



# European Return Policy

**Marcin Antoni PRUSS**  
**DG HOME**  
**27 August 2015, Bratislava**

# Return Directive

Directive 2008/115/EC of 16 December 2008 on common standards and procedures in Member States for returning illegally staying migrants

- Illegal stay
- Obligation to take a return decision
- Obligation for migrant to return
- Obligation to take all the necessary steps to ensure return > coercive measures
- Entry ban
- Voluntary return vs force return
- Safeguards

# Readmission

- Customary international law
- Readmission agreements

# Practical cooperation and support

- Frontex and EASO
- Return programmes
- Asylum, Migration and Integration Fund
  - national programmes
  - Readmission Facility

# Recent developments

- Mission letter from President Juncker
- JHA Ministerial of 20 April and the extraordinary European Council of 23 April
- European Agenda on Migration
- European Council conclusions of 25 and 26 June



# European Agenda on Migration

*But by the same token, the EU needs to draw the consequences when migrants do not meet the criteria to stay. Unsuccessful asylum claimants who try to avoid return, visa overstayers, and migrants living in a **permanent state of irregularity constitute a serious problem.***

*This **corrodes confidence** in the system. It offers strong arguments for those looking to criticise or stigmatise migration. It makes it harder to integrate those migrants staying in the EU as of right.*



# European Council of 25 and 26 June

*Effective return, readmission and reintegration policies for those not qualifying for protection are an essential part of combating illegal migration and will help discourage people from risking their lives. **All tools shall be mobilised to promote readmission of irregular migrants to countries of origin and transit***



# European Council of 25 and 26 June

- High level dialogues
- Compliance of third countries with readmission agreements and launch of new ones
- More for more principle
- full implementation of the Return Directive
- Immediate support to frontline Member States (hotspots)
- adequate means and revision of the 2016 budget....and *"to set up a European Return Programme"*