by three others. The other three Member States having requested interviews, assessed their outcomes as unsatisfactory. Seven Member States did not request the possibility to **conduct consular interviews by phone or videoconference**. For one Member State, Lebanon always/almost always provided for the possibility to conduct consular interviews by phone or videoconference. This was rarely or never/almost never the case for five Member States.

No Member States reported having requested the organisation of an **identification mission**.

Interviews were always/almost always requested by Lebanese authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of two Member States and often for another one. This was rarely the case for two Member States and never/almost never for one. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was always/almost always or very often requested by Lebanese authorities from three Member States. This was rarely the case for one Member State and never for three others.

Cooperation on issuance of travel documents

10 Member States (60% of the caseload) reported having requested travel documents during the reporting period. Of these, five Member States (53% of the caseload) assessed cooperation on **the issuance of travel documents** as poor or very poor, three (5% of the caseload) as average and two (2% of the caseload) as good. Six Member States (14% of the caseload) have not requested any travel documents due to absconding, no relevant cases or historically no responses from the Lebanese authorities.

Requests for travel documents were always/almost always responded with the issuance for one Member State. This was often or very often the case for four Member States, rarely for three and never/almost never for two. According to one Member State (27% of the caseload) the issuance of travel documents took always/almost always place in a **timely manner**. This was often the case

for three Member States (20% of the caseload) and rarely or never/almost never for the remaining six (14% of the caseload). Two Member States reported that **elements other than the nationality** were always/almost always taken into consideration when deciding whether to issue a travel document, such as whether the return is voluntary or not. This was often or very often the case for three Member States and never/almost never the case for five.

Travel documents were issued with a **validity** of ten to 30 days for three Member States, one to six months for six Member States and over six months for one Member State. Three Member States requesting the **renewal** of travel documents reported that these were often or very often delivered in a timely manner. This was not the case for one other Member State.

The **EU Travel Document** or *laissez-passer* issued by Member States was rarely or never/almost never accepted according to three Member States. The other Member States have not used the EU travel document.

Cooperation on return operations

Three Member States (30% of the caseload) assessed cooperation on **return operations** as poor, three other Member States (21% of the caseload) as very good or good, and five (14% of the caseload) as average. Five Member States (10% of the caseload) did not attempt any return operation in 2021. Four Member States reported a number of restrictions to readmission upon arrival, namely the exhaustion of legal remedies, non-admission of vulnerable and criminal cases, non-admission of persons having family members in the EU or in need of medical care, as well as the readmission of voluntary returns or persons with a criminal record only.

Charter flights were accepted by Lebanon for two Member States, both of which encountered restrictions as the number of returnees on board and the issuance of landing permits. The remaining 14 Member States did not attempt to carry out return operations by charter flights. One Member State (27% of the caseload) assessed cooperation on charter flights as average and one other (17% of the caseload) as very good.

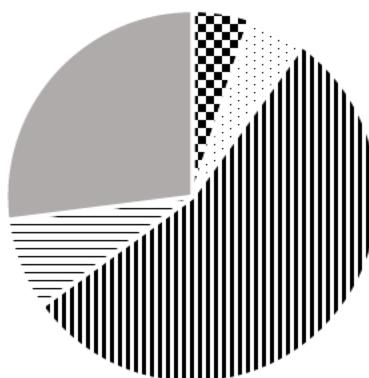
When it came to returns by **commercial (scheduled) flights**, three Member State (21% of the caseload) assessed the cooperation as very good or good, seven (40% of the caseload) as average, and one (1% of the caseload) as poor. Three Member States encountered restrictions on scheduled flights, namely as regards transit permits and visa requirements for escorts.

Summary

With a total of 945 Lebanese nationals ordered to leave in 2021, Lebanon ranked 33rd amongst visa-bound third countries assessed whose nationals have been issued return decisions in the Member States.

Member States' qualitative assessment of overall cooperation in 2021

- very good
- good
- average
- poor
- very poor
- did not interact



16 Member States (73% of the caseload) interacted with Lebanon in 2021. Of these, nine Member States (63% of the caseload) assessed Lebanon's overall cooperation on readmission as poor or very poor, three (5% of the caseload) as good, and four (5% of the caseload) as average. Action is needed to improve cooperation in the field of readmission.

Lebanon's cooperation in the identification procedure was assessed as poor or very poor by eight Member States (62% of the caseload), as very good or good by five (8% of the caseload) and as average by two (2% of the caseload). One Member State (1% of the caseload) reported that it did not interact on identification due to no relevant cases.

Lebanon's cooperation on the issuance of travel documents was assessed as poor or very poor by five Member States (53% of the caseload), as average by three (5% of the caseload) and as good by two (2% of the caseload). Six Member States (14% of the caseload) have not requested any travel documents.

As regards return operations, three Member States (30% of the caseload) assessed Lebanon's cooperation on return operations as poor, three (21% of the caseload) as very good or good and five (14% of the caseload) as average. Five Member States (10% of the caseload) did not attempt any return operation in 2021.

The established practices or bilateral agreements/arrangements were generally respected with eight Member States, while rarely or never for the other three.

For a more effective and predictable readmission cooperation, general acceptance and good cooperation practices would need to be extended to forced returns for all Member States. Cooperation could also be improved by lifting restrictions on scheduled flights and accepting

returns by charter flights. Further, the decision on the issuance of travel documents would need to be based on the consideration of nationality only.

Mali

EU engagement to date

In December 2016, the negotiations of a non-binding EU readmission arrangement with Mali were finalised, pending signature. However, no further specific engagement on readmission has taken place since.

The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement, to which Mali is party, states the commitment of each state (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the negotiated New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

A European Migration Liaison Officer (EMLO) has been deployed in the EU Delegation in Bamako since March 2019.

Cooperation on readmission

In 2021, 4 490 Malian nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 205 were effectively returned following an order to leave, resulting in a **return rate** of 5%. Member States submitted 234 readmission requests to Malian authorities, who issued 116 travel documents, resulting in an **issuance rate** of 50%.

10 Member States (97% of the caseload) reported having **approached the authorities** of Mali for readmission matters in 2021.

Of those who engaged, no Member States reported that Malian authorities informed them officially of **COVID-19** related restrictions/suspensions on return in 2021.

One Member State (93% of the caseload) reported having a **bilateral agreement/arrangement** in place with Mali, the relevant provisions of which were often respected.

Four Member States reported having an **established practice for cooperation**, which for one was always/almost always implemented, for two very often to often implemented, and for one rarely implemented.

Cooperation on identification procedures

One Member State (93% of the caseload) assessed the cooperation with Mali in the **identification procedure** as average, six (3% of the caseload) as very poor to poor and three (less than 1% of the caseload) as good.

Regarding identification processes, **evidence accepted** included valid or expired passports (six Member States), information extracted from the Visa Information System (two Member States),

other identity documents and their photocopies (five Member States), as well as other evidence (three Member States) such as birth, marriage and divorce certificates, drivers' licenses and citizenship certificates, and in rare cases phone contacts (one Member State). Biometric evidence was accepted for two Member States and not accepted for two others.

Of the eight Member States that have requested **consular interviews**, five reported that these were never/almost never or rarely organised upon request, while three reported that they were always/almost always organised upon request. If conducted, the results of consular interviews were assessed as satisfactory by three Member States, and unsatisfactory by the other two. The remaining two Member States had limited or no need for requesting consular interviews. For two Member States, Mali always to almost always provided for the possibility to **conduct consular interviews by phone or videoconference**, while for three this was never/almost never possible. The remaining Member States have not requested this option.

One Member State that requested the organisation of **identification missions**, reported that these were never/almost never organised. This Member State rated the outcome of identification missions as very poor.

Interviews were always to almost always requested by Malian authorities even if **sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of two Member States and for one of them consular interviews were obligatory. **Confidential information under EU or national legal frameworks** was often requested by Malian authorities from one Member State.

Cooperation on issuance of travel documents

Five Member States (94% of the caseload) reported having requested travel documents during the reporting period. Three Member States (94% of the caseload) assessed Mali's cooperation on the **issuance of travel documents** as good, and two (less than 1% of the caseload) as poor to very poor. Five Member States (3% of the caseload) have not requested any travel documents due to small caseload, refusal to conduct identification interviews and lack of responses to identification requests.

For two Member States, requests were often to very often responded with the issuance of travel documents, for one of them requests were always/almost always responded, and for two this was never/almost never the case. According to two Member States (93% of the caseload) the issuance of travel documents very often took place in a **timely manner**, for one (less than 1% of the caseload) this always/almost always took place in a timely manner, and for two (less than 1% of the caseload) this was never/almost never the case. One Member State reported that **elements other than the nationality** were often taken into consideration when deciding whether to issue a travel document.

Travel documents were issued with a **validity** of one day for one Member State, and of one to six months for four Member States. Member States requesting the **renewal** of travel documents reported that these were very often to always/almost always delivered in a timely manner.

The **EU Travel Document** or *laissez-passer* was always/almost always accepted for one Member State, and never to almost never for another.

Cooperation on return operations

Three Member States (95% of the caseload) assessed Mali's cooperation on **return operations** as very poor to poor, two (1% of the caseload) as average, and two (less than 1% of the caseload) as good or very good. No Member State reported restrictions to readmission upon arrival. The remaining three Member States (less than 1%) reported that they had no experience in return operations in 2021.

Charter flights were not accepted by Mali for two Member States, which assessed the cooperation on charter flights as very poor. The remaining eight Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, three Member States (94% of the caseload) assessed the cooperation as average, two Member States (2% of the caseload) assessed it as very poor to poor, and two (less than 1% of the caseload) assessed it as good to very good. Three Member States encountered restrictions, namely on transit permits, visa requirement for escorts and obligations to conduct a COVID-19 RT-PCR test for escorts and returnees alike.

Summary

With a total of 4 490 nationals ordered to leave in 2021, Mali ranked 15th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



10 Member States (97% of the caseload) interacted with Mali in 2021. Of these, two (93% of the caseload) assessed overall cooperation on readmission as poor, five (3% of the caseload) as very poor, and three (less than 1% of the caseload) as good. Action is needed to improve cooperation in the field of readmission.

Mali's cooperation in the identification procedure was assessed as average by one Member State (93% of the caseload), as very poor to poor by six (3% of the caseload) and as good by three (less than 1% of the caseload).

Three Member States (94% of the caseload) assessed Mali's cooperation on the issuance of travel documents as good and two (less than 1% of the caseload) as very poor to poor. Five Member States (3% of the caseload) did not request any travel documents.

As regards return operations, three Member States (95% of the caseload) assessed Mali's cooperation on return operations as very poor to poor, two (1% of the caseload) as average and two others (less than 1% of the caseload) as good or very good. The remaining three Member States (less than 1% of the caseload) reported that they had no experience in return operations in 2021.

For a more effective and predictable readmission cooperation more timely responses to readmission requests should be ensured. Good practices should be extended to all Member States, such as the organisation of consular interviews and the option to conduct identification by phone or videoconference. Accepting returns via charter flights would improve cooperation on return operations and ultimately result in an increase of returns.

Morocco

Engagement up to date

The Council authorised the opening of negotiations for a Readmission Agreement with Morocco in 2000. Negotiations started in 2003 and were interrupted in 2010. In 2015, negotiations were relaunched in parallel with the negotiations of a Visa Facilitation Agreement. They were interrupted again in December 2015 due to other aspects of EU relations with Morocco. The political dialogue with Morocco was relaunched in 2019 and cooperation on migration reinvigorated, but negotiations on readmission have not re-started yet. At the Association Council of 27 June 2019, the EU and Morocco issued a joint declaration on the areas of cooperation – migration and mobility being one of them, including cooperation on returns and readmission. A Senior Officials Meeting (SOM) took place in March 2022, followed by a sub-committee on social affairs and migration in May 2022, and a senior level technical meeting in September 2022, all of which raised the need to enhance cooperation on readmission. The resumption of the dialogue on migration confirmed the joint commitment to enhance cooperation in all areas related to migration, including the role of Morocco in preventing irregular migration, as well as the topic of readmission, which Morocco showed openness to discuss.

A European Migration Liaison Officer (EMLO) has been deployed to Rabat since February 2018.

Cooperation on readmission

In 2021, 21 555 Moroccan nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 1 405 were effectively returned following an order to leave, resulting in a **return rate** of 7%. Member States submitted 5 550 readmission requests to the Moroccan authorities, who issued 595 travel documents, resulting in an **issuance rate** of 11%.

24 Member States (100% of the caseload) reported having **approached the authorities** for readmission matters in 2021.

Of those who engaged, 11 Member States (70% of the caseload) reported that Morocco informed them officially of restrictions/suspensions on return in 2021. Morocco informed these Member States of the closure of borders and a suspension of processing of readmission requests and issuing of travel documents. Due to COVID-19, Moroccan borders were closed for most of 2021, which seriously hampered the cooperation on readmission. Further, 16 Member States reported that the **COVID-19** related restrictions/requirements were applied by Morocco in a discriminatory manner for a period of 6 to 9 months, impacting most phases of the cooperation, namely through the request of a negative COVID-19 RT-PCR Test or Rapid Antigen test only for nationals under return/readmission. According to one Member State, Moroccan authorities were responsive to possible alternative solutions.

Four Member States reported having **bilateral agreements/arrangements** in place with Morocco, the relevant provisions of which were often or very often respected with one exception.

16 Member States reported having an **established practice for cooperation**, which for 13 was generally implemented.

Cooperation on identification procedures

Six Member States (53% of the caseload) assessed the cooperation with Morocco in the **identification procedure** as good or very good, eight (30% of the caseload) as average and 10 (17% of the caseload) as poor or very poor.

Regarding identification processes, **evidence accepted** included valid or expired passports (19 Member States), information extracted from the Visa Information System (three Member States) and other identity documents (16 Member States) and their photocopies (15 Member States), as well as other evidence (13 Member States), such as birth, marriage and divorce certificate, drivers' license and citizenship certificates, and in some cases social media profiles and phone contacts (one Member State). Biometric evidence was accepted for 16 Member States, and not accepted for one.

Of the 20 Member States that have requested **consular interviews**, seven reported that these were often, very often or always/almost always organised upon request, three that they were rarely organised upon request and the remaining 10 that they were never/almost never organised upon request. If conducted, the results of consular interviews were assessed as satisfactory by four Member States, acceptable by five and unsatisfactory for three. The remaining four Member States had limited or no need for requesting consular interviews. For three Member States, Morocco always/almost always or often provided for the possibility to **conduct consular interviews by phone or videoconference**; for 11 it was rarely or never/almost never the case, while the remaining Member States have not tried this option.

Three Member States that requested the organisation of **identification missions** reported that these were never/almost never organised and rated the outcome of these identification missions as poor or very poor.

Interviews were often, very often or always/almost always requested by Moroccan authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of six Member States. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was often, very often or almost always requested by Moroccan authorities from five Member States.

Cooperation on issuance of travel documents

A total of 20 Member States (91% of the caseload) reported having requested travel documents during the reporting period. Of these, six (53% of the caseload) assessed Morocco's cooperation on the **issuance of travel documents** as good, nine (23% of the caseload) as poor or very poor, and five (14% of the caseload) as average. Four Member States (9% of the caseload) did not request travel documents due to prior lack of replies to identification requests and the suspension of the issuance of travel documents.

