Please cite as: EUAA, 'Section 4.15 Return of former applicants' in *EASO Asylum Report 2021*, January 2022.

Section 4.15 Return of former applicants

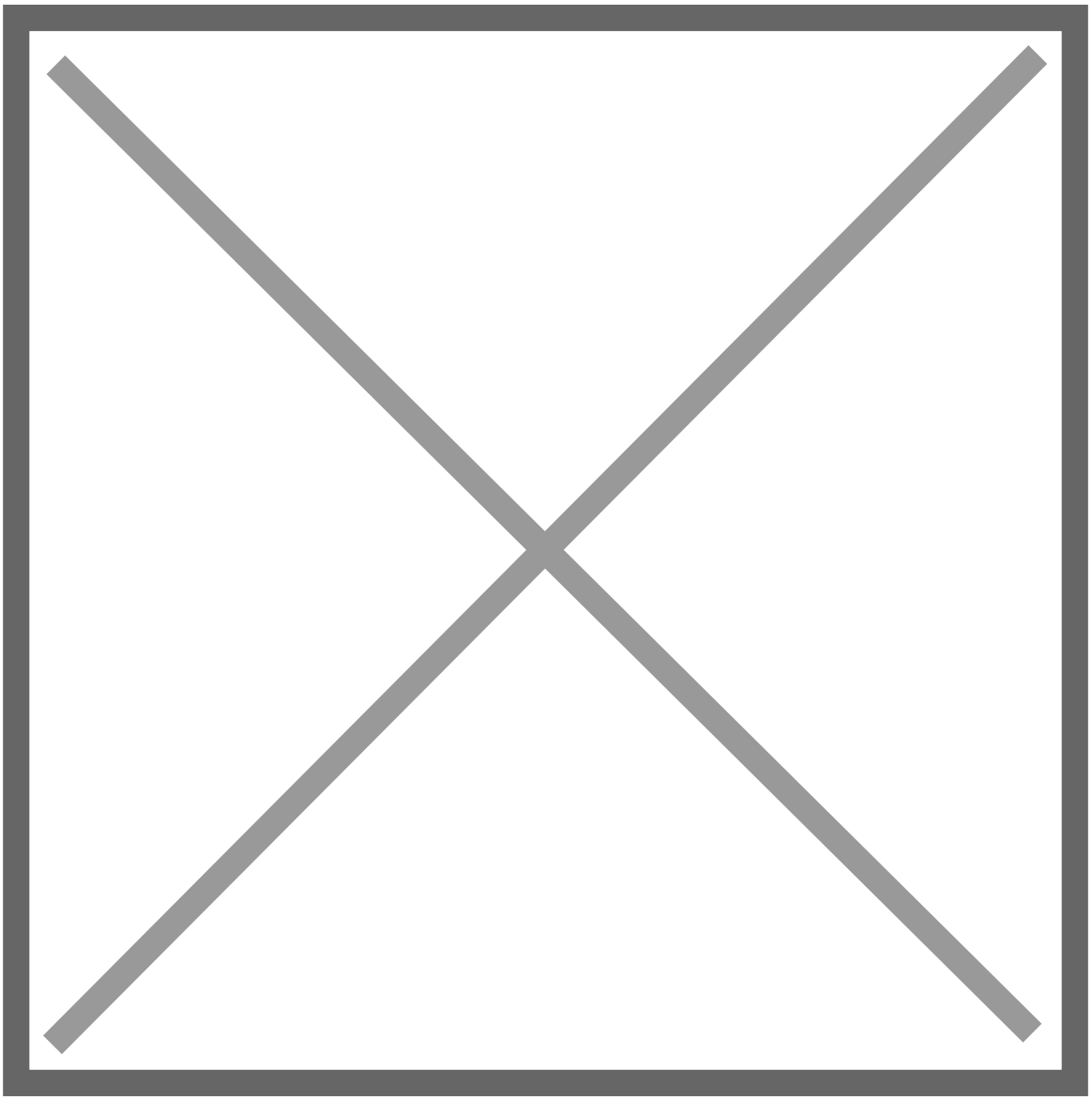
EU law on the return of former applicants for international protection falls within the remit of general immigration law. The effective return of rejected asylum seekers is an integral part of a credible asylum system, as is the possibility to return to a country of origin voluntarily if an application for international protection is withdrawn. For the practical functioning of CEAS, returning rejected asylum applicants effectively to the country of origin is essential since an inability to return such a person in an efficient and sustainable way may corrode confidence in the system and stigmatise migration.[1193]

