PRAGUE PROCESS
ПРАЖСКИЙ ПРОЦЕСС

Readmission, Return and Reintegration

ICMPD
International Centre for
Migration Policy Development

MPF
Migration Partnership Facility

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Disclaimer

This Background Note was established to inform the intergovernmental consultations held in summer 2021. The consultations served the update of the Prague Process Action Plan and its six thematic areas. The fourth Ministerial Conference in October 2022 shall endorse a new Action Plan, which shall frame the Prague Process cooperation throughout 2023-2027.

According to a survey carried out among all Prague Process states in 2020, the thematic area of readmission, return and reintegration represents the **top policy priority** for approximately half of the Prague Process states, thereby scoring highest overall among the six thematic areas. Among the four specific actions listed under this thematic area (see 'Background document'), the first one - referring to **readmission (agreements)** – attracted the greatest interest. In comparison, the evaluation carried out in 2015 had identified the prevention of irregular migration as the thematic area most requested by participating states. Overall, both the survey of 2020 and the evaluation of 2015 confirmed that the thematic areas and their specific provisions corresponded to the policy priorities and actual policy developments across the participating states.

An area of functioning readmission agreements?

Since the formulation of the Prague Process Action Plan in 2011, **Armenia (2014), Azerbaijan (2014), Georgia (2011), Turkey (2014)** and most recently **Belarus (2020)[1]** concluded readmission agreements with the EU. Moreover, **Ukraine, Moldova, Russia, Albania, Bosnia and Herzegovina, Montenegro, Serbia, and North Macedonia** all concluded such readmission agreements already before. For countries enjoying a visa-free regime with the EU, the return rates of their nationals from the EU constitute an important indicator of their compliance with the respective obligations. While the overall **return rates** from the EU have been decreasing, the return rates to all **Eastern Partnership** countries and Russia have, on the contrary, increased in recent years, most notably to Georgia, followed by Armenia, Azerbaijan, Moldova, Belarus and Ukraine. While in the case of Georgia, Moldova and Ukraine the return rate decreased in 2019, EU Member States continue expressing satisfaction with the overall cooperation on readmission with those countries and the decrease is to be seen as a consequence of Member States' internal administrative obstacles rather than worsening of cooperation, with secondary movements also playing a part. The return rates to the **Western Balkans** peaked in 2016 but then declined. However, the number of Western Balkan nationals ordered to leave in 2017-2019, with the exception of Albania, also declined.

Within the framework of the **Commonwealth of Independent States (CIS)**, a number of agreements concerning the return of migrants have been adopted. One example is the *Agreement on Cooperation of the CIS Member States on the Return of Minors to their States of Permanent Residence* of 2002. In 2010, the Russian Federation, Kazakhstan and Belarus concluded an agreement on cooperation in combating illegal labour migration from third countries. Currently, it provides the means to protect the internal market of the **Eurasian Economic Union (EAEU)** and ensure the continued freedom of movement of migrant workers. **Russia** has concluded readmission agreements with the CIS countries, the EU, associated members of the Schengen area (Iceland, Norway, Switzerland and Liechtenstein), as well as Turkey, Serbia, and Bosnia and Herzegovina. **Kazakhstan and Belarus** ratified their bilateral readmission agreement in 2015.

Even though return migration is an important phenomenon for the **Central Asian countries**, their national legislation, multilateral and bilateral agreements or strategic plans rarely single out return and readmission as a separate, stand-alone policy area. Nevertheless, various laws, concepts and decrees entail provisions on return. Whereas the issues of **voluntary return and reintegration** are covered in the national legislation only in general terms, this legislation is expected to develop substantially across Central Asia in the near future.