For eight, requests were often or very often responded to with the issuance of travel documents. This was rarely or never/almost never the case for the remaining 12 Member States. Three Member States reported that no travel documents were issued in 2021. The issuance of travel documents took place often to always in a **timely manner** for eight Member States (75% of the caseload), while for nine that was rarely to never/almost never the case. Five Member States reported that **elements other than the nationality** were often or to always taken into consideration when deciding whether to issue a travel document.

Travel documents were issued with a **validity** of one day (the day of the return) for two Member States of up to 10 days for one Member State, of up to 30 days for 12 Member States, of one to six months for one Member State, for more than six months for one Member State. For 10 Member States the **renewal** of travel documents reported that these were often, very often to always/almost always delivered in a timely manner.

The **EU Travel Document** or *laissez-passer* issued by Member States was rarely or never/almost never accepted according to six Member States.

Cooperation on return operations

11 Member States (77% of the caseload) assessed Morocco's cooperation on **return operations** as poor or very poor, five (12% of the caseload) as average and six (9% of the caseload) as good. Three Member States reported restrictions to readmission upon arrival, namely the non-admission before the exhaustion of legal remedies, the non-admission of "vulnerable cases", "criminal cases", of persons with family members in the EU and of persons with medical issues. Other restrictions included the check of fingerprints upon arrival.

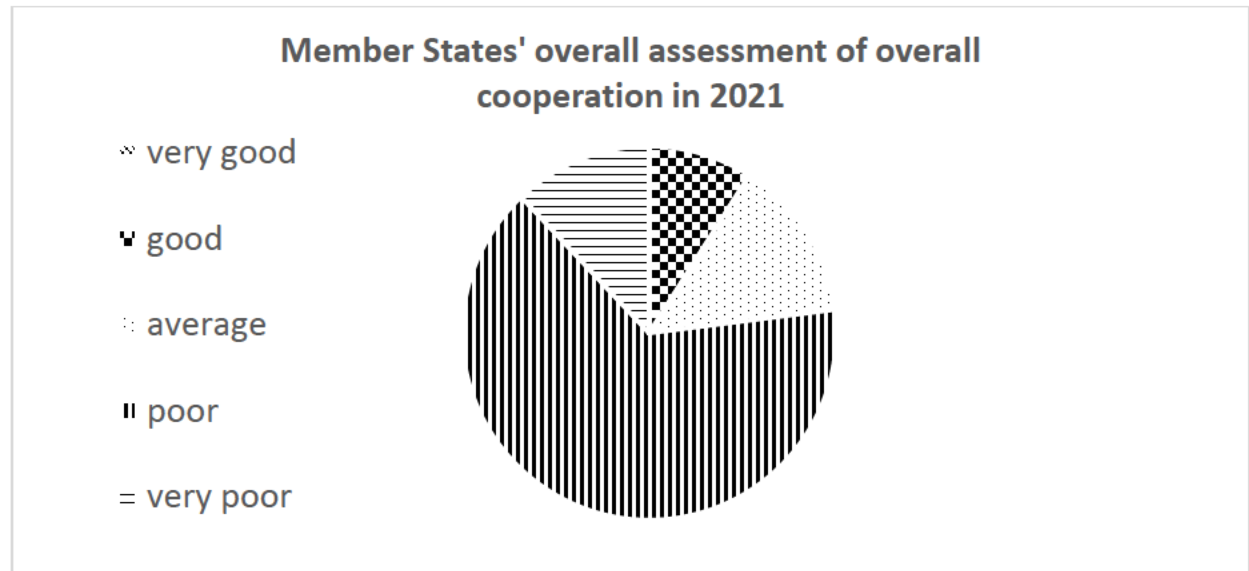
Charter flights were accepted by Morocco for one Member State while not for 10 others, which assessed cooperation as very poor. The Member State for which returns by charter flights were accepted assessed the cooperation as good, albeit restrictions regarding the number of flights and their frequency, the number of returnees on board and the issuance of landing permit. The remaining 13 Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, nine Member States (over 60% of the caseload) assessed cooperation as poor or very poor, four (27% of the caseload) as average and ten (11% of the caseload) as good or very good. Seven Member States encountered restrictions,

namely regarding the need for transit permits, the requirement of visas for escorts, the maximum number of returnees per flight and the number of flights with returnees per week.

Summary

With a total of 21 555 Moroccan nationals ordered to leave in 2021, Morocco ranked 2nd amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. Due to COVID-19, Moroccan borders were closed for most of 2021, which seriously hampered the cooperation on readmission.



24 Member States (100% of the caseload) interacted with Morocco in 2021. Of these, 15 (78% of the caseload) assessed Morocco's overall cooperation on readmission as poor or very poor, five (14% of the caseload) as average and four (9% of the caseload) as good. Action is needed to improve cooperation in the field of readmission.

Morocco's cooperation in the identification procedure was assessed as good by six Member States (53% of the caseload), as average by eight (30% of the caseload) and as poor or very poor by 10 (17% of the caseload).

Morocco's cooperation on the issuance of travel documents was assessed as good by six Member States (53% of the caseload), as poor or very poor by nine (23% of the caseload), and as average by five (14% of the caseload). Four Member States (9% of the caseload) did not request any travel documents.

As regards return operations, 11 Member States (77% of the caseload) assessed Morocco's cooperation as poor or very poor, five (12% of the caseload) as average, and six (9% of the

caseload) as good. Two Member States (1% of the caseload) reported not having experience in return operations in 2021.

The existing established practices were generally implemented with over 80% of the Member States.

For a more effective and predictable readmission cooperation, good cooperation practices would need to be extended to all Member States. Morocco should further expedite identification by issuing travel documents without interviews for documented cases and ensure that travel documents are issued timely for all Member States, as well as accept charter flights. This, as well as the conclusion of the EU Readmission Agreement would further contribute to ensuring more effective and predictable readmission cooperation with all Member States.

Nigeria

EU engagement to date

The Council authorised the opening of negotiations for a Readmission Agreement with Nigeria in September 2016. Negotiations with Nigeria were launched in October 2016 and have progressed at an irregular pace since then. After a two-year suspension between 2018 and 2020, the negotiations restarted in January 2021 and 5 rounds took place until March in a virtual format, without much progress, to then be suspended again. In several high-level exchanges, including during a visit of the Commission in February 2022, as well as exchanges at political level, the EU reiterated its request to resume and swiftly conclude the negotiations on the readmission agreement. Negotiations restarted in July 2022 in Abuja. Two rounds took place since, with good progress.

Since February 2017, a European Migration Liaison Officer (EMLO) has been deployed to the EU Delegation in Abuja. A European Return Liaison Officer (EURLO) has been deployed to Abuja since 2018.

Nigeria concluded a Working Arrangement (2012), updated in 2016 but never signed by Nigeria, and practical guidelines for the organisation of Joint Return Operations to Nigeria (2013) with Frontex.

The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement, to which Nigeria is a party, states the commitment of each state (party to the agreement) to accept the return and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

The Commission and the High Representative intensified their engagement at all levels. Senior officials' meetings took place in Brussels and Abuja on the rationale behind the assessment report and the process under Article 25a of the Visa Code. The EU Delegation coordinated joint messages on the need to improve operational cooperation on returns. Following a joint *demarche* of the EU and the Member States, the suspension of return flights imposed in December 2021 was lifted by Nigeria on 10 March 2022.

Cooperation on readmission

In 2021, 7 240 Nigerian nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 870 were effectively returned following an order to leave, resulting in a **return rate** of 12%. Member States submitted 2 580 readmission requests to Nigerian authorities, who issued 524 travel documents, resulting in an **issuance rate** of 20%.

27 Member States and Schengen Associated Countries (99% of the caseload) reported having **approached the authorities** of Nigeria for readmission matters in 2021.

Of those who engaged, 13 Member States (87% of the caseload) reported that Nigeria informed them officially of restrictions/suspensions on return in 2021. Five Member States reported that the **COVID-19** related restrictions/requirements were applied by Nigeria in a discriminatory manner. This was the case for one Member State for a period of 1 to 3 months, for two Member States for 3 to 6 months, and for the remaining three for a period of 6 to 9 months, impacting all phases of readmission cooperation, namely by requesting a negative COVID-19 RT-PCR test or Rapid Antigen test, requiring quarantine upon arrival, mandatory vaccination, registration, and enforcing a moratoria on forced return, which resulted in a suspension of issuance of travel documents or landing permits. According to three Member States, Nigerian authorities were responsive to possible alternative solutions to lift those requirements, while they were not for three other Member States.

Seven Member States reported having **bilateral agreements/arrangements** in place with Nigeria, the relevant provisions of which were never/almost never or rarely respected for two (3% of the caseload) and often or always/almost always respected for the other five Member States (27% of the caseload).

20 Member States reported having an **established practice for cooperation**. For seven (50% of the caseload) it was always/almost always implemented, for nine (18% of the caseload) it was often or very often implemented and for four (7% of the caseload) this practice was never/almost never or rarely implemented.

Cooperation on identification procedures

10 Member States (53% of the caseload) assessed the cooperation with Nigeria in the **identification procedure** as very poor to poor, 12 (30% of the caseload) as good or very good and five (16% of the caseload) as average.

Regarding identification processes, **evidence accepted** included valid or expired passports (22 Member States), information extracted from the Visa Information System (six Member States) and other identity documents (20 Member States) and their photocopies (21 Member States), as well as other evidence (16 Member States), such as birth, marriage and divorce certificates, drivers' licenses and citizenship certificates, and in some cases social media profiles, money transfers and phone contacts (one Member State). Biometric evidence was accepted for 13 Member States while it was not accepted for five. The remaining nine Member States did not propose use of biometric evidence.

Of the 24 Member States that have requested **consular interviews**, four reported that these were never/almost never or rarely organised, 10 reported that they were often or very often organised

upon request, and for other 10 interviews were always/almost always organised. If conducted, the results of consular interviews were assessed as unsatisfactory by three Member States, acceptable by six and satisfactory or very satisfactory by 10. The other five Member States had limited or no need for requesting consular interviews. For 14 Member States, Nigeria never/almost never or rarely provided for the possibility to **conduct consular interviews by phone or videoconference**, while this was provided often or very often for two, and always/almost always to other two. The remaining nine Member States have not tried this option.

Of the three Member States that requested the organisation of **identification missions**, one reported that these were very often organised and the other two that these were organised always/almost always. The three Member States rated the outcome of identification missions as good or very good.

Interviews were always/almost always requested by Nigerian authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of eight Member States, and often or very often for five, while never/almost never for other five Member States. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was always/almost always requested by Nigerian authorities from two Member States, often or very often from seven and rarely from two others.

Cooperation on issuance of travel documents

26 Member States (99% of the caseload) reported having requested travel documents during the reporting period. Of these, seven Member States (64% of the caseload) assessed Nigeria's cooperation on the **issuance of travel documents** as average, 12 (30% of the caseload) as good or very good, and seven (6% of the caseload) as very poor or poor. One Member State (less than 1% of the caseload) did not need to request travel documents due to limited or no relevant cases.

For eight Member States, requests were never/almost never or rarely responded with the issuance of travel documents, while for nine Member States this was often or very often the case and for other nine travel documents were issued always/almost always upon request. According to six Member States (49% of the caseload) the issuance of travel documents rarely took place in a **timely manner**. This was often, very often or always/almost always the case for 14 Member States (45% of the caseload) and never for another six (5% of the caseload). Seven Member States reported that **elements other than nationality** were always/almost always taken into consideration when deciding whether to issue a travel document. This was very often or often the case for four Member States, and rarely for another five. The other 10 Member States reported this was never/almost never the case.

Travel documents were issued with a **validity** of one day for three Member States, of up to 10 days for another four, of up to 30 days for five, of one to six months for nine and of more than six

months for five Member States. Member States requesting the **renewal** of travel documents reported that these were often or always/almost always delivered in a timely manner. For one Member State this was rarely the case.

The **EU Travel Document** or *laissez-passer* issued by Member States was never/almost never or rarely accepted according to the four Member States that attempted this.

Cooperation on return operations

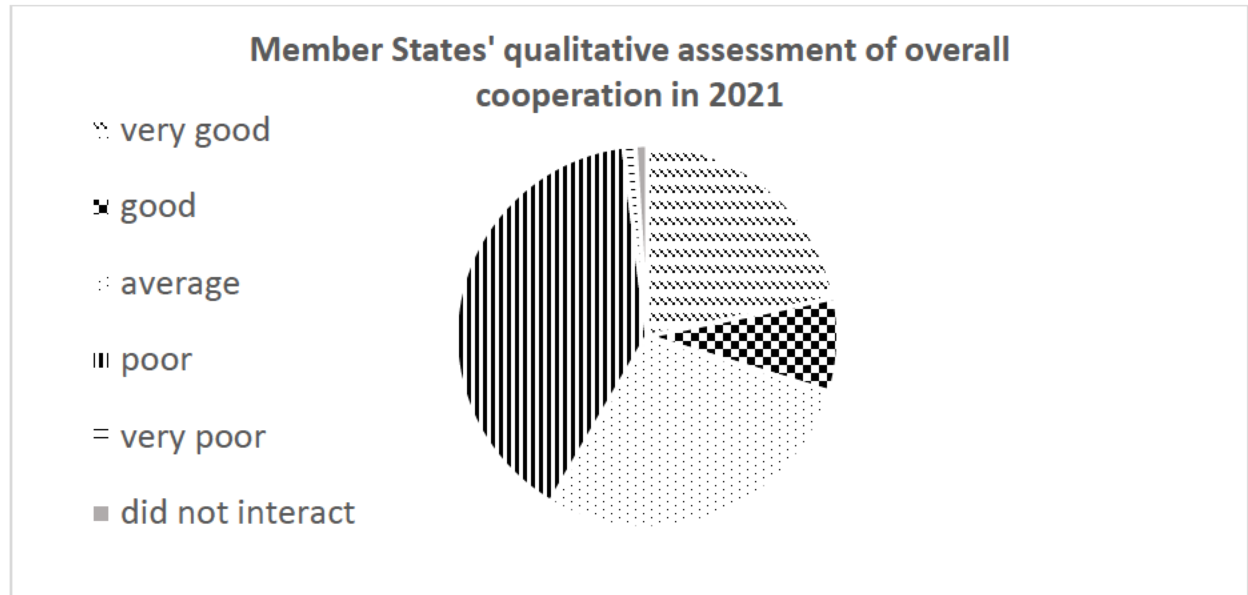
Six Member States (38% of the caseload) assessed Nigeria's cooperation on **return operations** as very poor to poor, 10 (32% of the caseload) as average, and 11 (31% of the caseload) as good or very good. Four Member States reported restrictions to readmission upon arrival, namely as regards the non-admission before exhaustion of legal remedies, vulnerable cases and criminal cases.

Charter flights were accepted by Nigeria for eight Member States, while this was not the case for one. The remaining 18 Member States did not attempt to carry out return operations by charter flights. One Member State encountered restrictions, regarding the number of flights and their frequency, the number of returnees on board and the fact that cancellations were made due to COVID-19. Of those Member States that attempted to carry out return operations by charter flights, two (19% of the caseload) assessed cooperation as average, five (14% of the caseload) as good or very good, and one (1% of the caseload) as poor.

When it came to returns by **commercial (scheduled) flights**, five Member States (37% of the caseload) assessed the cooperation as very poor to poor, 10 (31% of the caseload) as average, and 12 (28% of the caseload) as good or very good. Restrictions were encountered by 10 Member States, namely on transit permits, visa requirements for escorts, and COVID-19 requirements, such as the need for online registration prior to departure, and the obligation to present a negative COVID-19 test for returnees and escorts.