Return options include:

- Voluntary return and departure: when a person opts to withdraw a claim and voluntarily returns to the country of origin (voluntary return) or a person complies with a return decision (voluntary departure); and
- Forced return/removal: the return of persons who are required by law to leave but have not consented to do so and who are subject to coercion for their removal from the territory.[1194]

In many cases, returnees can receive support under assisted return schemes, including logistical, financial or other material assistance prior to departure. In addition, reintegration support is available after arriving in the country of return, which may cover business start-up costs, equipment and furniture, and education/vocational/on-the job training.

COVID-19



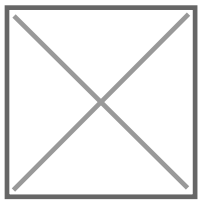
Flight restrictions, limitations on crossing borders and quarantine rules, accompanied by a suspension of accepting returnees to countries of origin, resulted in additional challenges for the return of applicants during 2020. In many EU+ countries, the most important national developments in the field of (voluntary) returns in 2020 were, therefore, measures and strategies which were developed to deal with the challenges created by the COVID-19 pandemic.

The joint EMN-OECD Inform, "Impact of COVID-19 pandemic on voluntary and forced return procedures and policy responses", provided a comprehensive overview of the impacts of the pandemic on the return of third-country nationals and outlined the measures and policy responses which were taken to mitigate the effects.

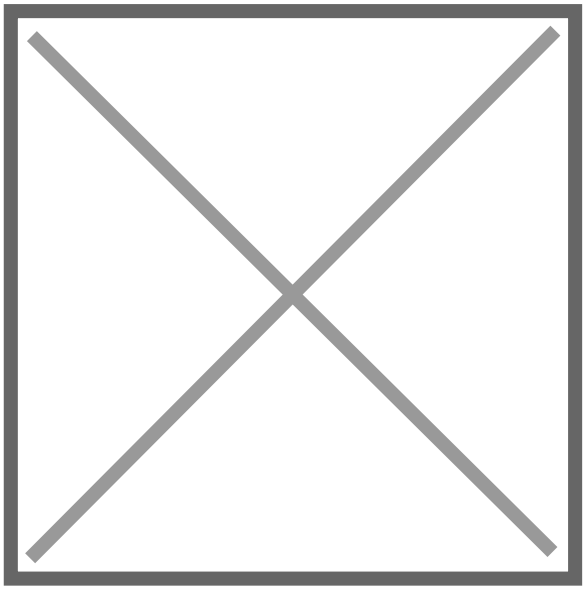
As reported by the EMN, the evolution of both forced and voluntary returns has not been even across countries. In the majority of cases, forced returns plummeted during the early months of the pandemic, and escorted forced returns were essentially stopped except in specific cases. Voluntary returns were encouraged in some EU+ countries, which resulted in an upturn in requests for a voluntary return. Many countries suspended not only return procedures but also the issuance of return decisions, thus extending the period of voluntary departure.

