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FRONTEX

EUROPEAN BORDER AND COAST GUARD AGENCY

# 5th Voluntary Return Network meeting

## Videoconference 11th of April 2024

Return Operations and Voluntary Returns Unit
European Centre for Returns Division

[redacted]

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Means of communication

[redacted] Technical guidelines

Means of communication

[redacted]

# EFFECTIVE [redacted] MEETING GUIDELINES

Personal data

Chat

Using chat function place your MS and name in front of your query

1. to take the floor

2. asking questions

[redacted]

Means of communication

[redacted]

# EFFECTIVE [redacted] MEETING GUIDELINES

Taking the floor




Unmute your microphone,
you may also turn camera on

Please keep your intervention **short and to the point** 1 min.

**Tour de Table presentations** 2 mins.
the floor will be given to all MS in alphabetical order

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# Welcome to the 5th meeting of the Voluntary Return Network

means of communication

[redacted]

# Agenda-5th meeting of the Voluntary Return Network

| 11.04.2024 | Agenda Point | Presenter |
|---|---|---|
| | **Voluntary Return Network (VRN)** | |
| 09:00 - 09:20 | Link open - checking connections | |
| 09:20 - 09:30 | Instructions for [redacted] | |
| 09:30 - 09:40 | **Welcome and adoption of the agenda** | RVR ECRET |
| 09:40 - 10:00 | **Update by the Belgian Presidency** | Belgian Presidency |
| 10:00 - 10:15 | **Frontex-supported voluntary based-returns in 2023-2024**<br>• Overview of Frontex support in 2023 and possible trends and patterns for 2024 | OPI RVR |
| 10:15 - 10:30 | **Implementing rules for voluntary returns** | OPI RVR |
| 10:30 - 10:45 | **FAR developments** | OPI RVR |
| 10:45 - 11:00 | **Country of nationality vs. Country of return**<br>***Tour de table*** | |
| 11:00 - 11:15 | **Coffee break** | |
| 11:15 - 13:00 | **Return decisions in voluntary-based returns**<br>• survey conclusions regarding Member States practices on the issuance of return decisions in voluntary returns<br>1. ***Tour de table*** | MS/ OPI RVR |
| 13:00 - 14:00 | **Lunch break** | |
| 14:00 - 15:00 | **Vulnerable groups in voluntary-based returns**<br>2. ***Tour de table***<br>2.1 tailoring return procedures to ensure child-friendly and family-centred processes<br>2.2 sharing best practices in handling vulnerable groups (unaccompanied minors, disabled people) | MS / OPI RVR |
| 15:00 - 15:15 | **Latest updates on mixed charter flights** | OPI RVR |
| 15:15 - 15:30 | **Wrap up and conclusions/AOB** | |

Applicable from
2 May 2024

# Return Division

[redacted]

Director of Return Division

personal data

~~JRS~~ → EU RP

Return Knowledge Office (RKO)
Acting as Head of Office
[redacted]

Pre-Return Unit (PRE)
Head of Unit
[redacted]

International Cooperation for Return Sector (INTCOR)
Head of Sector
[redacted]

Return Facilities Sector (RETFAS)
Head of Sector
[redacted]

Return Operations and Voluntary Returns Unit (RVR)
Head of Unit
[redacted]

Return Operations Sector (ROS)
Head of Sector
[redacted]

Return Support Sector (RESEC)
Head of Sector
[redacted]

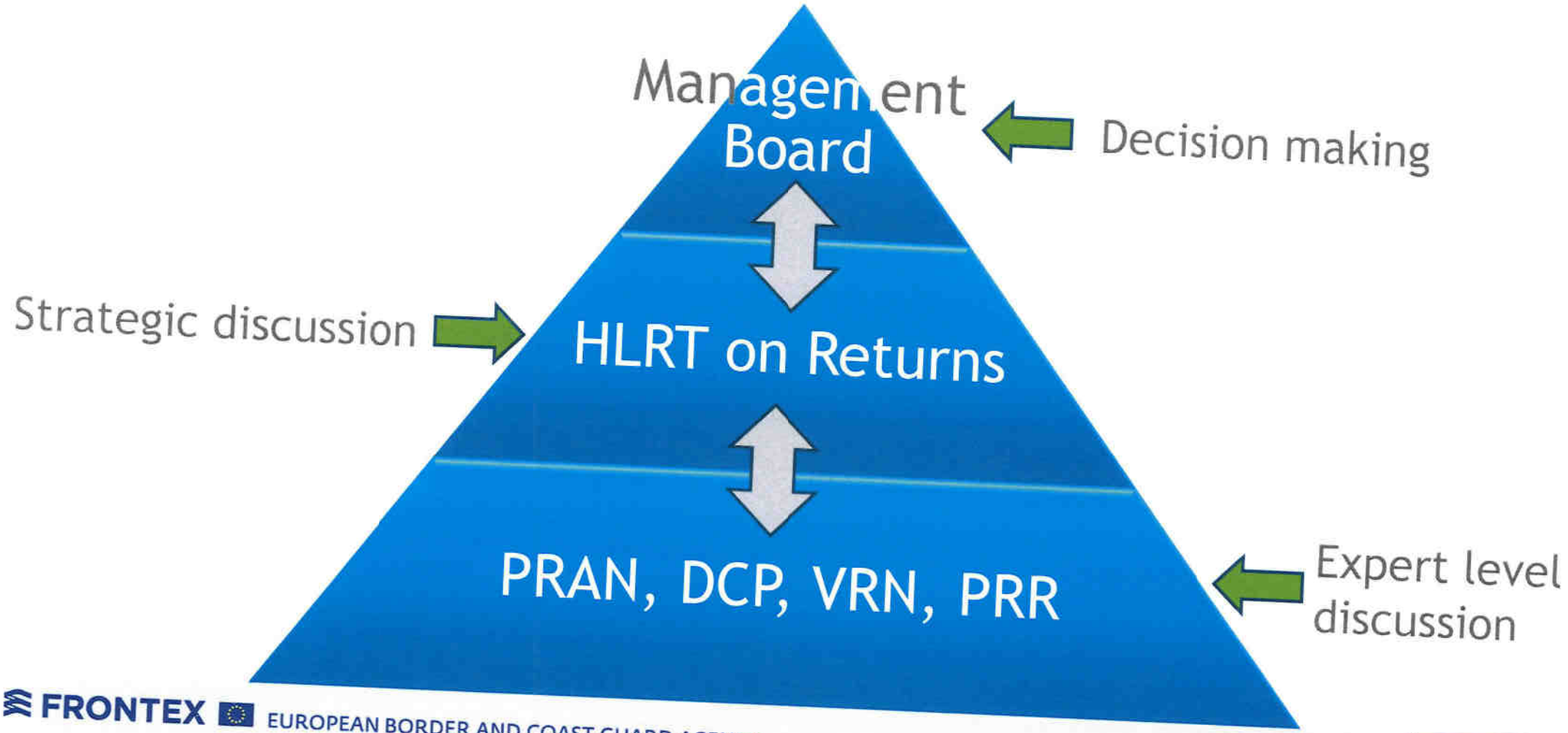
Return Planning and Evaluation Sector (REPES)
Head of Sector
[redacted]

Post-Return Unit (POST)
Acting as Head of Unit
[redacted]

Reintegration Assistance Sector (RIAS)
Head of Sector
[redacted]

Counselling and Reintegration Support Sector (CRS)
Acting as Head of Sector
[redacted]

# Structure of the return networks



# ToR for the Voluntary Returns Network

## Mandate

- Provision of technical support to Member States in the field of voluntary based returns.