Summary

With a total of 7 240, Nigerian nationals ordered to leave in 2021, Nigeria ranked 9th amongst assessed visa-bound third countries whose nationals have been issued return decisions in the Member States. For some Member States, COVID-19 related restrictions continued to impact the cooperation to a certain extent, in particular as regards the acceptance of return operations to be carried out by charter flights.



27 Member States (99% of the caseload) interacted with Nigeria in 2021. Of these, eight (41% of the caseload) assessed Nigeria's overall cooperation on readmission as very poor to poor, 12 (30% of the caseload) as good or very good, and seven (29% of the caseload) as average.

Nigeria's cooperation in the identification procedure was assessed as very poor or poor by 10 Member States (53% of the caseload), as good or very good by 12 (30% of the caseload) and as average by five (16% of the caseload).

Nigeria's cooperation on the issuance of travel documents was assessed as average by seven Member States (64% of the caseload), as good or very good by 12 (32% of the caseload), and as poor or very poor by seven (6% of the caseload). One Member State (less than 1% of the caseload) reported not having requested any travel documents.

As regards return operations, six Member States (38% of the caseload) assessed Nigeria's cooperation as poor or very poor, 10 (32% of the caseload) as average, and 11 (31% of the caseload) as good or very good.

The provisions of bilateral agreements/arrangements and established practices were generally respected for two thirds of the reporting Member States.

Timely responses to readmission requests would need to be ensured and identification interviews and missions would have to be organised regularly upon request from Member States, in a more reliable manner. Good cooperation practices on the timely issuance of travel documents following positive identification would need to be extended to all Member States. The conclusion of an EU Readmission Agreement would further contribute to ensuring more effective and predictable readmission cooperation with all Member States.

Pakistan

EU engagement to date

The EU Readmission Agreement⁷⁰ with Pakistan entered into force on 1 December 2010. 13 meetings of the Joint Readmission Committee (JRC) took place since then to assess the implementation of the Agreement, the last one on 27 June 2022 in Brussels. In the latter, the Commission emphasised the need for Pakistan to return to the letter of the Agreement to improve readmission cooperation and to work further on the extension of the Readmission Case Management System (RCMS)⁷¹ to additional Member States. The roll-out of the RCMS has been completed to all interested Member States. Pakistan still has to deliver on the other commitments taken in the JRC.

Since February 2017, a European Migration Liaison Officer (EMLO) with a regional mandate, covering also Afghanistan, has been deployed to the EU Delegation in Islamabad.

The Commission and the High Representative intensified their engagement on political, technical, and operational levels, including locally. In a high-level virtual meeting on 17 March 2022, the EU side underlined the need for Pakistan to address the shortcomings identified in the 2020 report, including the systematic delays in terms of deadlines and the inconsistent implementation of the Agreement by the different Pakistani diplomatic missions in the Member States. During a visit to Pakistan in November 2022, the Commission stressed the need for strengthened cooperation on readmission and launched a comprehensive Dialogue on Migration and Mobility with Pakistan.

Cooperation on readmission

In 2021, 18 660 Pakistani nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 2 590 were effectively returned following an order to leave, resulting in a **return rate** of 14%. Member States submitted 4 308 readmission requests to Pakistani authorities, who issued 1 785 travel documents, resulting in an **issuance rate** of 41%.

24 Member States (100% of the caseload) reported having **approached the authorities** of Pakistan for readmission matters in 2021.

Of those who engaged, five Member States (37% of the caseload) reported that Pakistan informed them officially of restrictions/suspensions on return in 2021.

⁷⁰ Agreement between the European Community and the Islamic Republic of Pakistan on the readmission of persons residing without authorization, OJ L 287/52, 4.11.2010.

⁷¹ An electronic platform facilitating the exchange of information between competent authorities in Member States and in a given third country in order to advance on individual cases in the return and readmission process.

18 of the responding Member States used the **EU-Pakistan Readmission Agreement**. For six Member States (72% of the caseload) the relevant provisions were rarely or never/almost never implemented, while for 12 (15% of the caseload) they were often, very often or always/almost always respected by Pakistan.

19 Member States reported having an **established practice for cooperation**, which for eight was always/almost always implemented, for eight was often to very often implemented, and for three was rarely or never/almost never implemented.

Cooperation on identification procedures

Eight Member States (82% of the caseload) assessed the cooperation with Pakistan in the **identification procedure** as poor or very poor (including one Member State (31% of the caseload) which had not received any reply to their submitted cases since September 2020), 10 (12% of the caseload) as good or very good and six (6% of the caseload) as average.

Regarding identification processes, **evidence accepted** included valid or expired passports (21 Member States), information extracted from the Visa Information System (four Member States) and other identity documents (14 Member States) and their photocopies (15 Member States), as well as other evidence (13 Member States), such as birth, marriage and divorce certificates, drivers' licenses and citizenship certificates, and in some cases social media profiles and phone contacts (two Member States). Biometric evidence was accepted/required from 17 Member States.

For five Member States **consular interviews** were always/almost always organised upon request and for four they were often to very often organised upon request. The possibility to **conduct consular interviews by phone or videoconference** was rarely available for only one Member State that requested this possibility.

No Member State has requested the organisation of **identification missions**.

Interviews were always/almost always requested by Pakistani authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of seven Member States. This was rarely or never/almost never requested to 11 Member States. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was often, very often or always/almost always requested by Pakistan from seven Member States (in all cases this concerned criminal records) and was rarely or never/almost never requested from 15 other Member States.

Cooperation on issuance of travel documents

21 Member States (96% of the caseload) reported having requested travel documents during the reporting period. Seven (60% of the caseload) assessed Pakistan's cooperation on the **issuance of travel documents** as poor or very poor, four (25% of the caseload) as average, and 10 (12% of the

caseload) as good or very good. Three Member States (3% of the caseload) did not request any travel documents due to lack of cases, valid documentation, or absconding returnees.

For 12 Member States, requests were often, very often or always/almost always responded with the issuance of travel documents, while for nine this was rarely or never/almost never the case. According to nine Member States (83% of the caseload), the issuance of travel documents rarely or never/almost never took place in a **timely manner**⁷², for five (30% of the caseload) it often or very often took place in a timely manner, and for six (10% of the caseload) it always/almost always took place in a timely manner. Five Member States reported that **elements other than the nationality** were often or always/almost always taken into consideration when deciding whether to issue a travel document.

Travel documents were issued with a **validity**⁷³ of one day (the day of the return) for three Member States, of up to 10 days for one Member State, of up to 30 days for five Member States and of one to six for another 10 Member States. Nine Member States, requesting the **renewal**⁷⁴ of travel documents, reported that these were often, very often or always/almost always delivered in a timely manner. One Member State indicated that this was rarely done in a timely manner.

The **EU Travel Document**⁷⁵ or *laissez-passer* issued by Member States was, according to only one Member State, very often accepted, while this was never/almost never the case for the five other Member States who attempted to use the EU Travel Document.

Cooperation on return operations

Four Member States (50% of the caseload) assessed Pakistan's cooperation on **return operations** as poor or very poor, seven (35% of the caseload) as average, and 10 (13% of the caseload) as good or very good. Four Member States reported restrictions to readmission upon arrival, related to the non-admission of vulnerable cases, non-exhaustion of legal remedies, medical issues as disqualifying factors on arrival and/or non-admission of persons having family members in the EU. The remaining three Member States (2% of the caseload) reported that they did not have experience in return operations in 2021.

Charter flights were accepted by Pakistan for seven Member States, while the remaining 17 did not attempt to carry out return operations by charter flights. Six Member States (39% of the caseload) assessed the cooperation on charter flights as average or good, and the remaining one

⁷² According to the EU Readmission Agreement with Pakistan, travel documents are to be issued without delay after a positive response has been given to the readmission request.

⁷³ According to EU Readmission Agreement, travel documents are to be issued with a validity of at least six months.

⁷⁴ According to the EU Readmission Agreement, the renewal of travel documents shall be delivered within 14 days.

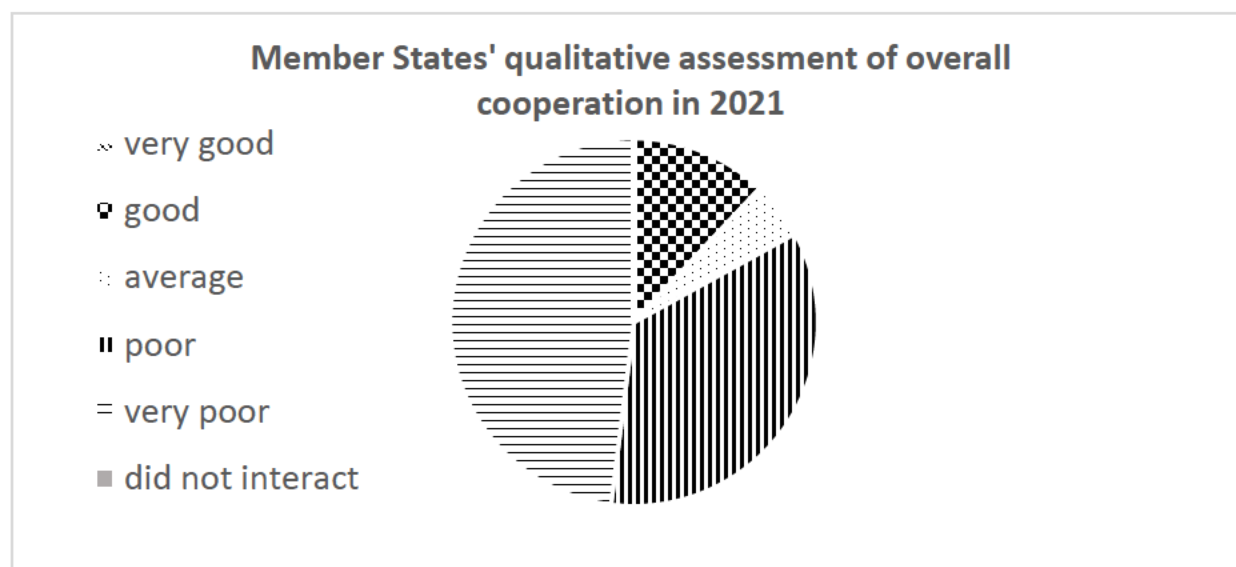
⁷⁵ According to the EU readmission agreement, the transfer is considered to have been agreed to, when no response is received within the time limits foreseen by the agreement (i.e. 30 days with the possibility for extension to a maximum of 60 days).

(less than 1% of the caseload) assessed it as very poor. Two Member States faced restrictions on the number of flights and their frequency, one on the number of returnees on board and one on visa requirements for escorts. Five Member States encountered restrictions, in particular with regard to (late) landing permits.

When it came to returns by **commercial (scheduled) flights**, four Member States (50% of the caseload) assessed cooperation as poor/very poor, six (37% of the total caseload) as average and 11 (11% of the caseload) as good or very good. Nine Member States encountered restrictions on scheduled flights, namely on transit permits and visa requirement for escorts.

Summary

With a total of 18 660 Pakistani nationals ordered to leave in 2021, Pakistan ranked 3rd amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



24 Member States (100% of the caseload) interacted with Pakistan in 2021. Of these, nine (83% of the caseload) assessed Pakistan's overall cooperation on readmission as poor to very poor, nine (12% of the caseload) as good, and six (5% of the caseload) as average.

Pakistan's cooperation in the identification procedure was assessed as very poor or poor by eight Member States (82% of the caseload), as very good or good by ten (12% of the caseload), and as average by six (6% of the caseload).

Seven Member States (60% of the caseload) assessed Pakistan's cooperation on the issuance of travel documents as poor or very poor, four (25% of the caseload) as average, and 10 (12% of the caseload) as good or very good. Three Member States (3% of the caseload) did not request travel documents in 2021.

As regards return operations, four Member States (50% of the caseload) assessed it as poor or very poor, seven (35% of the caseload) as average, and 10 (13% of the caseload) as good or very good. The remaining three Member States (2% of the caseload) reported that they did not have experience in return operations in 2021.

The provisions of the EU Readmission Agreement were not respected for six Member States (72% of the caseload), while they were generally well respected for 12 Member States (15% of the caseload).

For a more effective and predictable readmission cooperation, the provisions of the EU Readmission Agreement would need to be correctly and consistently implemented and towards all Member States, in particular regarding identification practices, deadlines for replies to readmission applications, and issuance of travel documents. The change requests to the RCMS, proposed by the EU, should also be approved and implemented without delay.

Russia

Engagement up to date

The EU Readmission Agreement⁷⁶ with Russia entered into force on 1 June 2007. 19 meetings of the Joint Readmission Committee took place since then to assess the implementation of the Agreement, the latest of which on 22 November 2019. No meeting could take place in 2020 or 2021, due to the health emergency state and Russia's wish to hold the meeting physically.

Following Russia's war of aggression against Ukraine in February 2022, the EU suspended engagement with the Russian authorities and fully suspended the implementation of the Visa Facilitation Agreement⁷⁷ since September 2022.

Cooperation on readmission

In 2021, 5 265 Russian nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 2 375 were effectively returned following an order to leave, resulting in a **return rate** of 45%. Member States submitted 3 167 readmission requests to Russian authorities, who issued 979 travel documents resulting in an **issuance rate** of 31%.

23 Member States (99% of the caseload) reported having **approached the authorities** of Russia for readmission matters in 2021.

Of those who engaged, one Member State (15% of the caseload) reported that Russia informed them officially of restrictions/ suspensions on return in 2021. Two Member States, reported that the **COVID-19** related restrictions/requirements were applied by Russia in a discriminatory manner for a period of six to nine months, impacting all phases of readmission cooperation, namely by requesting always/almost always a negative COVID-19 RT-PCR test or a Rapid Antigen test, imposing very often or always/almost always quarantine, and requesting always/almost always mandatory vaccination only for nationals under return/readmission. One Member State reported that Russian authorities often requested treatment costs to be borne by the Member State in case the returnee was found affected by COVID-19. According to two Member States authorities were not responsive to possible alternative solutions to lift those requirements.

For 10 Member States (45% of the caseload), using the **EU-Russia Readmission Agreement**, the relevant provisions were rarely or never/almost never respected by Russia. This was often to very

⁷⁶ Agreement between the European Community and the Russian Federation on readmission, OJ L 129/40, 17.5.2007.

⁷⁷ Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation, OJ L 129/27, 17.5.2007.

often the case for five (34 % of the caseload) and always/almost always for three others (12% of the caseload).

Six Member States reported having **bilateral agreements/arrangements** in place with Russia, the relevant provisions of which were very often or always/almost always respected for four (41% of the caseload), while never/almost never respected for two (6% of the caseload).

12 Member States reported having an **established practice for cooperation**, which for one was rarely implemented, for five was often to very often implemented, and for six was always/almost always implemented.

Cooperation on identification procedures

Nine Member States (47% of the caseload) assessed the cooperation of Russia in the **identification procedure** as good or very good, nine others (41% of the caseload) as poor or very poor and five (11% of the caseload) as average.

