



Ad-Hoc Query on Returns and Readmission Agreements with Algeria

Requested by SK EMN NCP on 24th March 2009

Compilation produced on 22nd December 2009

Responses from Austria, Belgium, Bulgaria, Estonia, Finland, France, Germany, Hungary, Ireland, Latvia, Lithuania, Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom (20 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background Information

The Migration Office of the Slovak Republic is looking for information on the return (voluntary or forced) of Algerian citizens to Algeria. Please note that there are two questions included in this query:













1. Does your Member State have a valid readmission agreement with Algeria? If yes, when (year) was it signed?

2. Does your Member State return failed asylum seekers to Algeria? If so, does your Member State monitor their situation after the return?

The SK EMN NCP would appreciate your reply by 31 March 2009.









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2. Responses

		Wider Dissemination?	Query 1: Does your Member State have a valid readmission agreement with Algeria? If yes, when (year) was it signed?
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Belgium	Yes	Belgium has no readmission agreement with Algeria. The mandate given to the EU to negotiate a readmission agreement with Algeria did not lead to any results up to now. However this EU- mandate prevents Belgium from negotiating a bilateral readmission agreement with Algeria.
	Bulgaria	Yes	No, Bulgaria has not concluded a readmission agreement with Algeria.
	Germany	Yes	Germany has a valid readmission agreement with Algeria, signed on 14 February 1997 and entered into force on 12 May 2006. But nevertheless it is used already since 1 November 1999.
	Estonia	Yes	No, Estonia does not have a readmission agreement with Algeria.
	Ireland	Yes	We do not have a readmission agreement with Algeria.
	Spain	Yes	Protocol on Persons 'circulation, transit and readmissions of aliens illegally entered, signed at referendum in Algiers on 31 st July 2002, entering into force on 18 February 2004. Only nationals' readmission.
	France	Yes	France has no special agreement on readmission with Algeria. The mandate given to the EU to negotiate a readmission agreement with Algeria did not lead to any results up to now. However this EU- mandate prevents France from negotiating a bilateral readmission agreement with Algeria.
	Latvia	Yes	No, Latvia does not have a readmission agreement with Algeria.
	Lithuania	Yes	No we do not have a readmission agreement with Algeria.
	Hungary	Yes	Hungary does not have a valid readmission agreement with Algeria.
	Netherlands	Yes	No, NL does not have a readmission agreement with Algeria.

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	Poland	Yes	No, the Republic of Poland does not have a readmission agreement with Algeria.
	Portugal	Yes	No, Portugal does not have a readmission agreement with Algeria. NoTE : Information on MS readmission agreements could be found on MIREM website: http://www.mirem.eu/datasets/agreements/index?set_language=en .
	Romania	Yes	No, the Romania does not have a readmission agreement with Algeria.
	Slovenia	Yes	Slovenia has no readmission agreement with Algeria.
	Slovak Republic	Yes	No, the Slovak Republic does not have a readmission agreement with Algeria.
	Finland	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Sweden	Yes	No, Sweden does not have any readmission agreement with Algeria
	United Kingdom	Yes	The UK has a bilateral Readmission Agreement signed with the Algerians in July 2006. The agreement and its Explanatory Memorandum (EM) are published, and are available from the attached links:- http://www.fco.gov.uk/en/about-the-fco/publications/treaty-command-papers-ems/explanatory-memoranda/explanatory-memoranda-2006a/algeriareadmission http://www.fco.gov.uk/resources/en/pdf/pdf10/fco_cm6926_algeriacirculationper

		Wider Dissemination?	Query 2: Does your Member State return failed asylum seekers to Algeria? If so, does your Member State monitor their situation after the return?
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Belgium	Yes	In principle Belgium returns failed asylum seekers to Algeria. Voluntary return is taking place. As for forced return the situation is more difficult as escorts are not allowed for persons traveling with a laissez-passer. Hence the number of forced returns is limited. In principle the Belgium will not monitor the situation after the return, unless there are indications this is necessary in a specific case. However, due to