## Tasks

- To provide advice and expertise
- To enhance cooperation
- To exchange information

## Cooperates with

- PRAN
- DCP
- PRR
- RDEA

- New rules for meetings due to budget cuts

[redacted]

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# Update by the **Belgian** Presidency

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# Update by the Belgian Presidency: IMEX working party

1 January – 30 June 2024

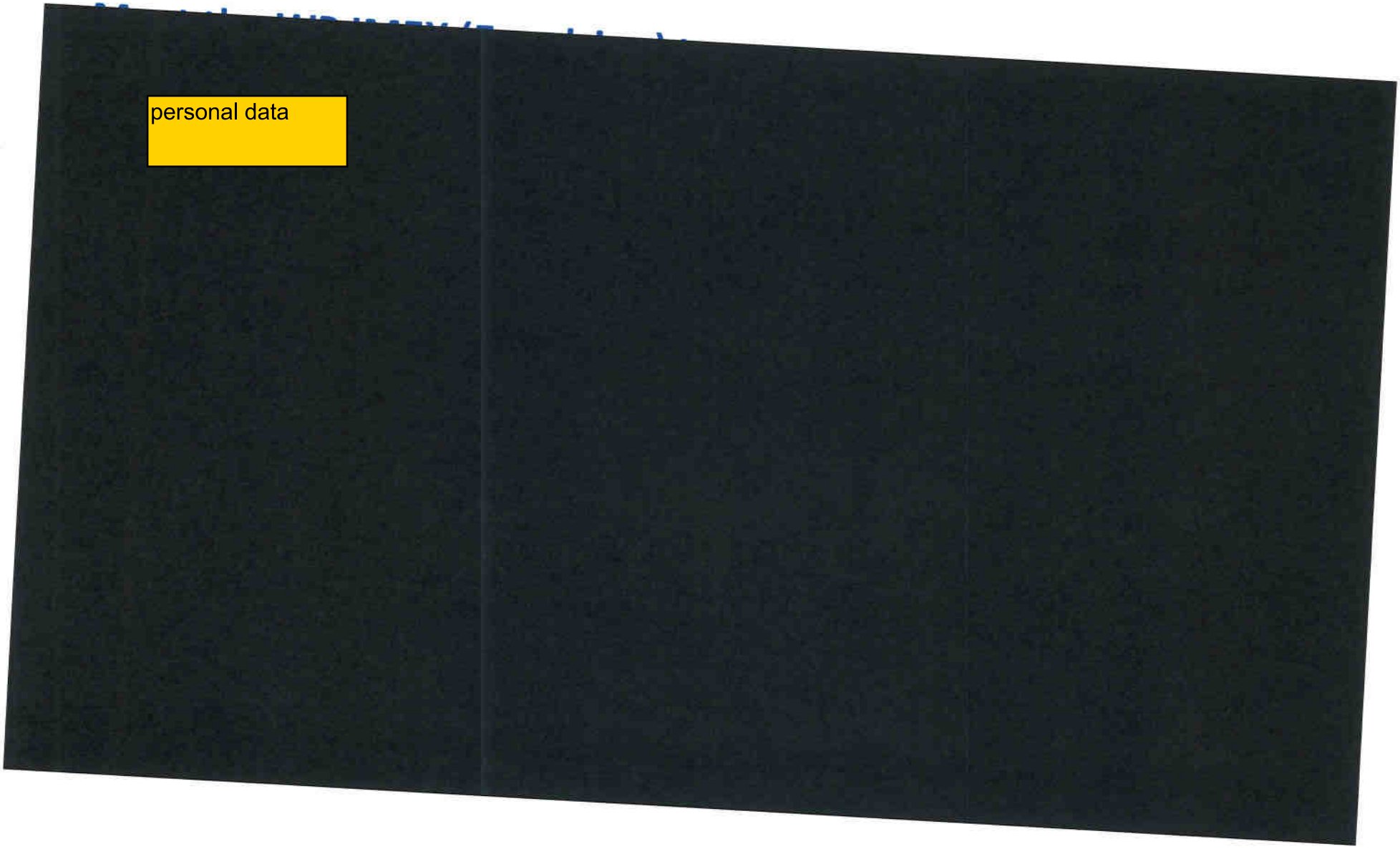
## Priorities of the WP IMEX (Expulsion)

*Strategic discussions:*

- ◊ A reflection towards the future of the EU return policy
- ◊ Article 25a Visa Code - discussion on the efficiency of the mechanism
- ◊ Voluntary return and reintegration

*Technical discussions:*

- ◊ Article 25a Visa Code
- ◊ Frontex's mandate
- ◊ Liaison officers
- ◊ Outcome of the Schengen evaluations in the field of return 2020-2023
- ◊ SIS return, readmission agreements negotiations, statistics


personal data

# Meeting calendar
# IMEX Expulsion

## 16 January

- *Discussion of the efficiency of the article 25a mechanism*
- *Visa Code Article 25a Exercice*
- *Implementation of Frontex activities in the field of return*

## 8 February

- *Visa Code Article 25a Exercice*
- *Liaison officers*
- *Outcome of the Schengen evaluation in the field of return*

be EU
belgium24.eu

## Meeting calendar

12 March

- ◊ *Making the EU return system more effective: a continuation of the reflection towards the future of the EU return policy (part 1)*
- ◊ *Evaluation of the EBCG Regulation (return component)*
- ◊ Visa Code 25a Exercice
- ◊ *Discussion of the efficiency of the article 25a mechanism*

## Meeting calendar

### 23 April

- ◊ Voluntary Return and Reintegration - A follow-up of the expert conference on return and Reintegration from 19 and 20th April
- ◊ Making the EU return system more effective: a continuation of the reflection towards the future of the EU return policy (part 3)
- ◊ Visa Code 25a Exercise

### 7 June

- ◊ Visa Code 25a Exercise
- ◊ Statistics
- ◊ Schengen Information System
- ◊ ...

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# Meeting calendar – Events

## Experts conference on Return and Reintegration (Antwerp) 19 & 20 March

## Links between IMEX and other relevant WP

- EMWP and WP on Frontiers: discussions on the Evaluation of the EBCG Regulation
- EMWP: discussions on Liaison Officers and links with external dimension
- Links with discussion on Reintegration in a joint EMWP-CODEV meeting
- SCIFA: evaluation of the EBCG Regulation, making the EU return system more effective: a continuation of the reflection towards the future of the EU return policy (part 2)

