



European Agenda on Migration: Commission presents new measures for an efficient and credible EU return policy

Brussels, 2 March 2017

After the Malta Summit of 3 February 2017 highlighted the need for a review of EU return policy, the Commission is today following through with a renewed EU Action Plan on Return and a set of recommendations to Member States on how to make return procedures more effective.

The measures proposed by the Commission consist of practical steps which can have an immediate impact. They focus on closing loopholes and applying the existing rules with the rigour and realism required to ensure they deliver in practice in line with fundamental rights requirements.

First Vice-President Frans **Timmermans** said: *"We are working hard on partnerships with countries of origin and transit. In order for this to be successful, it is now also time to improve our internal procedures and make sure that all persons who do not need international protection are returned humanely and swiftly. We want to continue to offer succour to persons in need of international protection. We owe it to them, to our partners outside the EU, and to our citizens to be able to say clearly: when in need, we'll help, when not, you must return."*

Commissioner for Migration, Home Affairs and Citizenship Dimitris **Avramopoulos** said: *"We need to give protection to those in need, but we must also return those who have no right to stay in the EU, in full compliance with the fundamental rights and the principle of non-refoulement. Ensuring that irregular migrants are returned swiftly will not only take pressure off the asylum systems in Member States and ensure appropriate capacity to protect those who are genuinely in need of protection, it will also be a strong signal against taking dangerous irregular journeys to the EU in the first place. With today's Action Plan and Recommendation, the Commission is providing support to Member States in their efforts to step up returns, as called for by the EU leaders at the Malta Summit."*

Despite the progress on the implementation of the actions under the 2015 EU Action Plan on Return, more resolute action to substantially improve return rates is still needed. The current migratory challenges demand a thorough assessment of how Member States can use the EU's existing legal, operational and financial instruments on return better. Faster procedures, stronger measures against absconding, a multidisciplinary approach by national authorities and better cooperation and coordination between Member States can all help to ensure a more effective return policy without diminishing fundamental rights safeguards.

A set of concrete recommendations to Member States

The Commission is today providing clear guidance about concrete and immediate actions Member States can take to make return procedures more effective when implementing the EU's legislation on returns. The Commission recommendations are fully in line with international and human rights and the principle of *non-refoulement*.

The Commission notably recommends that Member States:

- **Improve the coordination among all the services and authorities involved in the return process** in each Member State by June 2017 to ensure that all skills and expertise required are available for effective returns while respecting the rights of the returnees;
- Remove inefficiencies by shortening deadlines for appeals, **systematically issuing return decisions** that do not have an expiry date and **combining decisions** on the ending of a legal stay with the issuance of a return decision to avoid duplicate work;
- **Tackle abuses of the system** by making use of the possibility to assess asylum claims in accelerated or, where considered appropriate, border procedures when it is suspected asylum claims are made merely to delay the enforcement of a return decision;
- **Prevent absconding** by detaining people who have received a return decision and who show signs they will not comply such as refusal to cooperate in the identification process or opposing a return operation violently or fraudulently;

- **Increase the effectiveness of return procedures and decisions** by only granting voluntary departure if necessary and if a request is made and giving the shortest possible periods for voluntary departure, taking into account individual circumstances;
- Set up operational **assisted voluntary return programmes** by 1 June 2017 and ensure proper dissemination of information on voluntary return and assisted voluntary return and reintegration programmes.

A renewed Action Plan on Return

The renewed Action Plan on Return sets out steps at each stage of the return process to tackle key challenges for return both at EU level and in the cooperation with countries of origin and transit.

Actions proposed at EU level include:

- **Increased financial support to Member States** with €200 million in 2017 for national return efforts as well as for specific joint European return and reintegration activities;
- **Improving information exchange to enforce return** by collecting real time information at national level and sharing it using the existing Integrated Return Management Application, as well as speeding up work on adopting the proposals to reform the Schengen Information System and Eurodac and to establish an EU Entry-Exit System (EES) and a European Travel Information System (ETIAS);
- Exchanging best practices to **ensure reintegration packages are consistent** and coherent among all Member States to avoid countries of origin favouring returns from countries offering higher reintegration packages or assisted-voluntary return-shopping by irregular migrants;
- Offering full support to Member States by the **European Border and Coast Guard Agency** with the Agency called on to step up pre-return assistance, increase its return support unit staff and set up a **commercial flight mechanism** for financing returns by June, as well as step up the training of third country authorities on return by October;
- Overcoming the challenges of readmission by working to swiftly conclude the negotiations of **Readmission Agreements** with Nigeria, Tunisia and Jordan and striving to engage with Morocco and Algeria.
- Within the Partnership Framework, employ collective leverage in a coordinated and effective manner through **tailor-made approaches with third countries** to jointly manage migration and further improve cooperation on return and readmission. (see also today's report on the implementation of the Partnership Framework: [IP/17/402](#)).

The Commission will report on progress made in implementing the renewed Action Plan on Return and the Recommendation by December 2017.

Background

An effective and humane return policy is an essential part of the EU's comprehensive approach to addressing migration and reducing irregular migration as set out in [European Agenda on Migration](#) of May 2015.

The Return Directive entered into force in 2010. It provides for clear, transparent and fair common rules for the return and removal of irregularly staying migrants, the use of coercive measures, detention and re-entry, while fully respecting fundamental and human rights. Today's measures focus on a pragmatic application of these existing rules, with the Commission ready to launch a revision of the Return Directive if needed.

In September 2015, the Commission presented an [Action Plan on Return](#) which included 36 concrete actions to improve the efficiency of the European Union's return system. Most of these actions are ongoing or have been implemented.

In the European Council Conclusions of 20-21 October 2016, Member States called for a reinforcing of national administrative processes for returns. Moreover, the Malta Declaration of Heads of State or Government of 3 February 2017 highlighted the need for a critical review of European return policy with an analysis of how the tools available at national and Union level are applied. Today's measures seek to assist Member States in fulfilling both these commitments.

Readmission is a core element of the new results-oriented [Migration Partnership Framework](#) presented by the Commission in June 2016 and endorsed by the European Council in July 2016 to mobilise and focus EU action and resources in the EU's external work on managing migration.

For more Information

[Questions and Answers](#): State of Play of Return and Readmission

[Recommendation](#): Making returns more effective

[Communication](#): Action Plan on Return

[Annex](#) to the Action Plan on Return

[Press release](#): Commission calls for renewed efforts in implementing solidarity measures under the European Agenda on Migration

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