Regarding identification processes, **evidence accepted** included valid or expired passports (21 Member States), information extracted from the Visa Information System (six Member States) and other identity documents (18 Member States) and their photocopies (18 Member States), as well as other evidence (13 Member States). This included birth, marriage and divorce certificates, drivers' licenses and citizenship certificates, and in some cases the passport number without a copy of the passport and a return certificate (two Member States). Biometric evidence accepted for nine Member States and included fingerprints attached to the readmission application. For seven Member States, biometric evidence was not accepted; seven others did not propose it.

Of the 15 Member States that have requested **consular interviews**, four reported that these were never/almost never or rarely organised upon request, seven that they were often or very often organised, and four that they were always/almost always organised upon request. If conducted, the results of consular interviews were assessed as unsatisfactory by four Member States, acceptable by five and satisfactory to very satisfactory by four. The remaining eight Member States had limited or no need for requesting consular interviews. For one Member State, Russia often provided for the possibility to **conduct consular interviews by phone or videoconference**, while it never/almost never did so for six Member States and the remaining 16 have not tried this option.

Of the two Member States that requested the organisation of **identification missions**, one reported that these were never/almost never organised, and with very poor results, and the other that they were always/almost always organised, and with acceptable results.

Interviews were often, very often or always/almost always requested by Russian **authorities even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents), in the case of five Member States and rarely or never/almost never from eight. **Confidential information under EU or national legal frameworks** was often or always/almost

always requested by Russian authorities from three Member States and rarely or never/almost never from the remaining 13.

Cooperation on issuance of travel documents

22 Member States (99% of the caseload) reported having requested travel documents during the reporting period. Of these, 11 (52% of the caseload) assessed Russia's cooperation on the **issuance of travel documents** as good to very good, six (38% of the caseload) as average, and five (10% of the caseload) as poor to very poor. One Member State (less than 1% of the caseload) has not requested any travel documents.

For 17 Member States, requests were often, very often or always/almost always responded with the issuance of travel documents, while this was rarely or never/almost never the case for five. According to 15 Member States (65% of the caseload), the issuance of travel documents took often, very often or always/almost always place in a **timely manner**⁷⁸, and rarely or never/almost never in the case of seven (33% of the caseload). Three Member States reported that **elements other than the nationality** were often, very often or always/almost always taken into consideration when deciding whether to issue a travel document, while this was rarely or never/almost never the case for 19.

Travel documents were issued with a **validity**⁷⁹ of up to 10 days for five Member States, of up to 30 days for 13 Member States, and of one to six months for three Member States. Of the 11 Member States having requested the **renewal**⁸⁰ of travel documents, nine reported that these were often, very often or always/almost always delivered in a timely manner, while this was rarely or never/almost never the case for two.

The **EU Travel Document** or *laissez-passer*⁸¹ issued by Member States was never/almost never accepted for the five Member States that attempted to use it.

Cooperation on return operations

Nine Member States (38% of the caseload) assessed Russia's cooperation on return operations as average, 10 (32% of the caseload) as good or very good, and three (26% of the caseload) as poor or very poor. One Member State reported very often restrictions to readmission upon arrival,

⁷⁸ According to the EU Readmission Agreement with Russia, travel documents are to be issued without delay after a positive response has been given to the readmission request.

⁷⁹ According to the EU Readmission Agreement, travel documents are to be issued with a validity of 30 days.

⁸⁰ According to the EU Readmission Agreement, the renewal of travel documents shall be delivered without delay.

⁸¹ The According to the EU Readmission Agreement, the EU Travel Document or *laissez passer* (EU standard travel document for expulsion purposes in line with the form set out in EU Council recommendation of 30 November 1994) shall be accepted after the Russian Federation has given a positive reply to the readmission application.

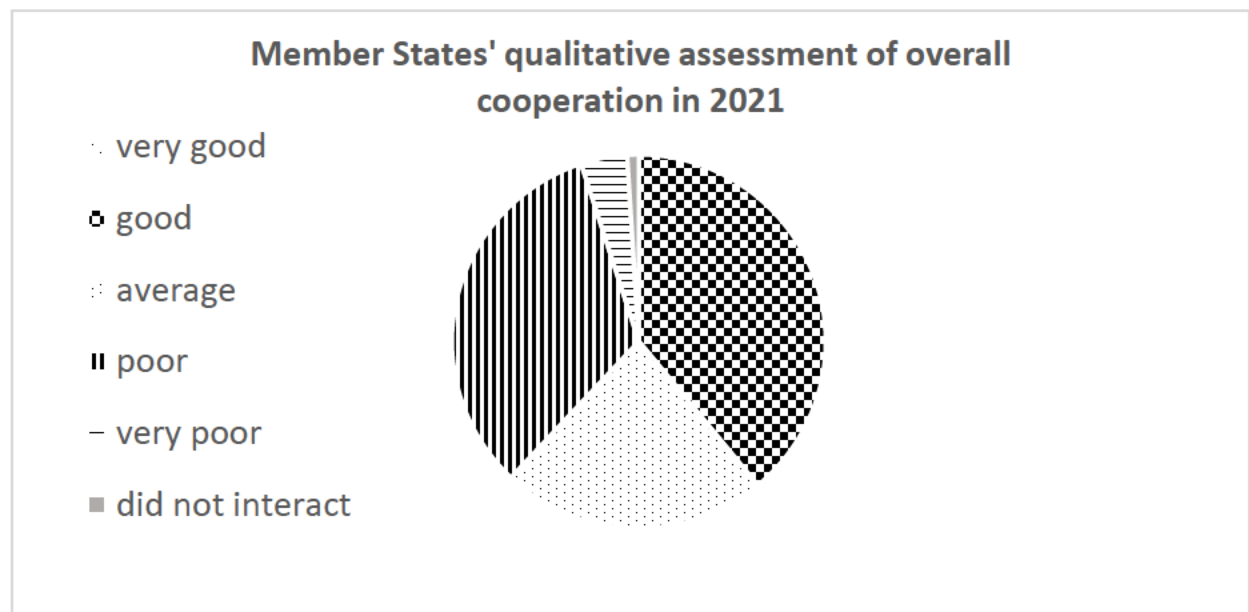
namely adding medical issues as disqualifying factors on arrival. One Member State (3% of the caseload) reported that it did not have return operations in 2021.

Charter flights were accepted by Russia for five Member States. The remaining 18 did not attempt to carry out return operations by charter flights. Four Member States (27% of the caseload) assessed the cooperation on charter flights as average, and one (1% of the caseload) as very good. Three Member States encountered restrictions, regarding number of flights and frequency, the number of returnees per flight, granting of permission to land and visa requirements for escorts.

When it came to returns by **commercial (scheduled) flights**, nine Member States (38% of the caseload) assessed the cooperation as average, two (25% of the caseload) as poor or very poor, and eight (20% of the caseload) as good. 13 Member States encountered restrictions, namely as regards transit permits and visa requirements for escorts.

Summary

With a total of 5 265 Russian nationals ordered to leave in 2021, Russia ranked 13th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. For two Member States, COVID-19 related restrictions were applied in a discriminatory manner and impacted all phases of readmission cooperation for a period of 6 to 9 months. The Russian authorities were not responsive to possible alternative solutions.



23 Member States (99% the caseload) interacted with Russia on readmission related matters in 2021. Of those nine (39% of the caseload) assessed Russia's overall cooperation as good, eight (37% of the caseload) as very poor or poor, and six (23% of the caseload) as average.

Russia's cooperation in the identification procedure was assessed as good or very good by nine Member States (47% of the caseload), as poor to very poor by nine (41% of the caseload) and as average by five (11% of the caseload).

Russia's cooperation on the issuance of travel documents was assessed as good to very good by 11 Member States (52% of the caseload), as average by six (38% of the caseload), and as poor to very poor by five (10% of the caseload). The remaining Member State (less than 1% of the caseload) did not request travel documents.

As regards return operations, nine Member States (38% of the caseload) assessed Russia's cooperation as average, 10 (32% of the caseload) as good or very good, and three (26% of the caseload) as poor or very poor. One Member State (3% of the caseload) reported not having experience in return operation in 2021.

The provisions of the EU Readmission Agreement were generally well respected with eight Member States (46% of the caseload), while this was rarely or never/almost never the case for 10 Member States (45% of the caseload).

For a more effective and predictable readmission cooperation, good practices would need to be extended to all Member States and timeframes as stipulated in the EU-Russia Readmission Agreement would need to be respected. Identification could be improved by accepting the delivery of documents also in electronic format, as well as extending the acceptance of biometric evidence to all Member States.

The assessment above needs to be viewed and put in the context of the ongoing Russian war of aggression against Ukraine and the EU's response to it.

Senegal**EU engagement to date**

The EU engaged in discussions on readmission with Senegal in 2015 but attempts to build upon the political openness at that time to formalise cooperation at EU level have not been successful, despite several high-level contacts in 2017 and 2018, with Senegal asking for a comprehensive approach, along the lines of the Valletta pillars, without showing constructiveness on readmission. In April 2021, on the occasion of the Senegalese President's visit to the EU, the Commission emphasised the importance of readmission. This was also strongly conveyed to Senegal at other political and technical level engagements, including during the political level mission of the Commission to Senegal in February 2022, the phone call between the Commission and the Senegalese Minister of Foreign Affairs on 4 November 2022 and the Commission services' technical mission in June 2022. The EU underlined the need for a regular targeted dialogue on readmission. This was in principle accepted by Senegal in September 2022, with a senior official level visit of the Commission to Dakar in December 2022.

A European Migration Liaison Officer (EMLO) is deployed in Dakar since February 2017.

The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement, to which Senegal is a party, states the commitment of each state (which is party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay present on the territory of a Member State. This commitment is reinforced in the New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

Follow-up to the assessment of cooperation in 2020

Cooperation on readmission with Senegal has been assessed as insufficient in the assessment of third countries' level of cooperation on readmission in 2020. The Commission and the High Representative intensified their engagement with Senegal at political, technical and operational level, including locally. The EU clearly conveyed to Senegal, at all levels, including during the political level mission of the Commission to Senegal in February 2022 and the Commission services' technical mission in June 2022, the need to improve cooperation in readmitting own nationals who have no right to stay in the EU. The EU clarified the process in the context of Article 25a of the Visa Code, as well as the expectations for improved cooperation on all steps of the readmission process: to ensure timely follow-up and responses to Member States' readmission requests, timely issuance of travel documents to positively identified Senegalese nationals, in particular following identification missions to the EU, and with a sufficient validity to allow for the organisation of return operations, as well as to accept returns by non-scheduled flights. This has, however, not resulted in progress.

In view of the lack of improvement, despite the additional steps taken by the EU to improve readmission cooperation and taking into account the EU's overall relations with Senegal, the Commission proposed to the Council temporary restrictive measures on short-stay visas for Senegalese nationals on 09 November 2022⁸².

Cooperation on readmission

In 2021, 4 435 Senegalese nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 345 were effectively returned following an order to leave, resulting in a **return rate** of 8%. Member States submitted 1 160 readmission requests to Senegalese authorities, who issued 109 travel documents, resulting in an **issuance rate** of 9%.

13 Member States (93% of the caseload) reported having **approached the authorities** of Senegal for readmission matters in 2021.

Of those Member States who engaged, none reported that Senegal informed them officially of **COVID-19** related restrictions/suspensions on return in 2021. Two Member States encountered restrictions linked to the COVID-19 pandemic, such as the requirement of a negative COVID-19 RT-PCR test for returnees, de facto hindering forced returns.

One Member State reported having a **bilateral agreement** in place with Senegal, of which the relevant provisions were very often respected.

Almost two thirds of the Member States reported having an **established practice for cooperation**, which for five was often, very often or always/almost always implemented, while for three it was rarely or never/almost never implemented.

Cooperation on identification procedures

Three Member States (80% of the caseload) assessed the cooperation with Senegal in the **identification procedure** as good, nine (12% of the caseload) as poor to very poor and one (1% of the caseload) as average.

Regarding identification processes, **evidence accepted** included valid or expired passports (10 Member States), information extracted from the Visa Information System (three Member States) and other identity documents (six Member States) and their photocopies (nine Member States), as well as other evidence (five Member States) such as birth, marriage and divorce certificates, drivers' licenses and citizenship certificates. Biometric evidence was accepted/required for five Member States.

⁸² COM (2022) 631 final

Of the Member States that requested **consular interviews**, three reported that they were always/almost always organised upon request, one that they were often organised upon request, and four that they were never/almost never or rarely organised upon request. If conducted, the outcome of the consular interviews were assessed as unsatisfactory by three Member States, as acceptable by two, and as satisfactory to very satisfactory by other two. The remaining five Member States had limited or no need for requesting consular interviews. For two Member States, Senegal provided for the possibility to **conduct consular interviews by phone or videoconference**, while it was never/almost never the case for three others.

Of the three Member States that requested the organisation of **identification missions**, only one Member State reported that these were often organised and with acceptable outcomes. For two other Member States identification missions were rarely or never/almost never organised and their outcome was rated as poor to very poor.

Interviews were always/almost always requested by Senegal authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) for two Member States. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was very often requested by Senegal authorities from one Member State.

Cooperation on issuance of travel documents

11 Member States (92% of the caseload) reported having requested travel documents during the reporting period. Of these, three (81% of the caseload) assessed Senegal's cooperation on the **issuance of travel documents** as good, two (10% of the caseload) as average, and six (1% of the caseload) as poor or very poor. Two Member States (1% of the caseload) did not need to request travel documents due to the lack of relevant caseload and responses to identification requests.

For four Member States, requests were often, very often or always/almost always responded with the issuance of a travel document, while for seven they were rarely to never/almost never followed by the issuance of a travel document. According to almost one third of the Member States (83% of the caseload) the issuance of travel documents took place often, very often or always/almost always in a **timely manner**, while over half (9% of the caseload) reported that it took place rarely or never/almost never in a timely manner. Two Member States reported that elements other than the nationality were often or always taken into consideration when deciding whether to issue a travel document, while it was rarely the case for two other Member States.

Travel documents were issued with a **validity** of up to 10 days for two Member States, of up to 30 days for three Member States, and of one to six months or more for four Member States. Member States requesting the **renewal** of travel documents reported that these were often to always/almost always delivered in a timely manner, albeit for one Member State with an unclear validity (i.e. "until the end of the year").

The **EU Travel Document** or *laissez-passer* issued by Member States was often accepted for one Member State and rarely for one other.

Cooperation on return

Two Member States (77% of the caseload) assessed Senegal's cooperation on **return operations** as average, five (12% of the caseload) as good or very good, and four (3% of the caseload) as poor or very poor. Of the remaining Member States, two (less than 1% of the caseload) reported having no experience in 2021. No Member State reported restrictions to readmission upon arrival.

Charter flights were accepted by Senegal for one Member State, while they were not accepted for one other. Both Member States (79% of the caseload) assessed cooperation on return operations by charter flights as poor, with one Member State reporting that it encountered restrictions, regarding the number of flights and their frequency, and on the number of returnees on board. The remaining 11 Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, four Member States (80% of the caseload) assessed cooperation as poor or very poor, six (12% of the caseload) as good or very good, and one as average. Two Member States reported they had no experience in scheduled flights in the year 2021. Two Member States encountered restrictions, namely on transit permits and the requirement for a negative COVID-19 RT-PCR test for escorts and returnees, which hindered forced returns to be carried out.

Summary

With a total of 4 435 Senegalese nationals ordered to leave in 2021, Senegal ranked 16th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. For some Member States, measures related to the COVID-19 pandemic continued to hamper cooperation, in particular on return operations.