# Contact us






# Thank you for your attention!

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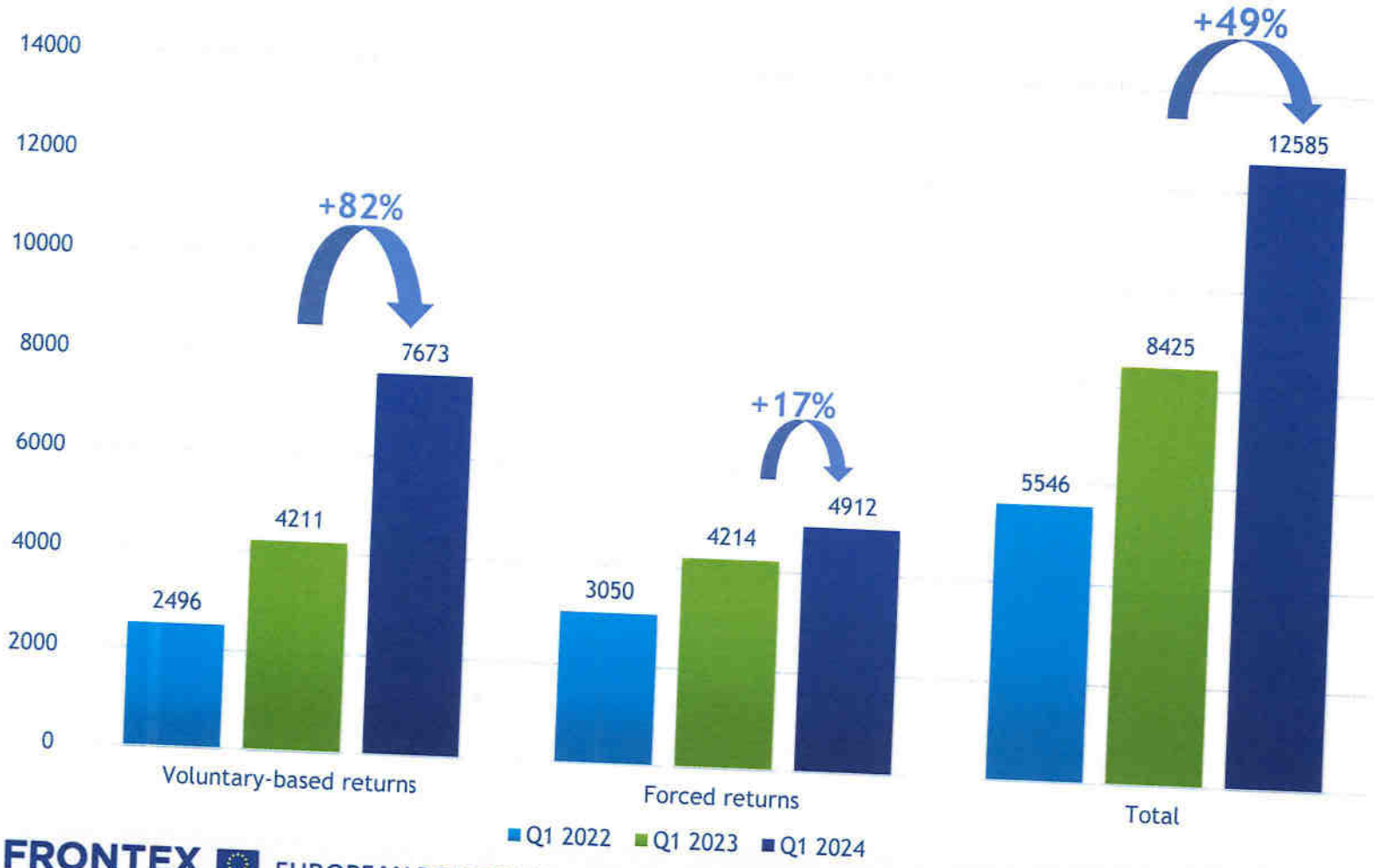
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# Frontex-supported voluntary-based returns in 2023-2024

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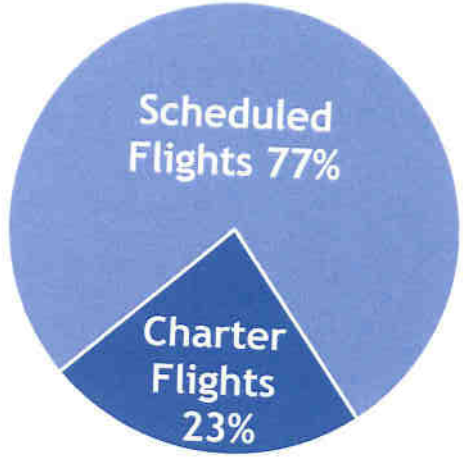
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# Returns by Air Supported by Frontex in Q1 2022 - 2024




## Returns by Air in Q1 2024



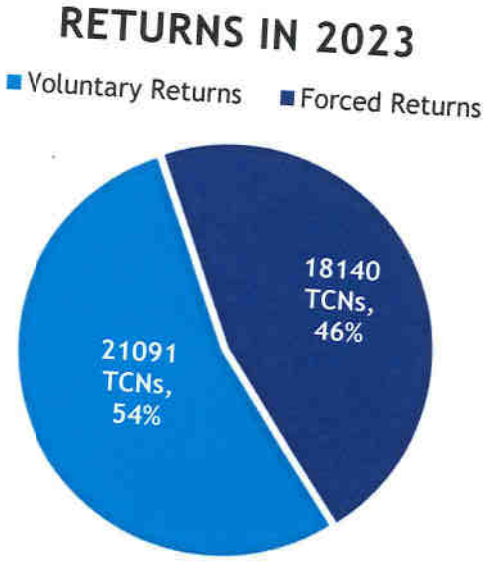




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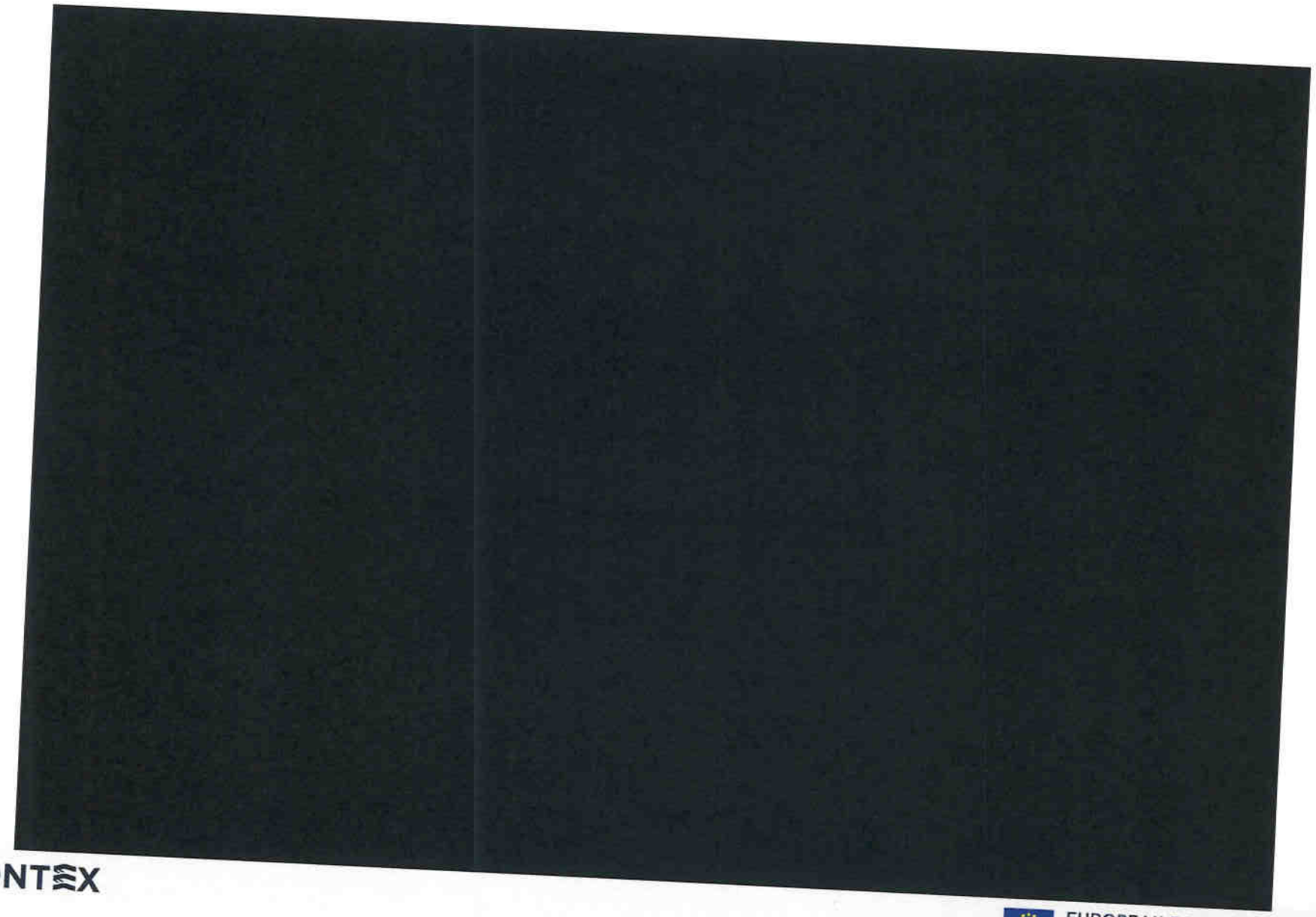
# Increasing numbers of returns supported by Frontex