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1 The Belarus authorities retaliated by announcing the suspension of their participation in the Eastern Partnership and by announcing the suspension of the Readmission Agreement with the EU on 28 June 2021. A bill on the suspension of the Readmission Agreement with the EU was submitted to the Belarus Parliament on 8 September 2021. Read more here: https://ec.europa.eu/commission/presscorner/detail/en/QANDA_21_4908

Return migration to the countries of the region is characterised by ethnic repatriation on the one hand, and the forced return of irregular migrants on the other. The worsening of the economic situation in Russia in 2014, as well as the tightening of its migration legislation largely increased return migration to the Central Asian states. Many return migrants who were banned from re-entering Russia were left in difficult and uncertain situations. This has unleashed the relevance of reintegration support programmes. In response to the Russian entry bans, **Tajikistan** adopted an order supporting the employment of the concerned Tajik labour migrants. Its recent *State Strategy for the Development of the Labour Market* sets out the rules and procedures for regulating return migration. In terms of ethnic repatriation, **Kazakhstan and Kyrgyzstan** have developed special laws regulating the return of ethnic Kazakh and Kyrgyz to their historical homeland. The intensification of voluntary return programs is important for the Central Asian countries. Return migrants help to address regional imbalances in terms of development, population settlement or labour supply.

The **Russian Federation** also features a so-called 'program on compatriots', scaling up its efforts to attract compatriots to Russia, thereby addressing the country's demographic decline. These efforts have also entailed simplified pathways to naturalisation for certain national groups as stipulated by the recent legislative amendments in the citizenship law. The latest State Migration Policy until 2025 also provides some key messages in this regard.

The EU's New Pact on Migration an Asylum

The **Communication on a New Pact on Migration and Asylum**[2], issued by the European Commission in September 2020 and currently negotiated between EU Member States, aims to improve the link between asylum and return. On average, every year around 370,000 applications for international protection are rejected but only around one third of these persons are returned home.

The new compulsory **pre-entry screening** shall include identification, health checks, security checks, fingerprinting and registration in the Eurodac database. Where applicable, the new, faster **asylum border procedure** shall be followed by a swift return procedure. This shall ultimately speed up decision-making and make asylum procedures more efficient. Meanwhile, an integrated and **modern migration and border management system** with the improved Eurodac database shall help to deter unauthorised secondary movements, facilitate the monitoring of returnees and track support for voluntary departure and reintegration. The Pact also foresees the introduction of new intra-EU solidarity mechanisms such as **'Return sponsorships'**, whereby an EU Member State takes over responsibility for returning a person with no right to stay on behalf of another Member State. **Legal guarantees** and a monitoring system shall ensure full respect of rights from beginning to end of the process. The set of new tools on returns further include more **support from Frontex**, the appointment of an **EU Returns Coordinator** and a **High Level Network** coordinating national action, as well as a **sustainable return and reintegration strategy** to help countries of origin.

In parallel, the New Pact aims at deepening the cooperation on migration through **comprehensive, balanced and tailor-made partnerships** with key countries of origin and transit. These partnerships shall bring together a wide range of policies, such as education, development, visas, trade, agriculture, job creation, research, energy, environment or climate change. They shall also entail strategic, coordinated and flexible use of EU financing tools, with the EU and its Member States working hand in hand. The new partnerships shall result in a coherent migration approach on all levels: bilateral, regional and global. The five migration policy areas listed include the ambition to **improve return and readmission,**

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2 See: https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1601287338054&uri=COM%3A2020%3A609%3AFIN

step up voluntary returns and help reintegration. Naturally, the Prague Process shall play its role in this endeavour in the years to come.

Taking the next step on return and reintegration

Return and reintegration programs[3] are an important part of overall migration management. There are various operational and political reasons for implementing return and reintegration assistance. Some people simply need assistance to return home. In line with its provisions, the Prague Process shall mainly address **voluntary return**. Nevertheless, there is rich evidence supporting the setting up of a harmonious returns program featuring the availability of both voluntary and forced return.

A recent examination of return and reintegration programmes across the 50 Prague Process states has shown that **36 out of 50 Prague Process states (72%) do have a visible return and reintegration programme**. Whereas 33 states (66%) work with the International Organisation for Migration (IOM) to administer their programme, three states manage it on their own. Among 14 non-EU Prague Process members, several only have a return programme for their own nationals but no outward programmes for returning foreign nationals. This could be for a variety of reasons, including small caseload or a preference for forced return.

In general, there is potential to identify common interests and explore joint solutions, especially for non-EU Prague Process states. One suggestion is to identify some **common functions** for further development among willing participating states. These could provide for economies of scale, particularly for low-volume caseloads, providing governments and donors with an opportunity to save time and money.