13 Member States (93% of the caseload) interacted with Senegal in 2021. Of these, nine (88% of the caseload) assessed Senegal's overall cooperation on readmission as poor or very poor, two (4% of the caseload) as good or very good, and other two (less than 1% of the caseload) as average. Action is needed to improve cooperation in the field of readmission.

Senegal's cooperation in the identification procedure was assessed as good or very good by three Member States (80% of the caseload), as poor or very poor by nine (12% of the caseload), and as average by one (1% of the caseload).

Senegal's cooperation on the issuance of travel documents was assessed as good by three Member States (81% of the caseload), as average by two (10% of the caseload) and as poor or very poor by six (1% of the caseload). The remaining two Member States (1% of the caseload) did not request any travel documents.

As regards return operations, two Member States (77% of the caseload) assessed Senegal's cooperation as average, five (12% of the caseload) as good or very good, and four (3% of the caseload) as poor or very poor. Two (less than 1% of the caseload) reported not having experience on return operations in 2021.

The exiting established practices were generally implemented with around half of the Member States that established them.

For a more effective and predictable readmission cooperation, good cooperation practices would need to be extended to all Member States. Cooperation would also be improved by ensuring timely responses to readmission requests and the organisation of identification interviews for undocumented cases. Identification missions would need to be followed by the timely issuance of travel documents for positively identified cases. Travel documents would need to be issued with a sufficient period of validity, to allow Member States to organise return operations. In this

regard, charter flights should be accepted, in particular in cases where returns cannot take place by commercial (scheduled) flights. The establishment of a regular dialogue on readmission could provide a forum for discussing existing challenges with a view of reducing the backlog of irregular migrants present in the EU.

Somalia

EU engagement to date

To date, there has been limited EU-level and bilateral Member States' engagement on readmission with Somalia due to the political context and overall situation in the country. On 15 May 2022, the Parliament elected its President. The government formation process was concluded in September 2022. The current political situation in the country impacted engagement.

The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement, to which Somalia is party, states the commitment of each state (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion.

A European Return Liaison Officer (EURLO) was deployed in Nairobi from November 2021 to August 2022 with a mandate for both Kenya and Somalia. A new deployment is expected in January 2023. In October 2021, Somalia informed officially that forced returns continued to be suspended until the implementation of a national policy framework for returnees (the General Policy Framework for Returnees). This suspension has not officially been revoked by the authorities.

The EU Delegation and the EURLO have identified interlocutors in the Federal Government authorised to discuss and address issues concerning return and readmission. Exchanges at technical level took place. These exchanges appear to have laid the grounds for the Somalian authorities to express their understanding that there is a need to make progress in this area and their interest to move towards a more sustainable, coordinated and structured solution for migration-related matters, including engagement on readmission.

Cooperation on readmission

In 2021, 3 675 Somali nationals, who had no right to stay in the Member States, were issued return decisions (the caseload) and 205 were effectively returned following an order to leave, resulting in a **return rate** of 6 %. Member States submitted 351 readmission requests to Somali authorities, who issued 46 travel documents resulting in an **issuance rate** of 13%.

11 Member States (46% of the caseload) reported having **approached the authorities** of Somalia for readmission matters in 2021.

Of those who engaged, two Member States (17% of the caseload) reported that Somalia informed them officially of restrictions/suspensions on return in 2021. According to that Member State, authorities were not responsive to possible alternative solutions to lift those requirements.

Two Member States reported having **bilateral agreements/arrangements** in place with Somalia, the relevant provisions of which were rarely respected in one case and always/almost always respected in the other case.

Eight Member States reported having an **established practice for cooperation**, which for five was often or always/almost always implemented, and for the remaining three was never/almost never or rarely implemented.

Cooperation on identification procedures

Five Member States (30% of the caseload) assessed the cooperation with Somalia in the **identification procedure** as very good or good. With the exception of one Member State (less than 1% of the caseload) that assessed cooperation in identification as average, the remaining Member States (16% of the caseload) assessed it as very poor or poor, with readmission requests not being processed for forced returns. One Member State indicated that Somalia has restricted the number of cases that are allowed to be processed per month.

Regarding identification processes, **evidence accepted** included valid or expired passports (five Member States), information extracted from the Visa Information System (one Member State), other identity documents (four Member States) and their photocopies (five Member States), as well as other evidence (six Member States). This included birth, marriage and divorce certificates, drivers' license and citizenship certificates, as well as clanship, family status and last known address in Somalia (one Member State). Biometric evidence was accepted only for one Member State and was not accepted in the case of six. Two Member States flagged the difficulty of assessing the effective relevance and reliability of evidence submitted, as identity verification was rather influenced by the person's willingness to return voluntarily, their clanship, their family status or their last known address in Somalia.

Of the nine Member States that have requested **consular interviews**, five reported that these were rarely or never to almost never organised upon request, while for the other four these were often to always to almost always organised. If conducted, the results of consular interviews were assessed as very satisfactory or satisfactory by two Member States, as acceptable by two others and as unsatisfactory by two. The remaining two Member States had limited or no need for requesting consular interviews. For four Member States, Somalia always/almost always provided for the possibility to **conduct consular interviews by phone or videoconference**, for two it rarely provided this possibility and for three it never/almost never provided it. The remaining two Member States have not tried this option. The one Member State that requested the organisation of **identification missions** reported that these were never/almost never organised, and with very poor outcomes.

Interviews were always to almost always requested by Somali authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case

of three Member States. **Confidential information under EU or national legal frameworks** was often requested by Somali authorities from two Member States, and always/almost always requested to one, while this was rarely the case for another one.

Cooperation on issuance of travel documents

Five Member States (21% of the caseload) reported having requested travel documents during the reporting period. Of these, three Member States (18% of the caseload) assessed Somalia's cooperation on the **issuance of travel documents** as poor or very poor, and two (3% of the caseload) as average. Over half of the Member States (25% of the caseload) did not request any travel documents, mainly due to the unavailability of competent authorities and/or a lack of cooperation from the embassies, in particular on forced return cases.

Requests for the issuance of travel documents were rarely or never/almost never responded for three Member States, while they were often or always/almost always responded in the case of two. According to three Member States (19% of the caseload) issuance of travel documents never/almost never took place in a **timely manner**. Two Member States (3% of the caseload) reported that the issuance of travel documents took place often or very often in a timely manner. Three Member States reported that **elements other than the nationality** were often or always to almost always taken into consideration when deciding whether to issue a travel document.

Travel documents were issued with a **validity** of one day for up to 30 days for one Member State and of one to six months for three Member States. Member States requesting the renewal of travel documents reported that these were often, very often or always/almost always delivered in a timely manner.

The **EU Travel Document** or *laissez-passer* issued by Member States was always/almost always accepted according to four Member States, rarely accepted for one, and never/almost never for one other. When accepted, the EU Travel Document was used in conjunction with a certificate of nationality issued by the Embassy or with a readmission permit issued by the Somali Returnees Management Office or the Immigration Naturalisation Directorate. One Member State indicated that the EU Travel Document had to be supported by a signed declaration of voluntary return.

Cooperation on return operations

Five Member States (19% of the caseload) assessed Somalia's cooperation on **return operations** as poor or very poor, two (16% of the caseload) as good to very good and two (1% of the caseload) as average. Two Member States (9% of the caseload) did not attempt any return operations. Three Member States reported restrictions to readmission were always to almost always imposed upon arrival, namely non-admission before exhaustion of legal remedies, non-admission of persons having family members in the EU and non-admission when no permission has been granted by Somali authorities before arrival.

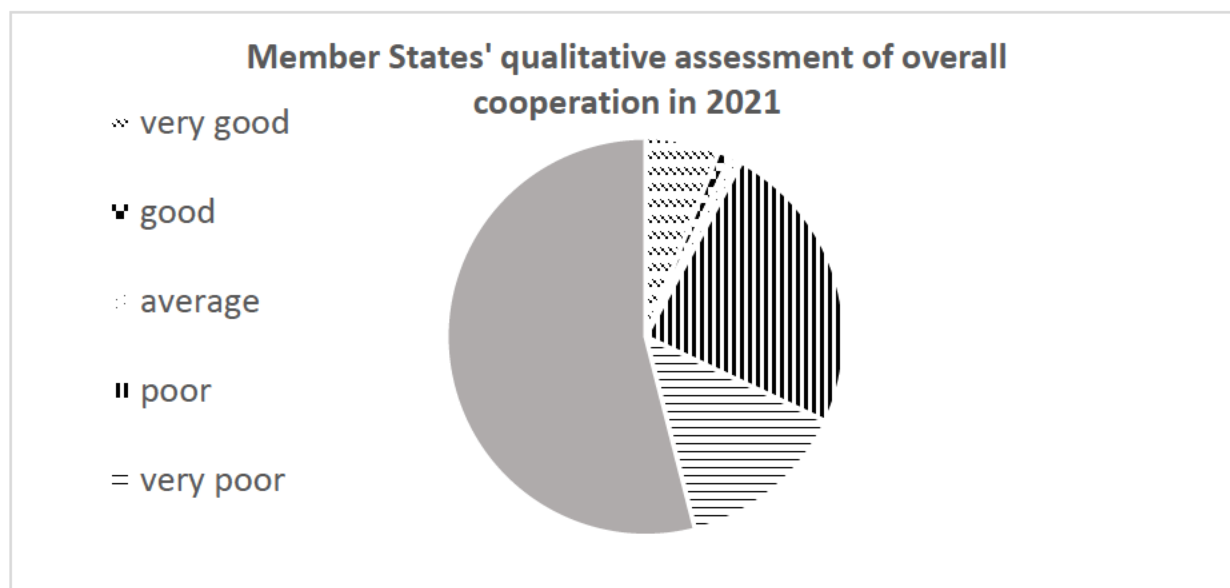
The authorities of Somalia have officially informed in October 2021 of a suspension of forced returns.

Charter flights were accepted by Somalia for one Member State with restrictions on the number of flights and their frequency, as well as on the number of returnees and on landing permits. For another Member State charter flights were not accepted at all. Both Member States assessed cooperation on charter flights as very poor. The remaining nine Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, five Member States (19% of the caseload) assessed cooperation as poor to very poor, two Member States (16% of the caseload) assessed it as good to very good, and one Member States (less than 1% of the caseload) assessed the cooperation as average. Two Member States encountered restrictions, namely on transit permits, visa requirements for escorts, mandatory COVID-19 RT-PCR tests for returnees and escorts, and/or a limited number of returnees per month.

Summary

With a total of 3 675 Somali nationals ordered to leave in 2021, Somalia ranked 20th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. COVID-19 related restrictions/requirements applied by Somalia, such as a mandatory COVID-19 RT-PCR test for returnees and escorts on commercial (scheduled) flights, continued to impact the cooperation. Somalia officially informed in October 2021 that forced returns were suspended.



11 Member States (46% of the caseload) interacted with Somalia on readmission related matters in 2021. Somalia is one of the third countries where only around one third of the Member States

engaged. Of these, eight Member States (38% of the caseload) assessed Somalia's overall cooperation on readmission as poor or very poor, two (7% of the caseload) as good to very good and one (less than 1% of the caseload) as average. Action is needed to improve cooperation in the field of readmission.

Somalia's cooperation in the identification procedure was assessed as good to very good by five Member States (30% of the caseload), as poor to very poor by five (16% of the caseload), and as average by one (less than 1% of the caseload).

Somalia's cooperation on the issuance of travel documents was assessed as poor or very poor by three Member States (18% of the caseload), and as average by two (3% of the caseload). Six Member States (25% of the caseload) did not request any travel document.

As regards return operations, five Member States (19% of the caseload) assessed Somalia's cooperation as poor to very poor, two (16% of the caseload) as good or very good and two (1% of the caseload) as average. Two Member States (9% of the caseload) did not attempt any return operations.

For a more effective and predictable readmission cooperation, good cooperation practices would need to be extended to all Member States and all restrictions imposed on forced returns would need to be lifted. Identification could be improved by amplifying the list of relevant evidence and conducting interviews upon request, also by phone, if necessary. Cooperation could be improved by guaranteeing the issuance of travel document following positive identification and lifting of the restrictions on charter and commercial (scheduled) flights.

Sri Lanka

EU engagement to date

The EU Readmission Agreement⁸³ with Sri Lanka entered into force on 1 May 2005. Due to the ongoing civil war and political developments at that time, the Agreement was not effectively implemented for several years. Since 2013, seven meetings of the Joint Readmission Committee took place to assess the implementation of the Agreement, the last one on 20 July 2021. In the latter, both parties underlined the transparency and efficiency gains of the Readmission Case Management System (RCMS)⁸⁴ as the single channel of communication and agreed on a standard procedure for the organisation of charter flights. Due to the volatile political and economic situation in Sri Lanka in the spring of 2022, it was decided to postpone the 8th Joint Readmission Committee initially foreseen for July 2022.

The EU-funded overhaul of the RCMS has been operational since February 2020, with currently 16 Member States connected.

Cooperation on readmission

In 2021, 3 015 Sri Lankan nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 325 were effectively returned following an order to leave, resulting in a **return rate** of 11%. Member States submitted 629 readmission requests to Sri Lankan authorities, who issued 265 travel documents resulting in an **issuance rate** of 42%.

13 Member States (76% of the caseload) reported having **approached the authorities** of Sri Lanka for readmission matters in 2021.

Of those who engaged, one Member States (5% of the caseload) reported that Sri Lanka informed them officially of restrictions/suspensions on return in 2021. One other Member States, reported that the **COVID-19** related restrictions/requirements were applied by Sri Lanka in a discriminatory manner for a period of six to nine months, impacting the acceptance of forced and voluntary returns, both by scheduled and charter flights, namely through the requirement of a compulsory entry permit, which was not issued by the authorities in the first four months of 2021. According to this Member State, authorities were not responsive to possible alternative solutions to lift those requirements.

⁸³ Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka on the readmission of persons residing without authorisation, OJ L 124/43, 17.5.2005.

⁸⁴ An electronic platform facilitating the exchange of information between competent authorities in Member States and in a given third country in order to advance on individual cases in the return and readmission process.

For four Member States (53% of the caseload) using the **EU-Sri Lanka Readmission Agreement**, the relevant provisions were very often or often respected by Sri Lanka. This was always/almost always the case for four others (8% of the caseload) and rarely for one (1% of the caseload).

12 Member States reported having an **established practice for cooperation**, which for four was always/almost always implemented. This was very often or often the case for seven Member States and rarely for one.

Cooperation on identification procedures

Four Member States (57% of the caseload) assessed the cooperation with Sri Lanka in the **identification procedure** as very good, five (18% of the caseload) as good, two (less than 1% of the caseload) as average, and two others (1% of the caseload) as poor.

Regarding identification processes, **evidence accepted** included valid or expired passports (13 Member States), information extracted from the Visa Information System (two Member States) and other identity documents (10 Member States) and their photocopies (10 Member States), as well as other evidence (six Member States). This included birth, marriage and divorce certificates, drivers' licenses and citizenship certificates. Biometric evidence accepted in the case of eight Member States, while it was not accepted for one Member State.