## Third country nationals returned by voluntary and forced returns (2021 - 2023)



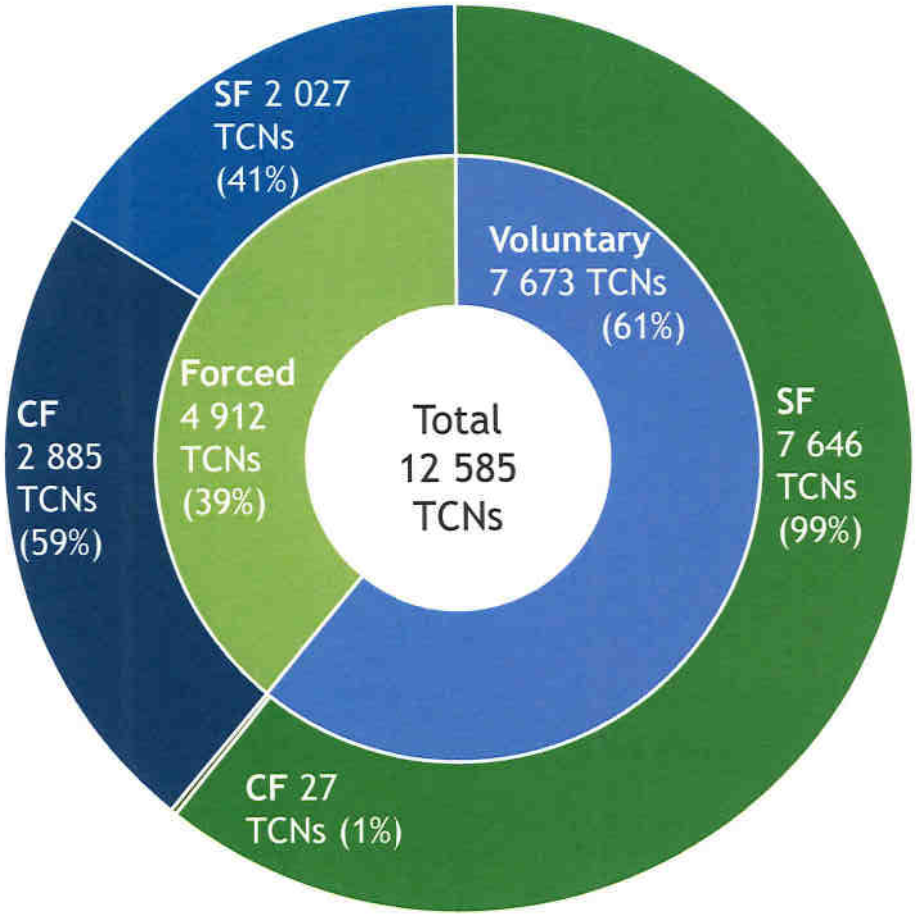

* Returns by air and land



[redacted]

Internatio
nal
relations
+ Public
security
(Relation
ship with
third
countries
)