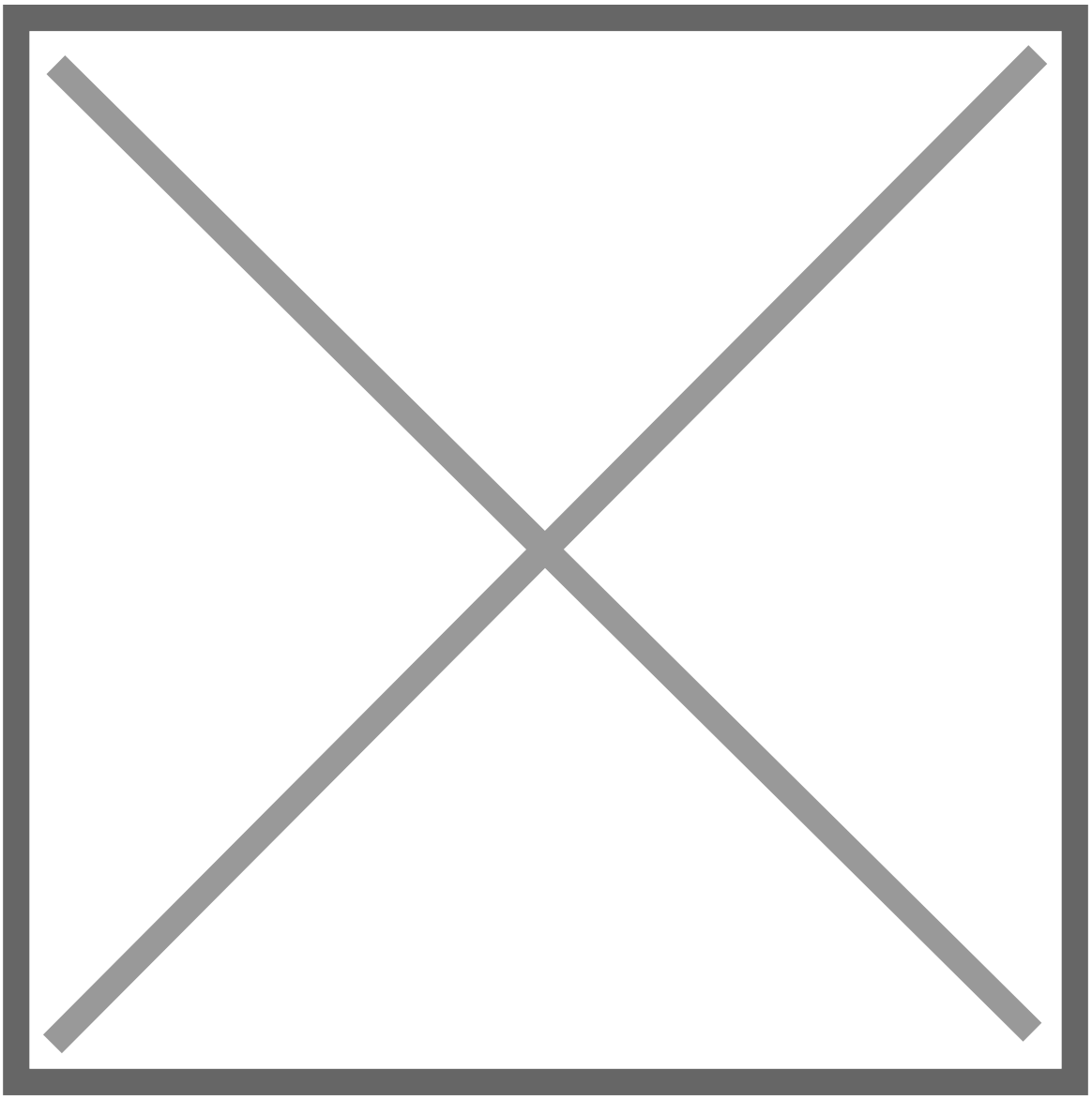
EU+ countries implemented health measures in return operations, for example by introducing quarantines and testing of returnees and staff pre-departure or post-arrival, providing sanitary kits, adjusting the assistance provided by programmes which support return and reintegration, extending implementation periods, covering COVID-19-related health costs, providing shelter during a quarantine period and adjusting financial packages to compensate for the higher cost of living in some countries of origin due to the pandemic.[1195] Frontex played a key role in financing COVID-19 tests for participants of return operations, assisting Member States in cancelling or rebooking return flights and supporting voluntary returns.[1196]

ECRE published a policy note, "Return as 'non-essential travel" in the time of pandemic", which discusses the European Commission's guidance on implementing EU rules on asylum and return procedures and on resettlement. ECRE presented its position on how return-related measures established in the Return Directive should be applied in the context of the COVID-19 pandemic. As reported by the EMN, the evolution of both forced and voluntary returns has not been even across countries. In the majority of cases, forced returns plummeted during the early months of the pandemic, and escorted forced returns were essentially stopped except in specific cases. Voluntary returns were encouraged in some EU+ countries, which resulted in an upturn in requests for a voluntary return. Many countries suspended not only return procedures but also the issuance of return decisions, thus extending the period of voluntary departure.