Of the five Member States that have requested **consular interviews**, two reported that these were always/almost always organised upon request. The other three Member States reported that identification interviews are never/almost never or rarely organised upon request. If conducted, the results of consular interviews were assessed as satisfactory by two Member States and as unsatisfactory by one. The remaining eight Member States had limited or need for requesting consular interviews. For two Member States, Sri Lanka always/almost always provided for the possibility to **conduct consular interviews by phone or videoconference**, while this was rarely or never/almost never the case for three other Member States. The remaining eight Member States have not tried this option. No Member State reported having requested the organisation of **identification missions**.

Interviews were very often requested by Sri Lankan authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of one Member State. **Confidential information under EU or national legal frameworks** was never/almost never requested by Sri Lanka.

Cooperation on issuance of travel documents

10 Member States (73% of the caseload) reported having requested travel documents during the reporting period. Of these, two (50% of the caseload) assessed cooperation on the **issuance of travel documents** as average, six (21% of the caseload) as very good or good, and two (1% of the

caseload) as poor. Three Member States (3% of the caseload) have not requested any travel documents due to limited or no relevant caseloads.

For five Member States, requests were always/almost always responded with the issuance of travel documents. This was very often or often the case for two Member States, rarely for two others and never/almost never for one. According to five Member States (20% of the caseload) the issuance of travel documents always/almost always took place in a **timely manner**⁸⁵. This was often the case for two (52% of the caseload) and rarely or never/almost never for two others (1% of the caseload). One Member State reported that **elements other than the nationality** were often taken into consideration when deciding whether to issue a travel document, while this was rarely or never/almost never the case for the remaining eight.

Travel documents were issued with a **validity**⁸⁶ of one day for two Member States, of up to 30 days for one Member State, of one to six months for five Member States and of more than six months for one Member State. Two Member States requesting the **renewal**⁸⁷ of travel documents reported that these were always/almost always delivered in a timely manner. This was often the case for two other Member States.

One Member State reported that the **EU Travel Document**⁸⁸ or *laissez-passer* issued by Member States was never/almost never accepted. No other Member State requested the acceptance of the EU Travel Document.

Cooperation on return operations

Two Member States (50% of the caseload) assessed Sri Lanka's cooperation on **return operations** as poor, eight (25% of the caseload) as good, and one (less than 1% of caseload) as average. No Member State reported any restrictions to readmission upon arrival. Two Member States (1% of the caseload) reported that they have no experience in return operations in 2021.

Charter flights were accepted by Sri Lanka for two Member States. One (12% of the caseload) assessed the cooperation on charter flights as good, and the other (1% of the caseload) as average due to difficulties in organising rest times for escorts in view of COVID-19 related restrictions.

⁸⁵ According to the EU Readmission Agreement with Sri Lanka, travel documents are to be issued without delay after a positive response has been given to the readmission request.

⁸⁶ According to the EU Readmission Agreement, travel documents are to be issued with a validity of at least six months.

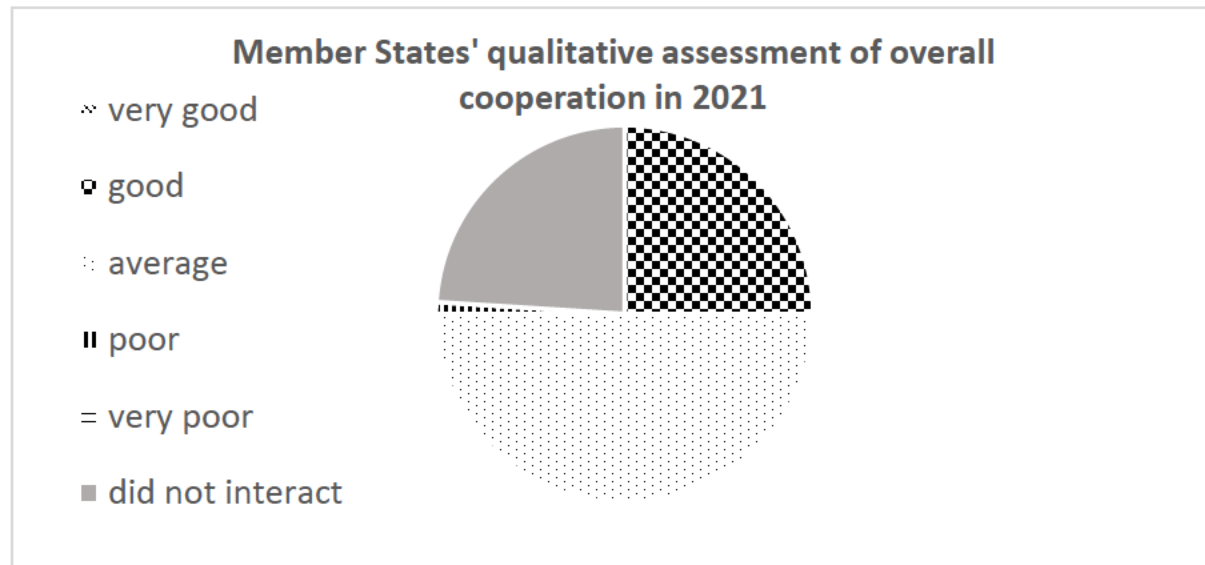
⁸⁷ According to the EU Readmission Agreement, the renewal of a travel document shall be delivered with the same period of validity, within 14 calendar days and not exceed 30 calendar days.

⁸⁸ According to the EU Readmission Agreement, the EU Travel Document or *laissez passer* if Sri Lanka has not, within 30 calendar days, issued the travel document.

When it came to returns by **commercial (scheduled) flights**, one Member State (50% of the caseload) assessed the cooperation as poor, eight (25% of the caseload) as good, and two (less than 1% of the caseload) as average. Six Member States encountered restrictions, namely as regards visa requirements for escorts and in some cases transit permits.

Summary

With a total of 3 015 Sri Lankan nationals ordered to leave in 2021, Sri Lanka ranked 24th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



13 Member States (76% of the caseload) interacted with Sri Lanka in 2021. Of these, three Member States (50% of the caseload) assessed Sri Lanka's overall cooperation on readmission as average, eight (25% of the caseload) as good, and two (1% of the caseload) as poor.

Sri Lanka's cooperation in the identification procedure was assessed as good by nine Member States (75% of the caseload), as average by two (less than 1% of the caseload), and as poor by two others (1% of the caseload).

Sri Lanka's cooperation on the issuance of travel documents was assessed as average by two Member States (50% of the caseload), as very good or good by six Member States (21% of the caseload), and as poor by two Member States (less than 1% of the caseload). Three Member States (3% of the caseload) did not request any travel documents in 2021.

As regards return operations, two Member States (50% of the caseload) assessed Sri Lanka's cooperation on return operations as poor, eight (25% of the caseload) as good and one (less

than 1% of the caseload) as average. The remaining two Member States (1% of the caseload) reported that they had no experience in return operations in 2021.

The provisions of the EU Readmission Agreement were generally well respected for eight Member States, and rarely for one.

For a more effective and predictable readmission cooperation, the timely issuance of travel documents would need to be extended to all Member States. As regards return operations, cooperation could be improved by lifting the visa requirements for escorts for all Member States, as provided for by the EU Readmission Agreement.

Sudan

EU engagement to date

The Africa-Caribbean-Pacific (hereafter ACP) EU Cotonou Agreement, to which Sudan is party, states the commitment of each state (party to the agreement) to accept the return of and readmission of any of its nationals who have no right to stay on the territory of a Member State. This commitment is reinforced in the New EU/ACP Partnership Agreement, also referred to as the Post-Cotonou Agreement, pending conclusion. There is no other cooperation instrument or process in place at EU-level dedicated to readmission.

A European Migration Liaison Officer (EMLO) is deployed since 2017 with a regional mandate, covering also Chad.

Cooperation on readmission

In 2021, 2 015 Sudanese nationals who had no right to stay in the Member States, were issued return decisions (the caseload) and 110 were effectively returned following an order to leave, resulting in a **return rate** of 5%. Member States submitted 170 readmission requests to Sudanese authorities, who issued 40 travel documents, resulting in an **issuance rate** of 24%.

12 Member States (98% of the caseload) reported having **approached the authorities** of Sudan for readmission matters in 2021.

Of those who engaged, no Member State reported that Sudan informed them officially of restrictions/suspensions on return in 2021. One Member State reported that **COVID-19** restrictions/requirements were applied by Sudan in a discriminatory manner for a period of 6 to 9 months, impacting the identification process, the issuance of travel documents and the acceptance of forced and scheduled returns, namely through the request of negative covid-19 RT-PCR tests, quarantine imposition only for nationals under return, mandatory vaccination and requests for treatment costs. According to that Member State, authorities were not responsive to possible alternative solutions to lift those requirements.

Two Member States reported having **bilateral agreements/arrangements** in place with Sudan, the relevant provisions of which were respected often in the case of one (70% of the caseload) and rarely for the other (4% of the caseload).

Eight Member States (71% of the caseload) reported having an **established practice for cooperation**, which for three was very often implemented. For the remaining five (18% of the caseload) the established practices were never/almost never or rarely implemented.

Cooperation on identification procedures

Three Member States (71% of the caseload) assessed the cooperation with Sudan in the **identification procedure** as good or very good, five (22% of the caseload) as poor or very poor, and two (3% of the caseload) as average. Two Member States (2% of the caseload) reported no cooperation on identification in the reporting year due to a small caseload.

Regarding identification processes, **evidence accepted** included valid or expired passports (nine Member States), information extracted from the Visa Information System (two Member States), other identity documents (seven Member States) and their photocopies (seven Member States), as well as other evidence (seven Member States). This included birth, marriage and divorce certificates, drivers' licenses and citizenship certificates, as well as social media and phone contacts (one Member State) and residence certificates (one Member State). While biometric evidence (fingerprints and photos) was accepted for two Member States, it was not accepted for five. The remaining three Member States did not propose the use of biometric evidence.

Of the nine Member States that have requested **consular interviews**, two reported that these were always/almost always organised upon request, and four that they were organised often or very often. For two Member States, this was rarely or never/almost never the case. If conducted, the results of **consular interviews** were assessed as unsatisfactory by three Member States, as acceptable by two, and as satisfactory by one. Two Member States were not in a position to assess the outcome of consular interviews. The remaining two Member States had limited or no need for requesting consular interviews. For the four Member States that requested it, Sudan denied the possibility to **conduct consular interviews by phone or videoconference**.

No Member State requested the organisation of **identification missions**.

Interviews were always/almost always requested by Sudan authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of three Member States. Interviews were never/almost never requested for three Member States, and rarely for one. **Confidential information under EU or national legal frameworks** was always requested by Sudanese authorities from one Member State, rarely requested from two, and never/almost never from four.

Cooperation on issuance of travel documents

10 Member States (86% of the caseload) reported having requested travel documents during the reporting period. Five Member States (75% of the caseload) assessed Sudan's cooperation on the **issuance of travel documents** as good to very good, three (7% of the caseload) as poor or very poor, and two (4% of the caseload) as average. Two Member States (12% of the caseload) have not requested any travel documents due to the lack of caseload in the case of one Member State and due to the impossibility to issue a travel document without an in-person presentation in the case of the other.

Requests were always/almost always responded with the issuance of travel documents for two Member States. Of the remaining Member States, four reported that requests were often or very often responded with the issuance of travel documents, while for four this was rarely or never/almost never the case. For four Member States (72% of the caseload) travel documents were often or very often issued in a **timely manner**; for two (3% of the caseload) this was always/almost always the case, while never/almost never for four others (11% of the caseload). One Member State reported that elements other than the nationality were always/almost always taken into consideration when deciding whether to issue a travel document, while this was rarely the case for one other, and never/almost never for the remaining seven.

Travel documents were issued with a **validity** of up to 30 days for seven Member States and of one to six months for two Member States. For the six Member States having requested the **renewal** of travel documents, these were always/almost always delivered in a timely manner for four, very often for one, and rarely for another one.

The **EU Travel Document** or *laissez-passer* issued by Member States was often accepted for one Member State, while never/almost never for one other, and not requested by the remaining eight Member States.

Cooperation on return operations

Three Member States (74% of the caseload) assessed Sudan's cooperation on **return operations** as average, four (6% of the caseload) as good or very good and two (6% of the caseload) as poor. Three Member States (12% of the caseload) did not attempt any return operations. No Member State reported restrictions to readmission upon arrival.

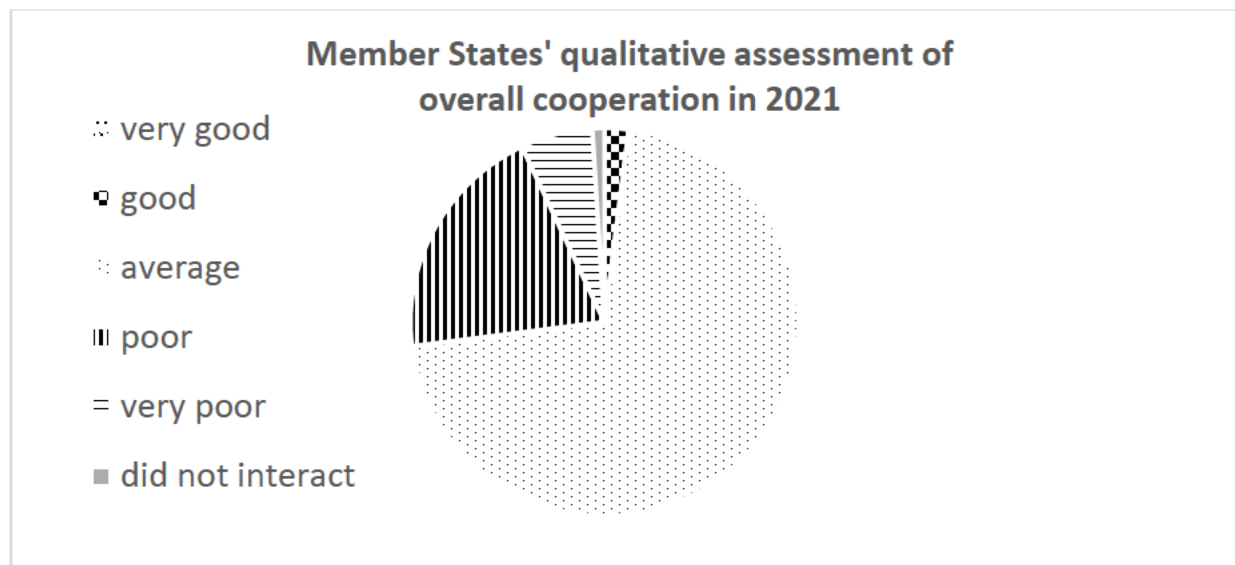
Charter flights were accepted by Sudan for three Member States, while the remaining nine did not attempt to carry out return operations by charter flights. One Member State (4% of the caseload) assessed the cooperation on charter flights as average, one (3% of the caseload) as very poor and one (less than 1% of the caseload) as very good. One Member State encountered restrictions namely on the number of flights and their frequency and on the number of returnees per flight.

When it came to returns by **commercial (scheduled) flights**, cooperation was assessed as poor by two Member States (73% of the caseload), as average by three (7% of the caseload), and as good or very good by four (6% of the caseload). Five Member States encountered restrictions for scheduled flights, namely related to transit permits and visa requirements for escorts.

Summary

With a total of 2 015, Sudanese nationals ordered to leave in 2021, Sudan ranked 26th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. One Member State indicated difficulties in the organisation of return operations due to

COVID-19 related restrictions that were applied in a discriminatory manner for a period of 1 to 6 months.