# Third country nationals returned by air in Q1 2024



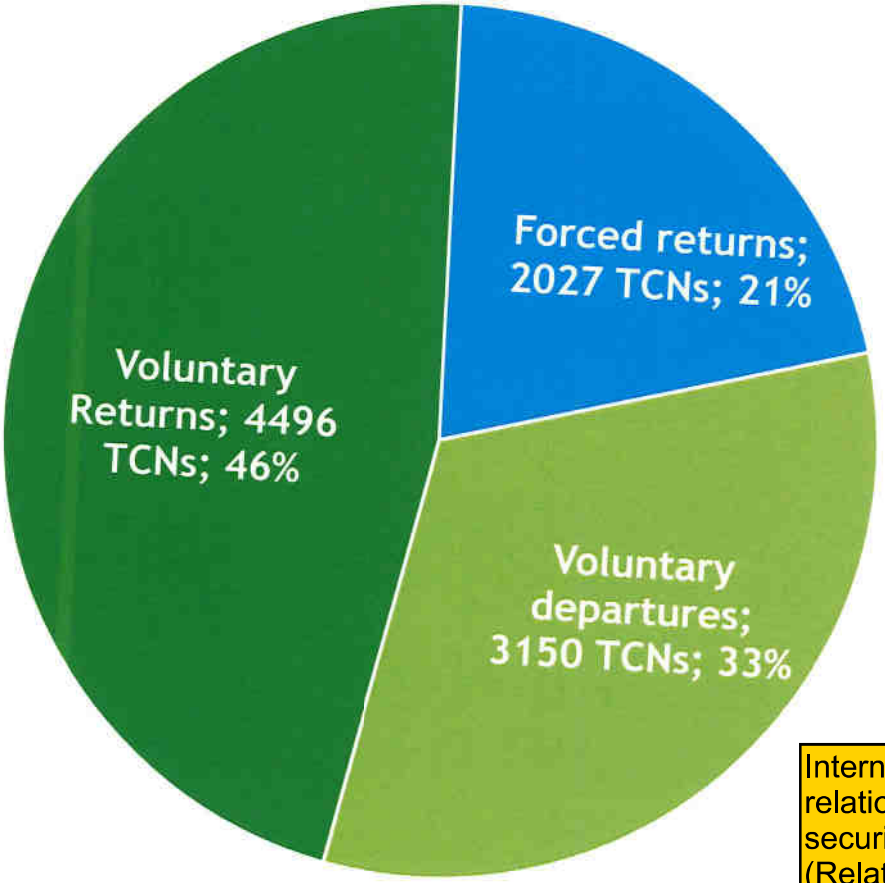

## Findings in the area of voluntary-based returns:

- 61% voluntary-based returns

- Majority by scheduled flights

- Limited activity in charters

# Voluntary-based Returns by Scheduled Flights in Q1 2024




Scheduled flights

7 646 persons returned

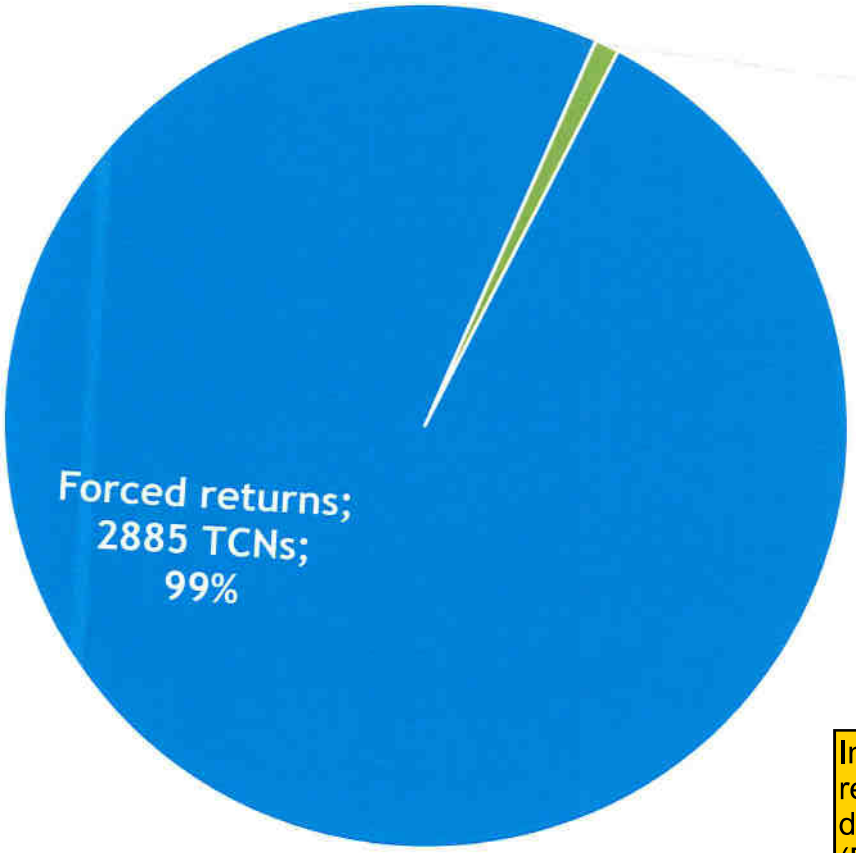
101 countries of return reached

20 MS/SAC returning non-EU nationals

[redacted]

International relations + Public security (Relationship with third countries-return)

# Voluntary-based Returns by Charter Flights in Q1 2024




Voluntary Returns and Voluntary Departures ; 27 TCNs; 1%

## Charter flights

27 persons returned

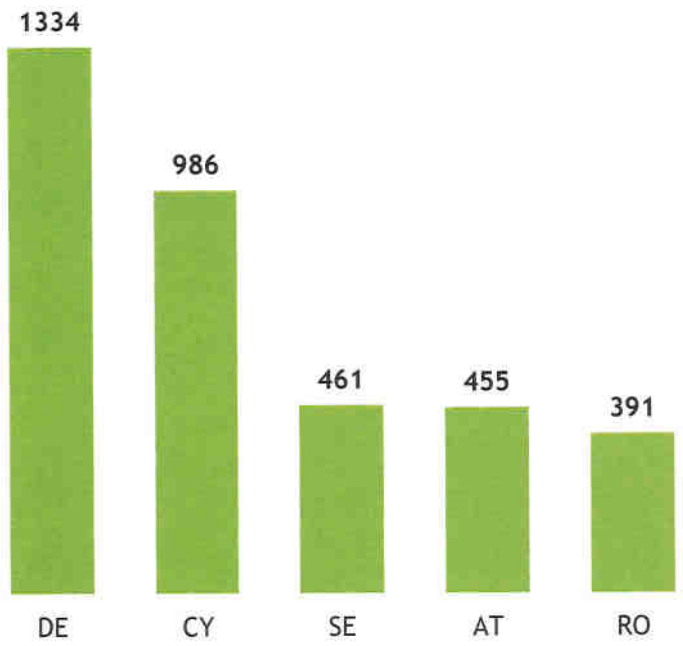
2 countries of return reached

1 MS/SAC returning non-EU nationals

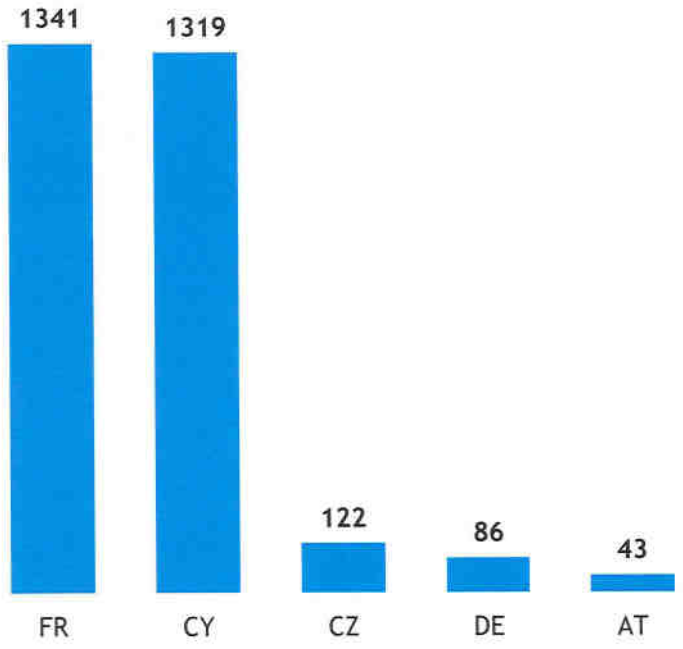
International relations + Internal decision-making (Relationship with third countries - Returns)

# Top 5 Member States
## Voluntary-based Returns by Scheduled Flights in Q1 2024

### Voluntary Returns




### Voluntary Departures



[redacted]

# Latest development

international relations + Internal decision-making (Relationship with third countries - Returns)

- Voluntary returns from [redacted]
- Voluntary returns from [redacted]

[redacted]

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# Criteria and implementing rules and procedures for the evaluation and approval of voluntary return needs

personal data

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Executive Director Decision No R-ED-2024-21

- *Establishes **criteria** for the assessment of MS voluntary return needs: security, respect for fundamental rights, cost-effectiveness, operational conditions and flexibility, time-effectiveness, external action policy of the European Union, environmental sustainability.*
- *Adopts **implementing rules and procedures** for the evaluation and approval of voluntary return needs.*
- *Foresees the **delegation** of the power to evaluate, coordinate and approve requests of Member States for voluntary returns.*

Need in FAR → Assessment based on 7 criteria → Possible dialogue with MS → Recommendations → Final decision of Frontex