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			the limited number of forced returns, this has not occurred yet.
	Bulgaria	Yes	Yes, the failed asylum seekers have been returned to Algeria (3 cases in 2008) but no further monitored.
	Germany	Yes	The readmission agreement with Algeria includes regulations concerning the return of failed asylum seekers. Beside this there is financial support for voluntary return within the <i>Government Assisted Repatriation Programme (GARP)</i> . There is no monitoring process after return.
	Estonia	Yes	There have been no returns of asylum seekers to Algeria from Estonia in recent years. Estonia does not monitor situation of returnees after the return.
	Ireland	Yes	We had one forced return to Algeria in 2007, none in 2008 or to date in 2009. During the same period there were no voluntary returns to Algeria. We don't monitor the return of those who have been forcibly returned.
	Spain	Yes	In general, all rejected asylum seekers have to leave the country within 15 days of notification.
	France	Yes	Yes, the failed asylum seekers must return to Algeria, but no further monitored.
	Latvia	Yes	There have been no returns of asylum seekers to Algeria from the Latvia in recent years.
	Lithuania	Yes	We had no such cases in recent years in Lithuania.
	Hungary	Yes	<p>The refugee authority, in its decision for the refusal of an application for recognition or for the withdrawal of recognition shall establish as to whether or not the obligation of non-refoulement applies.</p> <p>If the obligation of non-refoulement does not apply, the refugee authority shall provide for - in its decision for the refusal of the application for recognition - the withdrawal of the alien's residence permit that was granted on humanitarian grounds, and shall order the person in question to exit the territory of the Republic of Hungary. The time limit prescribed for compliance with the obligation to leave the territory of the country shall be minimum ten and maximum thirty days. According to Hungarian legislation the immigration authority shall order the expulsion or exclusion of a third-country national under immigration laws, who fails to comply with the order to leave the territory of the Republic of Hungary within the prescribed time limit.</p> <p>If the third country national returns voluntarily (with the help of an AVR program), the IOM provides reintegration program for them.</p>

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	Netherlands	Yes	NL does not have a temporary decision at this moment which prohibits the return to Algeria. In general, the Dutch Repatriation and Return Service (Dienst Terugkeer en Vertrek) does not monitor the situation after the return. Possible risk factors are assessed before the return is effectuated.
	Poland	Yes	Yes, it does. In 2008 6 failed asylum seekers were obliged to leave the territory of Poland and have returned to Algeria. No one has returned in the frame of Poland Assisted Voluntary Returns Programme provided by IOM in Poland. No, Poland does not monitor their situation after return to Algeria.
	Portugal	Yes	In 2008 there weren't no asylum seekers from Algeria nor deny of applications addressed by Algerian citizens in previous years.
	Romania	Yes	Yes. Romanian Immigration Office returns citizens of Algeria who are apprehended illegally staying in Romania. During the last 3 years only 2 Algerians were returned. The return reason was not complying with the return decision. In those cases the Romanian authorities did not monitor the situation of the concerned persons.
	Slovenia	Yes	There has been a single case of return of failed asylum seeker - Algerian citizen to Algeria. His travel document and visas for officers in escort have been obtained at the Embassy of Algeria in Budapest, Hungary. He has been returned via Milano Airport to Alger. Situation after return has not been monitored.
	Slovak Republic	Yes	There have been no returns of asylum seekers to Algeria from the Slovak Republic in recent years.
	Finland	Yes	There is no monitoring conducted after return.
	Sweden	Yes	Yes. Sweden has no impediments to enforcement towards Algeria. Sweden has no specific system in place to monitor/follow up a returnee's situation after return.
	United Kingdom	Yes	The UK undertakes both voluntary and enforced returns to Algeria. The UK Border Agency does not monitor returnees.