12 Member States (98% of the caseload) interacted with Sudan on readmission related matters in 2021. Of these, two (71% of the caseload) assessed Sudan's overall cooperation on readmission as average, seven (26% of the caseload) as poor or very poor, and three (2% of the caseload) as good. Action is needed to improve cooperation in the field of readmission.

Sudan's cooperation in the identification procedure was assessed as good or very good by three Member States (71% of the caseload), as poor or very poor by five (22% of the caseload), and as average by two others (3% of the caseload). Two Member States (2% of the caseload) reported no cooperation on identification in 2021.

Sudan's cooperation on the issuance of travel documents was assessed as good or very good by five Member States (75% of the caseload), as poor or very poor by three (7% of the caseload), and as average by two (4% of the caseload). Two Member States (12% of the caseload) did not request any travel documents.

As regards return operations, three Member States (74% of the caseload) assessed Sudan's cooperation on return operations as average, four (6% of the caseload) as good or very good, and two (6% of the caseload) as poor. Three Member States (12% of the caseload) did not attempt any return operations.

The provisions of the established practices were generally respected with three of the eight Member States that have such practices in place with Sudan.

For a more effective and predictable readmission cooperation, good cooperation practices would need to be extended to all Member States. Cooperation could be improved regarding the

organisation and effective implementation of return operations through both charter and scheduled flights.

Tunisia

EU engagement to date

A Mobility Partnership⁸⁹ with Tunisia was launched in March 2014. The Council authorised the opening of negotiations for a Readmission Agreement and a Visa Facilitation Agreement with Tunisia in December 2014. Negotiations opened in October 2016, advancing at a good pace in 2018 and early 2019, with progress at technical level. However, the negotiations were postponed due to the presidential and legislative elections in autumn 2019 and the subsequent government changes.

The Commission engaged with Tunisia in August 2020 and May 2021 during two high level missions to the country, expected to bring new impetus to the partnership, which did not yet materialise in concrete results. The sub-committee meeting on migration and social affairs, which is expected to take place in the first quarter of 2023, is one opportunity where the role of Tunisia in preventing irregular migration and the topic of readmission will be tackled.

Between February 2017 and July 2022, a European Migration Liaison Officer (EMLO) was deployed to Tunisia. Recruitment for a replacement is ongoing.

Cooperation on readmission

In 2021, 11 365 Tunisian nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 1 645 were effectively returned following an order to leave, resulting in a **return rate** of 14%. Member States submitted 5 515 readmission requests to Tunisian authorities, who issued 2 390 travel documents, resulting in an **issuance rate** of 43%.

20 Member States (99% of the caseload) reported having **approached the authorities** of Tunisia for readmission matters in 2021.

Of those who engaged, four Member States (15% of the caseload), reported that Tunisia informed them officially of restrictions/suspensions on return in 2021, such as the requirement of a negative COVID-19 RT-PCR or an Antigen test and quarantine measures. According to all Member States, authorities were not responsive to possible alternative solutions to lift those requirements.

Five Member States reported having **bilateral agreements/arrangements** in place with Tunisia, the relevant provisions of which were very often respected for three Member States, while never/almost never for the other two Member States.

⁸⁹ Déclaration conjointe pour le Partenariat de Mobilité entre la Tunisie, l'Union européenne et ses États membres participants, Bruxelles, 3.3.2014.

17 Member States reported having an **established practice for cooperation**, which for eight was always/almost always implemented, for eight very often or often implemented and for one rarely implemented.

Cooperation on identification procedures

Eight Member States (79% of the caseload) assessed cooperation with Tunisia in the **identification procedure** as average, and 12 (19% of the caseload) as good or very good.

Regarding identification processes, **evidence accepted** included valid or expired passports (16 Member States), information extracted from the Visa Information System (five Member States) and other identity documents (10 Member States) and their photocopies (12 Member States), as well as other evidence (eight Member States). This included birth, marriage and divorce certificates and citizenship certificates. Biometric evidence was accepted for 14 Member States and not accepted for one.

Of the 12 Member States that have requested **consular interviews**, six reported that these were often, very often or always/almost always organised upon request, while five that they were rarely or never/almost never organised upon request. If conducted, the results of consular interviews were assessed as unsatisfactory by two Member States, as acceptable by three, and as very satisfactory or satisfactory by five. The remaining eight Member States had limited or no need for requesting consular interviews. For one Member State, Tunisia rarely provided for the possibility to **conduct consular interviews by phone or videoconference**, while for five it was never/almost never a possibility. The remaining six Member States have not tried this option.

One Member State requested the organisation of **identification missions** and reported that these were very often organised. The Member State rated the outcome of identification missions as very good.

Interviews were often requested by Tunisian authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of one Member State, while it was rarely the case for four. **Confidential information under EU or national legal frameworks** (e.g. information on asylum processes, medical information or criminal records) was very often or often requested by Tunisian authorities from three Member States and rarely from five.

Cooperation on issuance of travel documents

16 Member States (99% of the caseload) reported having requested travel documents during the reporting period. Of these, 11 (95% of the caseload) assessed Tunisia's cooperation on the **issuance of travel documents** as good or very good, and five (3% of the caseload) as average. Four Member States (1% of the caseload) have not requested any travel document due to the fact

that the identity of the person was not confirmed or due to COVID-19 health restrictions (i.e. negative COVID-19 RT-PCR test and quarantine costs to be borne by the Member State).

For 15 Member States, requests were often, very often or always/almost always responded with the issuance of travel documents, while for one it was never/almost never the case. 10 Member States reported that the issuance took place often, very often or always/almost always in a **timely manner**, while five indicated that this rarely or never/almost never took place in a timely manner. Eight Member States reported that **elements other than nationality** were taken into consideration when deciding whether to issue a travel document, and one that these were very often taken into account.

Travel documents were issued with a **validity** of up to three days for five Member States, of up to 10 days for five, of up to 30 days for three Member States, and of one to six months for two Member States. All Member States requesting the **renewal** of travel documents reported that these were often, very often or always/almost always delivered in a timely manner.

The **EU Travel Document** or *laissez-passer* issued by Member States was accepted according to one Member State, while it was never/almost never accepted for four.

Cooperation on return operations

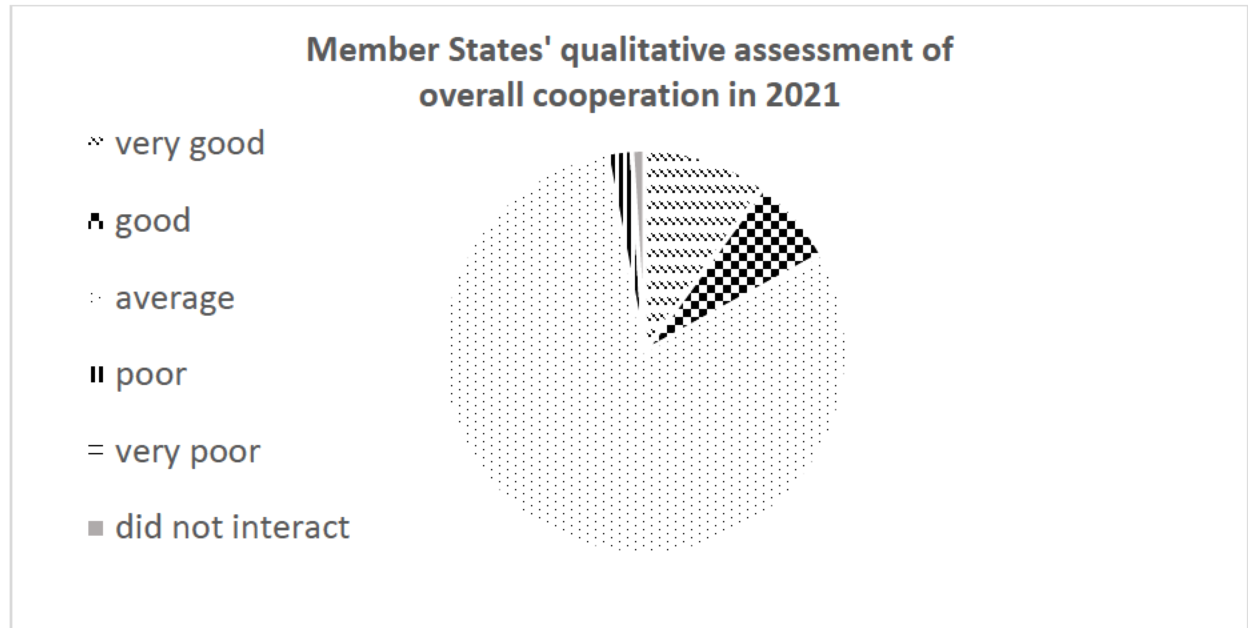
12 Member States (96% of the caseload) assessed Tunisia's cooperation on **return operations** as good or very good, three (3% of the caseload) as poor, and two (less than 1% of the caseload) as average. No Member State reported restrictions to readmission upon arrival. Three Member States (less than 1% of the caseload) reported not having any experience in return operations in 2021.

Charter flights were accepted by Tunisia for six Member States, while this was not the case for five. The remaining nine Member States did not attempt to carry out return operations by charter flights. Of those who attempted, four Member States (88% of the caseload) assessed the cooperation on charter flights as good or very good, three as average and four as very poor. Three Member States encountered restrictions, regarding the number of flights, their frequency, and the number of returnees on board.

When it came to returns by **commercial (scheduled) flights**, 10 Member States (96% of the caseload) assessed the cooperation as good to very good, two (2% of the caseload) as poor, and two others (less than 1% of the caseload) as average. Two Member States encountered restrictions, namely regarding transit permits and visa requirements for escorts.

Summary

With a total of 11 365, Tunisian nationals ordered to leave in 2021, Tunisia ranked 6th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



20 Member States (99% of the caseload) interacted with Tunisia in 2021. Of these, eight Member States (80% of the caseload) assessed Tunisia's overall cooperation on readmission as average, 10 (17% of the caseload) as good or very good, and two (2% of the caseload) as poor. In view of the overall readmission context, action is needed to improve cooperation in the field of readmission.

Tunisia's cooperation in the identification procedure was assessed as average by eight Member States (79% of the caseload), and as good or very good by 12 (19% of the caseload).

11 Member States (95% of the caseload) assessed Tunisia's cooperation on the issuance of travel documents as good or very good, and five (3% of the caseload) as average. Four Member States (1% of the caseload) did not request any travel documents.

As regards return operations, 12 Member States (96% of the caseload) assessed Tunisia's cooperation as good or very good, three (3% of the caseload) as poor, and two (less than 1% of the caseload) as average. Three Member States (less than 1% of the caseload) reported not having any experience in return operations in 2021.

Five Member States reported having bilateral agreements/arrangements with Tunisia, the relevant provisions of which were very often respected for three, while never/almost never for the other two.

For a more effective and predictable readmission cooperation, good cooperation practices would need to be extended to all Member States and improvements could result from accepting charter flights from all requesting Member States. The conclusion of an EU Readmission Agreement

would contribute to ensuring a more even level of cooperation with all Member States. This should result in a better cooperation in identification processes and increased returns.

Türkiye

EU engagement to date

The EU Readmission Agreement⁹⁰ with Türkiye entered into force on 1 October 2014. Two meetings of the Joint Readmission Committee (JRC) took place since then to assess the implementation of the Agreement, the last one on 19 January 2016. Since then, Türkiye has refused to hold further meetings of the JRC even though it is implementing the EU Readmission Agreement, except for the third country nationals' clause and not regarding Cyprus. Türkiye maintains its position that it will not implement the third-country nationals' clause until the short stay visa requirement for Türkiye's citizens travelling to the Schengen Area is lifted.

On 12 October 2021, an EU- Türkiye High-Level Dialogue on Migration and Security was held in Ankara, with a follow-up meeting at senior officials' level on 1 February 2022. In the latter, agreement in principle was reached to hold technical talks on the outstanding benchmarks in the Visa Liberalisation Dialogue under the condition that Türkiye provides written inputs to the Commission on potential developments. One of the six remaining benchmarks relates to the full implementation by Türkiye of the EU Readmission Agreement.

A European Migration Liaison Officer (EMLO) is deployed in Türkiye since February 2017.

The EU-Turkey Statement serves as the key framework for cooperation on migration with Türkiye. The EU has mobilised EUR 6 billion under the EU Facility for Refugees in Türkiye, to provide millions of refugees with support, and has committed to continue such support in the period 2021-2023. However, Türkiye suspended returns under the Statement since March 2020, and has not resumed them yet.

Cooperation on readmission

In 2021, 10 715 nationals of Türkiye who had no right to stay in the Member States were issued return decisions (the caseload) and 2 660 were effectively returned following an order to leave, resulting in a **return rate** of 25%. Member States submitted 975 readmission requests to the Turkish authorities, who issued 441 travel documents, resulting in an **issuance rate** of 45%.

23 Member States (for 99% of the caseload) reported having **approached the authorities** of Türkiye for readmission matters in 2021.

Of those who engaged, four Member States (14% of the caseload) reported that Türkiye informed them officially of **COVID-19** related restrictions/suspensions on return in 2021.

⁹⁰ Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorization, OJ L 134/3, 7.5.2014.

Of the 18 Member States using **the EU Readmission Agreement** with Türkiye, 15 (46% of the caseload) reported that the relevant provisions were often, very often or always/almost always respected by Türkiye, while for three (28% of the caseload) this was rarely or never/almost never the case. One of the latter three specified that this assessment is based on the Türkiye's non-implementation of the third country nationals' clause, noting that cooperation in cases concerning Türkiye's nationals is good.

Two Member States reported having **bilateral agreements/arrangements** in place with Türkiye, the relevant provisions of which were never/almost never respected in one case, and always/almost always in the other.

All but three of the 23 responding Member States reported having an **established practice for cooperation**, which for only one was rarely implemented.

Cooperation on identification procedures

15 Member States (48% of the caseload) assessed the cooperation with Türkiye in the **identification procedure** as good or very good, six (29% of the caseload) as average, and two (22% of the caseload) as poor.

Regarding identification processes, **evidence accepted** included valid or expired passports (22 Member States), information extracted from the Visa Information System (eight Member States), other identity documents (14 Member States) and their photocopies (18 Member States), as well as other evidence (12 Member States), including birth certificates, drivers' licenses, marriage and divorce certificates. Biometric evidence was accepted for eight Member States, while it was not the case for five.

For 12 Member States **consular interviews** were very often or always/almost always organised upon request, and with acceptable to very satisfactory outcomes for all of them. For seven Member States, these were rarely or never/almost never organised upon request. When conducted, outcomes were assessed as acceptable or very satisfactory by all. The remaining four Member States had limited or no need for requesting consular interviews. For three Member States, Türkiye very often or always/almost always provided for the possibility to **conduct consular interviews by phone or videoconference**, while for 10 Member States this was rarely or never/almost never the case. The remaining 10 Member States have not tried this option.

One Member State requested the organisation of **identification missions**. While Türkiye's authorities were never/almost never available to organise, when organised the overall effectiveness of such missions was assessed as acceptable.

Interviews were often, very often or always/almost always requested by Türkiye's authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of 10 Member States, while this was rarely or never/almost never the case

for eight. Confidential information under EU or national legal frameworks was very often or often requested by Türkiye's authorities from three Member States.