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# FAR developments

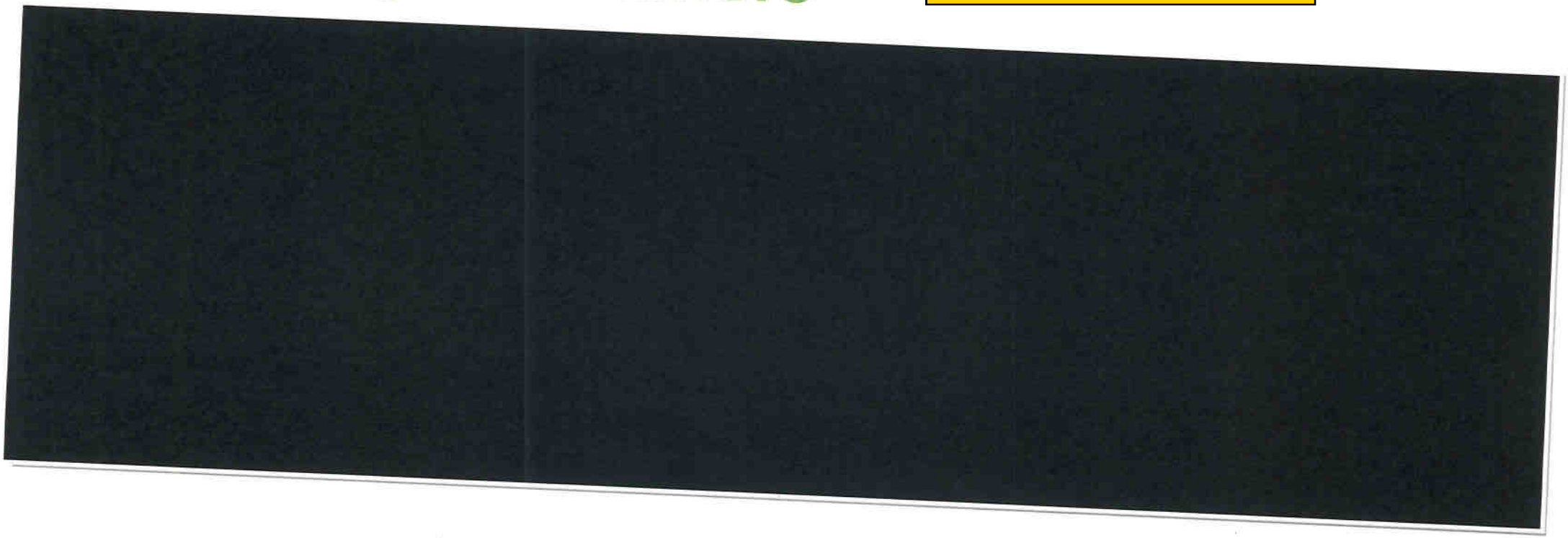
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# SAFEGUARD #1

## Mandatory disclaimers

modus operandi (cooperation with Member States)



# SAFEGUARD #2

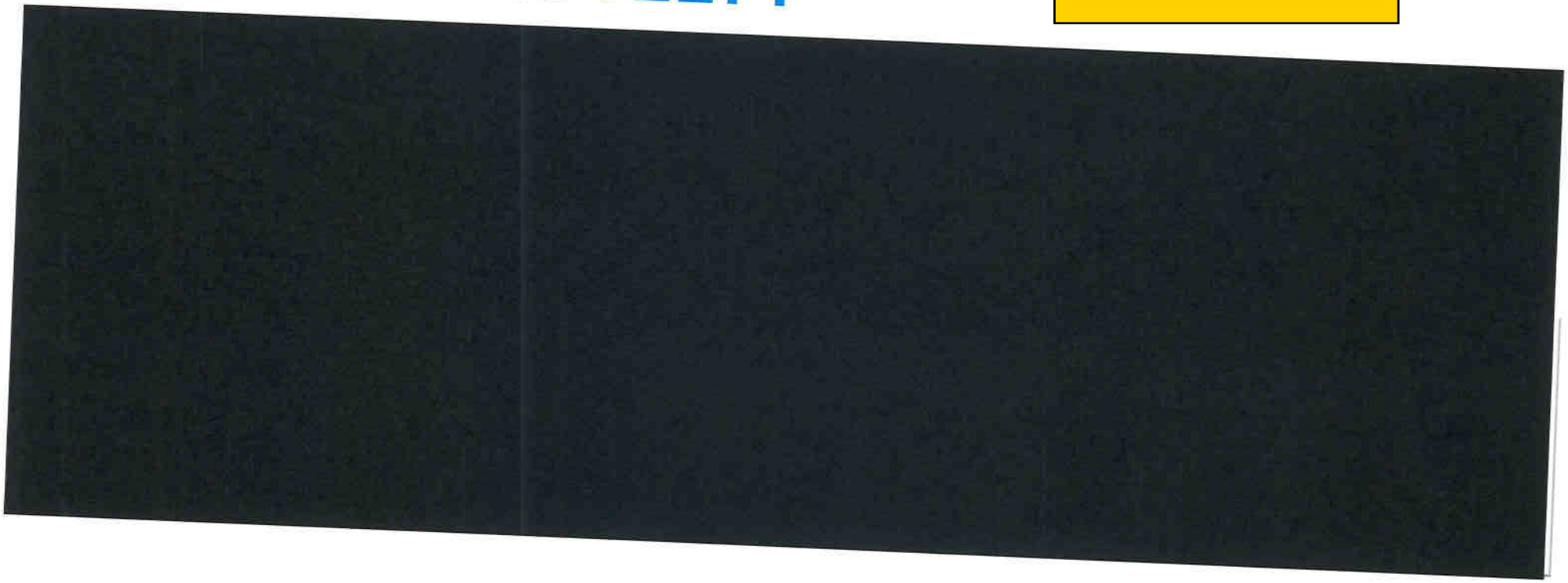
## List of the restrictions related to the returns

[redacted]

modus operandi (cooperation with Member States)

# IMPORTANT NOVELTY

Internal decision-making



[redacted]

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# Roundtable with MS:

# Country of nationality vs. Country of return




personal data

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## Voluntary Return Destinations

- Factors considered when organizing voluntary returns to destinations other than the TCN's country of origin