While some Prague Process states may want to improve an existing programme, others may build new programmes from scratch. Whatever the challenge, some **major focus areas** shape the performance of return and reintegration programmes: policy and programme control; specific features and objectives of a national programme; operational alliances between countries, information sharing and capacity building; choice of service partners; visibility of forced returns to boost voluntary returns. Addressing some of these areas may form part of the future Prague Process cooperation.

The following activities can be considered for the next phase of the Prague Process cooperation:

✓ Complete **mapping** and analysis of the return and reintegration programs for non-EU Prague Process states. The result shall form a blueprint, identifying opportunities for training and coaching on policy development and programme design, as well as opportunities for further programme development with willing states. This activity also produces a large amount of information for potential future joint actions between states with similar challenges and program requirements.

✓ Linking EU Member States with non-EU states' programme development objectives. Some EU members are already providing funding and knowledge to their non-EU partners, helping them to support returning nationals. The Prague Process could promote **return and reintegration partnerships**, supporting dialogue on the willingness to develop joint return and reintegration initiatives, including capacity building and funding opportunities. This may also encourage a more direct focus on specific topics, such as a particular geographic region, migrant nationality, or migration challenge.

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3 Return and reintegration assistance can be split into five sub categories: Pre-departure assistance (e.g. return counselling, assistance with travel documents); travel assistance; reception assistance (on the day of return, e.g. for people with identified medical conditions); post-return assistance (short-term, e.g. housing or food); and reintegration assistance (broader, longer-term assistance, e.g. 12 months).

✓ Establishing return and reintegration **activity hubs** in geographic hotspots for greater investment and development. These hubs shall allow for targeted return and reintegration initiatives in a particular region.

The Prague Process provides an appropriate forum for its participating states to identify joint solutions and other initiatives for return and reintegration programmes.

References

1. European Commission (2020). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a New Pact on Migration and Asylum. Available at: 1_en_act_part1_v7_1.pdf (europa.eu)

2. European Commission. Return and Readmission. The List of EU Readmission agreements concluded with third countries. Available at: https://ec.europa.eu/home-affairs/policies/migration-and-asylum/irregular-migration-and-return/return-and-readmission_en

3. Eurostat. Third country nationals returned following an order to leave. Third country nationals ordered to leave. Available at: https://ec.europa.eu/eurostat/data/database

4. Executive Committee of the Commonwealth of Independent States (2015). Kazakhstan ratified the Readmission Agreement with Belarus. [Исполнительный комитет Содружества Независимых Государств (2015). Казахстан ратифицировал соглашение с Беларусью о реадмиссии] Available at: https://cis.minsk.by/news/4751/kazahstan-ratificiroval-soglasenie-s-belarusu-o-readmissii

5. Gulina, O. (2020) Prague Process Background Note 'Asylum Seekers from the Eastern Partnership and Central Asian Countries in the EU'. Available at: Access date: 22.03.2021

6. IOM (2020). Handbook 'Return Migration: International Approaches and Regional Features of the Central Asia' [МОМ (2020). Учебное пособие «Возвратная миграция: международные подходы и региональные особенности Центральной Азии»] Available at: https://publications.iom.int/books/return-migration-international-approaches-and-regional-features-central-asia-russian1

7. Ministry of Foreign Affairs of the Russian Federation. The list of biletaral agreements. Available at: https://bit.ly/2ZGVKOx

8. Molodikova, I. (2020) Prague Process Analytical Report 'Combating irregular migration and human trafficking in the CIS countries'. Available at: https://www.prague-process.eu/en/resources/repository/33-reports/250-combating-irregular-migration-and-human-trafficking-in-the-cis-countries

9. Poletaev, D. (2019) Prague Process Analytical Report 'Addressing the Challenges of Labour Migration within the EAEU'. Available at: https://www.pragueprocess.eu/en/resources/repository/33-reports/175-addressing-the-challenges-of-labour-migration-within-the-eaeu

10. Prague Process Quarterly Review No. 24 (2020). Legislative amendments to visa, residence and citizenship policies across the Prague Process region. Available at: https://www.pragueprocess.eu/en/news-events/quarterly-review?download=441:prague-process-quarterly-review-no-24-july-september-2020

11. The Concept of the State Migration Policy of the Russian Federation for 2019-2025. Available at: https://legalacts.ru/doc/kontseptsija-gosudarstvennoi-migratsionnoi-politiki-rossiiskoi-federatsii-na/