Cooperation on issuance of travel documents

21 Member States (98% of the caseload) reported having requested travel documents during the reporting period. Of these, 14 (51% of the caseload) assessed Türkiye's cooperation on the **issuance of travel documents** as very good or good, five (44% of the caseload) as average, and two (4% of the caseload) as poor. Two Member States (1% of the caseload) have not requested any travel documents due to the change in the returnee's legal status and returnees in possession of valid documents.

For only one of the requesting Member States, requests were rarely responded with the issuance of travel documents. According to 16 Member States (51% of the caseload) the issuance of travel documents often, very often or always/almost always took place in a **timely manner**⁹¹. For the remaining five Member States (44% of the caseload) this was rarely the case. Nine Member States reported that **elements other than the nationality** (i.e. the family situation, the exhaustion of legal remedies, the signature of the returnee, or the opinion of the consulate's lawyer) were often, very often or always/almost always taken into consideration when deciding whether to issue a travel document.

Travel documents were issued with a **validity**⁹² of up to 30 days for 15 Member States and of one to six months for six Member States. Almost all of the Member States that requested the **renewal**⁹³ of travel documents reported that these were often, very often or always/almost always delivered in a timely manner. This was not the case for one Member State, which reported that a new readmission request has to be submitted upon expiry of the travel document issued.

The **EU Travel Document**⁹⁴ or *laissez-passer* issued by Member States was often or always/almost always accepted for three Member States, while it was rarely or never/almost never accepted for four.

Cooperation on return operations

20 Member States (88% of the caseload) assessed Türkiye's cooperation on **return operations** as good or very good, one (11% of the caseload) as poor, and two (1% of the caseload) as average.

⁹¹ According to the EU Readmission Agreement, travel documents are to be issued within three working days after a positive response has been given to the readmission request.

⁹² According to the EU Readmission Agreement, travel documents are to be issued with a validity of three months.

⁹³ According to the EU Readmission Agreement, the renewal of travel documents shall be delivered within three working days with a period of validity of the same duration.

⁹⁴ According to the EU Readmission Agreement, the EU Travel Document or *laissez passer* shall be accepted if Türkiye has not, within three working days, issued the travel document.

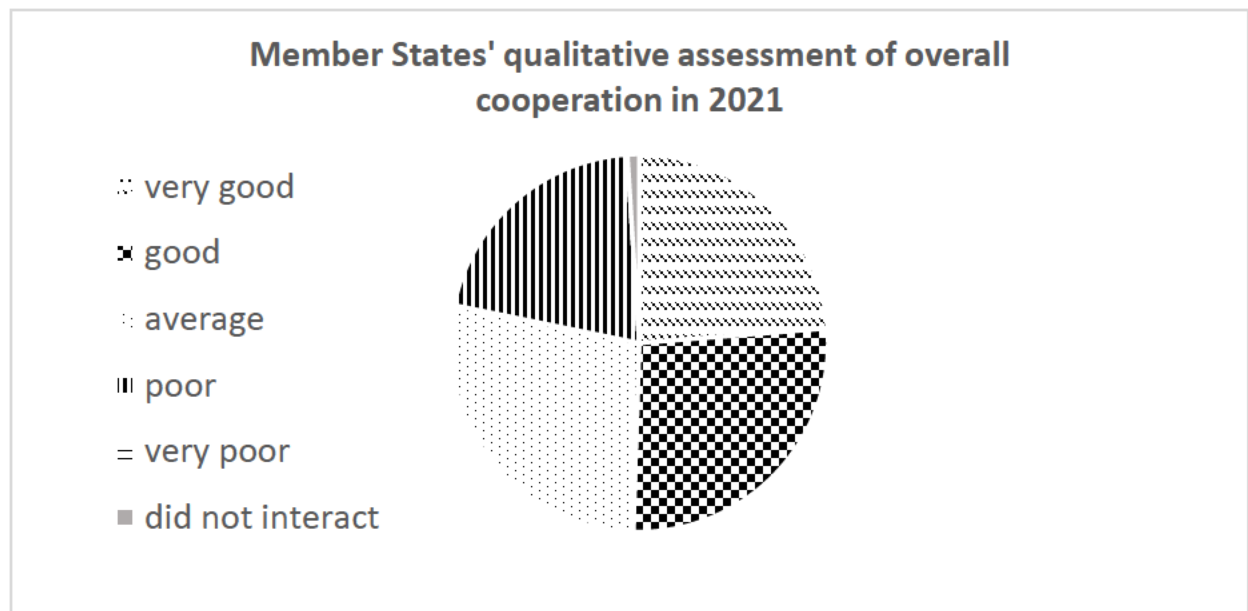
One Member State (4% of the caseload) reported restrictions to readmission upon arrival, namely the non-admission of persons having family members in the EU.

Charter flights were accepted by Türkiye from four Member States, while this was not the case for three. The remaining 16 Member States did not attempt to carry out return operations by charter flights. Of those Member States who attempted, three assessed Türkiye's cooperation on return operations by charter flights as good or very good, two as average and one as poor. Only one Member State reported facing restrictions regarding the number of returnees on board and the issuance of landing permits.

When it came to returns by **commercial (scheduled) flights**, almost all Member States, assessed the cooperation positively, ranging from good to very good. Two Member States assessed it as average. Five Member States encountered restriction, namely on transit permits, visa requirement for escorts and a mandatory COVID-19 RT-PCR test for both returnees and escorts

Summary

With a total of 10 715 Türkiye's nationals ordered to leave in 2021, Türkiye ranked 7th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



23 Member States (99% of the caseload) interacted with Türkiye on readmission matters in 2021. Of these, 16 (51% of the caseload) assessed the overall cooperation on readmission as very good or good, while six (28% of the caseload) as average and one (21% of the caseload) as poor. In view of the overall readmission context, action is needed to improve cooperation in the field of readmission.

Türkiye's cooperation in the identification procedure was assessed as very good or good by 15 Member States (48% of the caseload), as average by six (29% of the caseload), and as poor by two (22% of the caseload).

Türkiye's cooperation on the issuance of travel documents was assessed as very good or good by 14 Member States (51% of the caseload), as average by five (44% of the caseload), and as poor by two (4% of the caseload). Two Member States (1% of the caseload) did not request any travel documents in 2021.

As regards return operations, 20 Member States (88% of the caseload) assessed Türkiye's cooperation as good or very good, one (11% of the caseload) as poor and two (1% of the caseload) as average. One Member State (4% of the caseload) has no experience in return operations for 2021.

The provisions of the EU Readmission Agreement were generally well respected with regard to Türkiye's nationals, but they were not with regard to the third country nationals' provisions. The provisions on readmission of third country nationals in the EU Readmission Agreement entered into force in October 2017. On them, Türkiye maintains its position that it will not implement them until the short stay visa requirement for Türkiye's citizens travelling to the Schengen Area is lifted.

For a full implementation of readmission obligations as enshrined in the EU-Turkey 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.

Vietnam

EU engagement to date

The EU-Vietnam Framework Agreement on Comprehensive Partnership and Cooperation, which refers to readmission obligations (Article 27), was concluded in 2016 and entered into force on 1 August 2020.

A European Return Liaison Officer (EURLO) is deployed to Vietnam since November 2018.

Cooperation on readmission

In 2021, 3 815 Vietnamese nationals who had no right to stay in the Member States were issued return decisions (the caseload) and 620 were effectively returned following an order to leave, resulting in a **return rate** of 16%. Member States submitted 277 readmission requests to Vietnamese authorities, who issued 158 travel documents, resulting in an **issuance rate** of 57%.

16 Member States (71% of the caseload) reported having **approached the authorities** of Vietnam for readmission matters in 2021.

Of those who engaged, four Member States (33% of the caseload) reported that Vietnam informed them officially of restrictions/suspensions on return in 2021.

There is no **EU-Vietnam Readmission Agreement/arrangement** in place.

Nine Member States reported having **bilateral agreements/arrangements** in place, the relevant provisions of which were always/almost always respected for one third, very often for one third and often for one third of them.

Nine Member States reported having an **established practice for cooperation**, which was always/almost always implemented for four Member States, and very often for five.

Cooperation on identification procedures

Nine Member States (56% of the caseload) assessed the cooperation with Vietnam in the **identification procedure** as good or very good, four (14% of the caseload) as average, and three (1% of the caseload) as poor.

Regarding identification processes, **evidence accepted** included valid or expired passports (14 Member States), information extracted from the Visa Information System (three Member States) other identity documents (10 Member States) and their photocopies (14 Member States), as well as other evidence (seven Member States) such as birth, marriage and divorce certificates, drivers' licenses and citizenship certificates. Biometric evidence was accepted for four Member States and not accepted for five.

Of the nine Member States that have requested **consular interviews**, five reported that they were always/almost always, very often or often organised upon request, while they were never/almost never or rarely organised upon request for four. If conducted, the results of consular interviews were assessed as satisfactory by four Member States, as acceptable by three, and as unsatisfactory by one. The remaining seven Member States had limited or no need for requesting consular interviews. For four Member States, Vietnam rarely or never/almost never provided for the possibility to **conduct consular interviews by phone or videoconference**, while it provided it very often for one and never for three. The remaining Member States have not tried this option.

Of the five Member States that requested the organisation of **identification missions**, three reported that these were always/almost always organised, one often, and one rarely. When conducted, three Member States rated the outcome of identification missions as good or very good, and two as poor.

Interviews were requested by Vietnamese authorities **even if sufficient evidence** to establish nationality was provided (e.g. valid or expired travel documents) in the case of four Member States. **Confidential information under EU or national legal frameworks** was often or always/almost always requested by Vietnamese authorities from two Member States and rarely from three Member States.

Cooperation on issuance of travel documents

13 Member States (63% of the caseload) reported having requested travel documents during the reporting period. Of these, seven (35% of the caseload) assessed Vietnam's cooperation on the **issuance of travel documents** as very good or good, three (20% of the caseload) as poor, and three others (8% of the caseload) as average. Three Member States (8% of the caseload) have not requested any travel documents due to the fact that the identification process could not be completed, the embassy preferred returnees would apply for a new passport, instead of issuing an emergency travel document, or due to the closed air space.

For 11 Member States, requests were often, very often or always/almost always responded with the issuance of travel documents, while for two this was rarely or never/almost never the case. According to eight Member States (35% of the caseload), the issuance of travel documents took always/almost always place in a **timely manner**, while for four (28% of the caseload) it took place rarely in a timely manner. Four Member States reported that **elements other than the nationality** were always/almost always, very often or often taken into consideration when deciding whether to issue a travel document. For two other Member States this was rarely case.

Travel documents were issued with a **validity** of up to 30 days for three Member States and of one to six months or more for nine Member States. Of the eight Member States having requested the **renewal** of travel documents, three reported that these were always almost/always, very often or often delivered in a timely manner, while never/almost never for one.

The **EU Travel Document** or *laissez-passer* was never/almost never accepted for one Member State. The rest of the Member States did not attempt to use it.

Cooperation on return operations

Six Member States (34% of the caseload) assessed Vietnam's cooperation on **return operations** as very good or good, six (31% of the caseload) as average and four (5% the caseload) as poor. No Member state reported restrictions to readmission upon arrival.

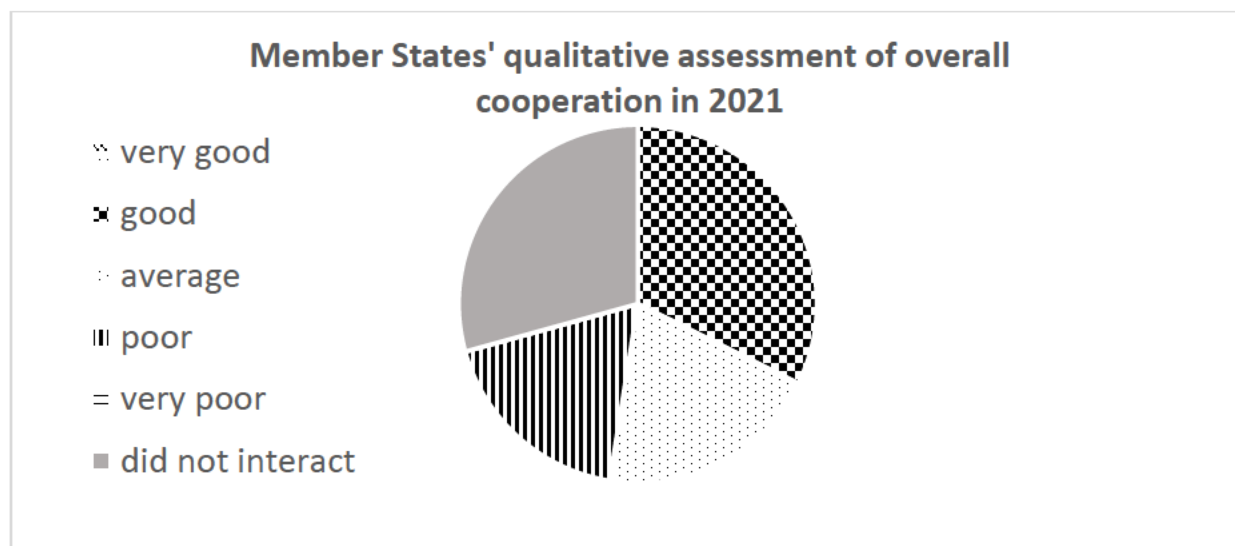
Charter flights were accepted by Vietnam for four Member States, while this was not the case for one. Two Member States (23% of the caseload) assessed cooperation on return operations via charter flights generally as good, two (1% of the caseload) as poor, and one (less than 1% of the caseload) as average. Of these, four Member States encountered restrictions, namely visa requirements for escorts, requirements related to the COVID-19 pandemic (RT PCT tests and quarantine), which costs were to be borne by the Member State, and delays in or no granting of landing permits. The remaining 12 Member States did not attempt to carry out return operations by charter flights.

When it came to returns by **commercial (scheduled) flights**, eight Member States (57% of the caseload) assessed the cooperation as good or very good, three (5% of the caseload) as poor or very poor and three (3% of the caseload) as average.

10 Member States encountered restrictions, namely on visa requirements for escorts, issuance of transit permit, rejection of all entries of Member State staff, and the requirement to install a COVID-19 contact tracing app.

Summary

With a total of 3 815, Vietnamese nationals ordered to leave in 2021, Vietnam ranked 19th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States.



16 Member States (71% of the caseload) interacted with Vietnam in 2021. Of these, five Member States (32% of the caseload) assessed Vietnam's overall cooperation on readmission as good, seven (20% of the caseload) as average, and four (18% of the caseload) as poor.

Nine Member States (56% of the caseload) assessed the cooperation with Vietnam in the identification procedure as good to very good, four (14% of the caseload) as average, and three (1% of the caseload) as poor.

Vietnam's cooperation on the issuance of travel documents was assessed as good or very good by seven Member States (35% of the caseload), as poor by three (20% of the caseload) and as average by three (8% of the caseload). Three Member States (8% of the caseload) did not request any travel documents.

As for return operations, six Member States (34% of the caseload) assessed Vietnam's cooperation as very good or good, six (31% of the caseload) as average, and four (5% of the caseload) as poor.

Nine Member States reported having bilateral agreements/arrangements in place with Vietnam, the relevant provisions of which were respected always/almost always for one third, very often for one third and often for other three Member States.

For a more effective and predictable readmission cooperation, good cooperation practices would need to be extended to all Member States. This, potentially facilitated by capacity building support, should result in a better rate of issuance of travel documents, encourage a higher number of readmission requests from Member States and, subsequently, increase returns.