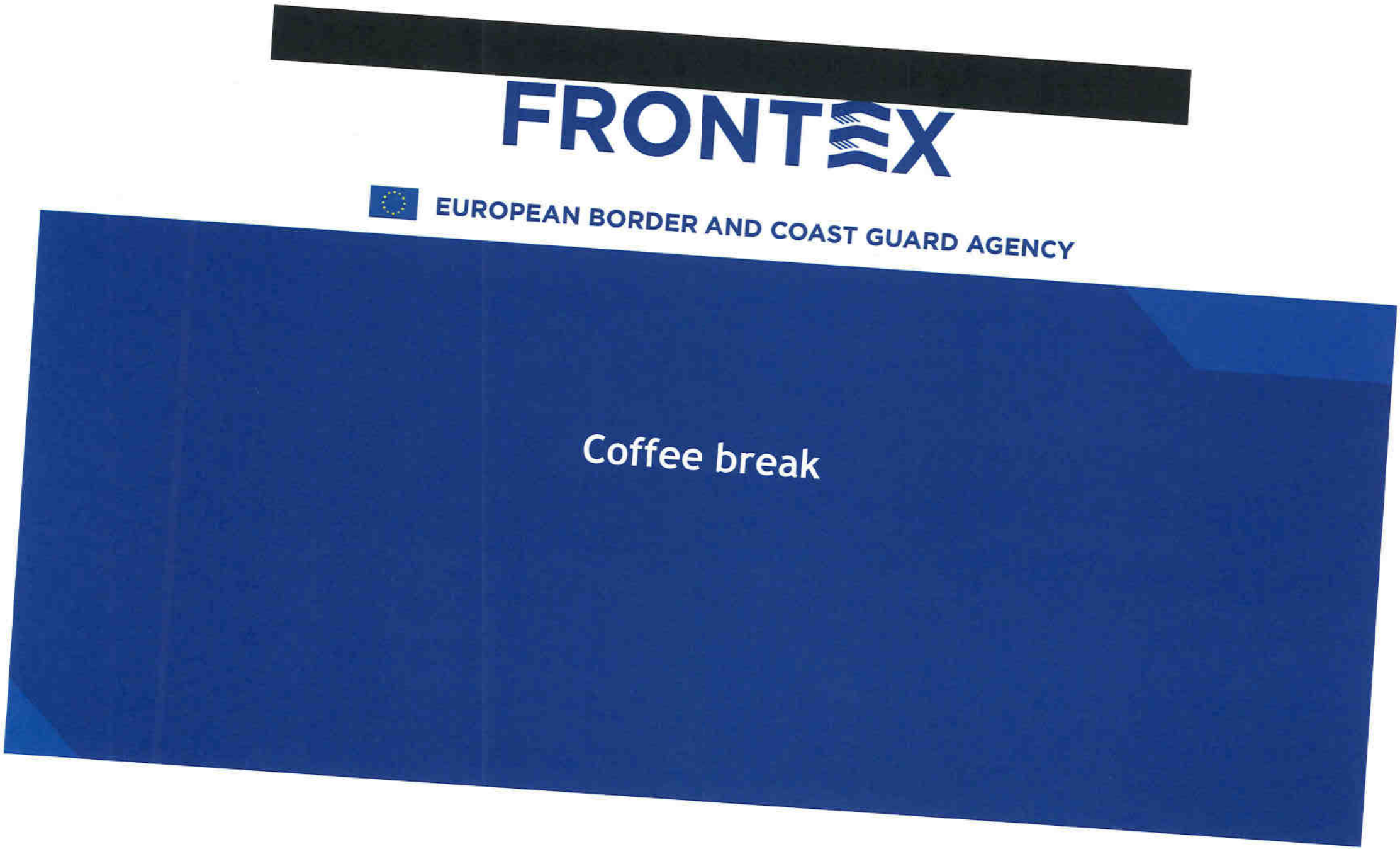
## Clarifications and Documents

- Additional clarifications or documents required to establish a person's right to stay or return to a country other than the one of his/her nationality

# Discussion:

- In case you organize voluntary returns to a destination other than the third country national's country of origin, what kind of elements/factors do you take into account?
- Are additional **clarifications or documents** requested to establish a person's right to stay or return to a country other than the TCN's country of nationality?




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Coffee break

[redacted]

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# Return decisions in voluntary-based returns

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# Background information

- clear definition of **voluntary departures** in the Return Directive (return decision issued, time for departure between 7 and 30 days),
- lack of definition of **voluntary returns** in the EBCG Regulation in particular, and in the EU acquis in general,
- need to understand the MS practices in what concerns the **definition of voluntary return** at national level, including the role of return decisions in the proces.

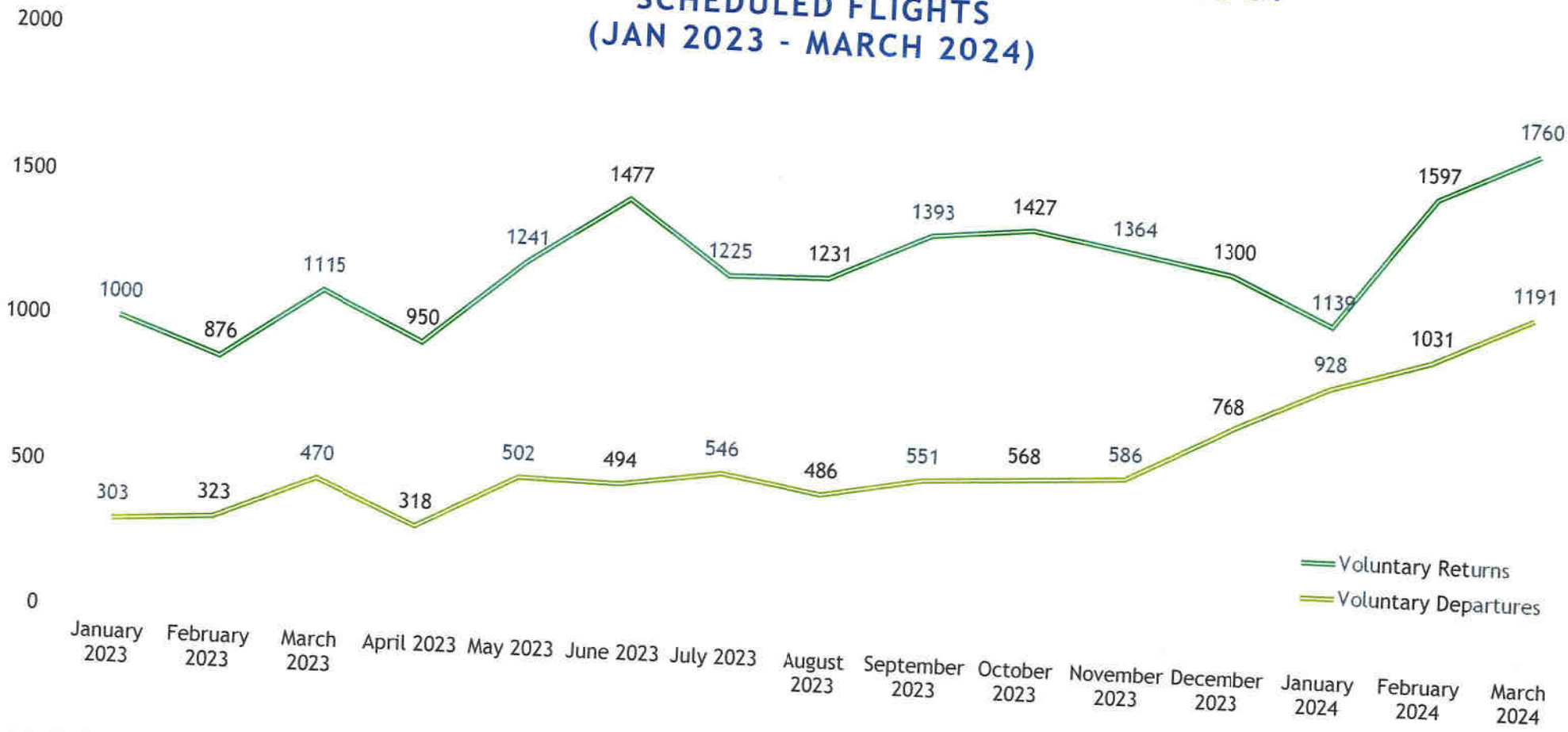
→ **survey** on national practices carried out by the Agency

# Survey on national practices: outcomes and conclusions

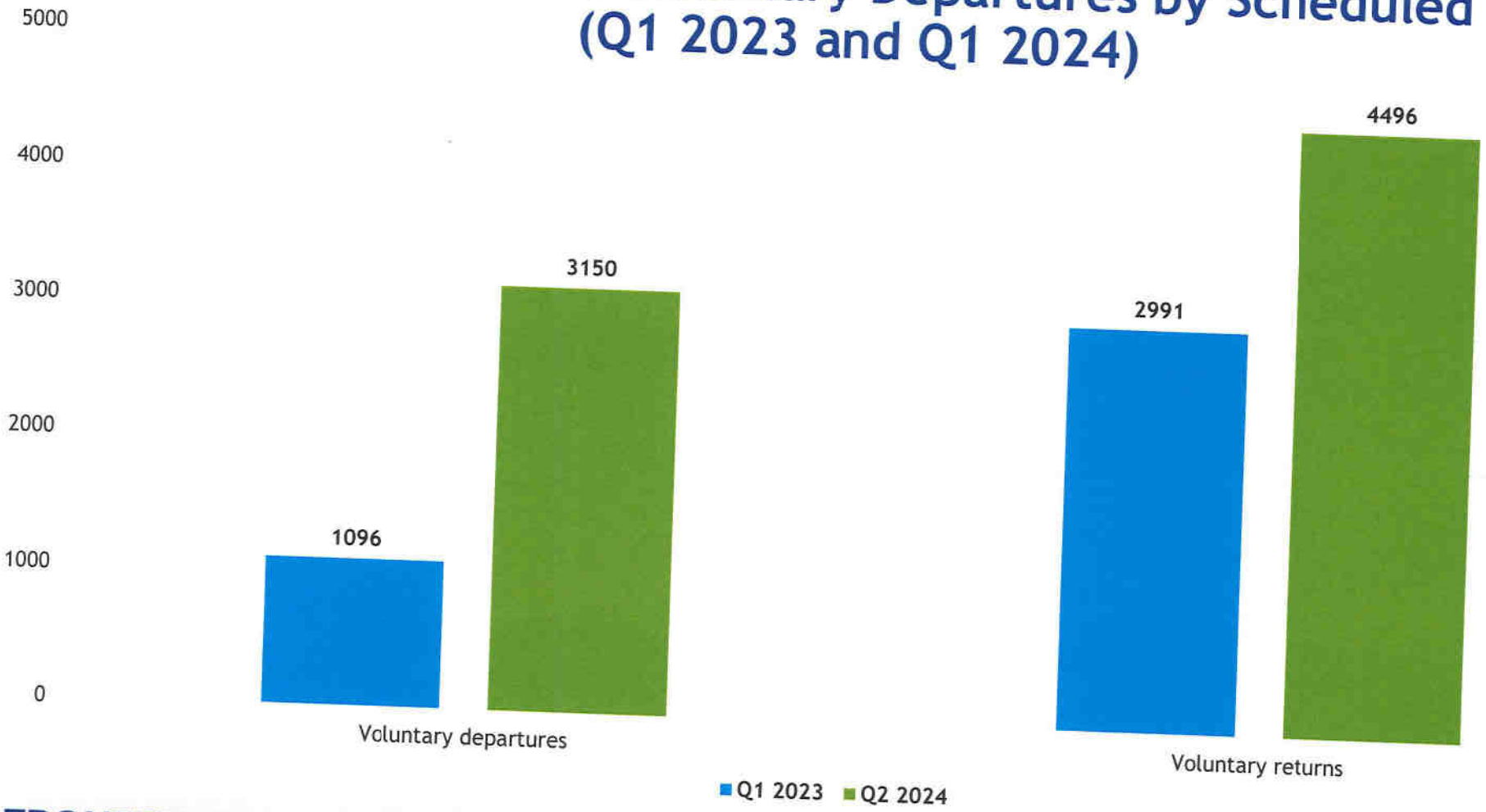
- 31 out of 32 Member States contributed to the survey,
- **22 Member States** always issue a return decision in case of voluntary returns,
- **9 Member States** do not / do not always issue a return decision,
- close to a **third of the MS** do not structurally issue return decisions to those TCNs illegally staying in the territory of the EU and returning voluntarily,
- in line with the survey results, many MS communicate in FAR as voluntary returns those returns, which are in fact voluntary departures within the meaning of the Return Directive (which results in, among other things, unreliable statistics for the Agency).

[redacted]

## VOLUNTARY RETURNS AND VOLUNTARY DEPARTURES BY SCHEDULED FLIGHTS (JAN 2023 - MARCH 2024)



# Voluntary Returns and Voluntary Departures by Scheduled Flights (Q1 2023 and Q1 2024)



## Discussion:

- What are **the reasons** for which some Member States do not issue a return decision in cases of voluntary returns? Are there any legal or procedural constraints in issuing a return decision in such cases?
- In case Frontex makes the support to voluntary returns conditional to the issuance of a return decision, what would be **the impact of your relevant national procedures**? Would your MS be still able to get Frontex support to this voluntary returns?



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# Lunch break

[redacted]

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# Vulnerable groups in voluntary-based returns

personal data

[redacted]

# Tailoring Return Procedures for Children and Families

**Family -Centered approach:**

Ensuring that return procedures prioritize the well being and unity of families.

Ensuring that tailored travel assistance has been provided for families with children.

**Documents for family verification:**

In cases where surnames of children and parents don't match documents proving the relationship should be provided.

# An Integrated, holistic approach for Returning Families with Children - FACIR (Pilot)







## *Taking all Aspects into Consideration*

A wide array of aspects including FR, children's developmental and psychological needs as well as best interests of the child

Involvement of a diverse range of professionals (RS, interpreters, FRESOs, etc).

## *Books for Families and Children:*

Complementary to the process, starting from the point the Return Decision is being made.






# Best Practices for Handling Vulnerable Groups: people with disability, elderly etc

- Ensuring that special service requests are provided by airline before, during and upon arrival to accommodate their needs.
- Supporting operation with presence of medical staff for individuals with pre-existing and documented medical condition.
- Opportunity for collaboration and mutual support in handling vulnerable groups

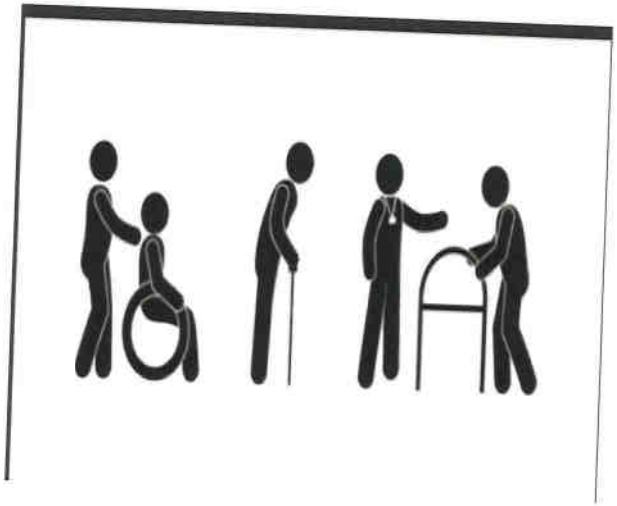
# Best Practices for Handling Vulnerable Groups: people with disability, elderly etc cont.

Be alert to identify cases and take necessary actions on the spot for which we have not been informed about.

Liaise between RS and Airliners and adopt an individualized approach to each case of vulnerability

## Discussion:

- How do Member States ensure that return procedures are tailored to meet the needs of vulnerable groups, such as unaccompanied minors, disabled individuals, elderly people, etc.?
- Do you have examples of voluntary-based returns involving vulnerable groups successfully handled? What were the key factors contributing to their success?
- What resources and support mechanisms are in place to safeguard the welfare of vulnerable individuals during the return process? How are the third country nationals informed about the availability of these resources and how can they use them?



# Best Practices for Handling Vulnerable Groups: Unaccompanied Minors

- Highlighting successful strategies to ensure the safety of unaccompanied minors during returns.
- Implementing extra safeguards to guarantee the best interest of the child during the return process.
- Collaboration with guardianship networks and specialized support services
- Update on Frontex support to VR of UAM

# Discussion:

- Is an unaccompanied minor always accompanied by a guardian, social worker, or any other representative of the authority during the return process?
- Are return decisions consistently issued when returning an unaccompanied minor?
- Does a family assessment take place in the child's country of origin to ensure suitable conditions for their return?
- What provisions are in place for post-return assistance to support unaccompanied minors?
- How can cross-border cooperation be strengthened to address the complexities of unaccompanied minors' return?



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# Latest updates on mixed charter flights

personal data

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[redacted]

2023:

2024:

International relations + Internal decision-making
(Relationship with third countries - Returns)

modus operandi (cooperation with Member States)

**Identified challenges:**

- communication with TCoR authorities
- issuing of landing permits
- cost effectiveness for VRD exclusive chartering

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# AOB and closure of the meeting