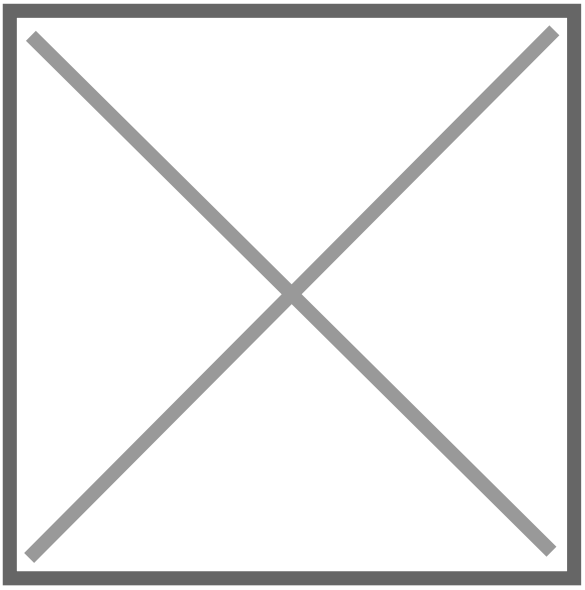


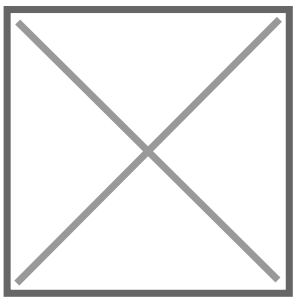
Digitalisation





To continue to provide information on return procedures and reintegration counselling, EU+ countries turned to remote communication. New systems were also put in place to enable applicants for a voluntary return to file a request online. Furthermore, online communication tools were used to maintain communication with third countries on identification procedures of returnees and issuance of travel documents.[1199]





[1193] European Commission. (2015, May 13). *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Agenda on Migration* [COM(2015) 240 final]. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52015DC0240
[1194] European Commission. (2017, September 27). *Annex to the Commission Recommendation establishing a common "Return Handbook" to be used by Member States' competent authorities when carrying out return related tasks* . C(2017) 6505. https://ec.europa.eu/home-affairs/sites/default/files/what-we-do/policies/european-agenda-migration/20170927_recommendation_on_establishing_a_common_return_handbook_annex_en.pdf
[1195] European Migration Network. (2021). *Inform #5 - Impact of COVID-19 pandemic on voluntary and forced return procedures and policy responses: Series of EMN-OECD informs on the impat of COVID-19 in the migration area* . https://ec.europa.eu/home-affairs/sites/default/files/00_eu_inform5_return_en.pdf
[1196] European Border and Coast Guard Agency. (2021). *2020 in brief*. https://frontex.europa.eu/assets/Publications/General/In_Brief_2020/20.0147_inbrief_2020_11th_web_fixed4.pdf
[1197] European Migration Network. (2021). *Inform #5 - Impact of COVID-19 pandemic on voluntary and forced return procedures and policy responses: Series of EMN-OECD informs on the impat of COVID-19 in the migration area* . https://ec.europa.eu/home-affairs/sites/default/files/00_eu_inform5_return_en.pdf
[1198] European Border and Coast Guard Agency. (2021). *2020 in brief*. https://frontex.europa.eu/assets/Publications/General/In_Brief_2020/20.0147_inbrief_2020_11th_web_fixed4.pdf
[1199] European Migration Network. (2021). *Inform #5 - Impact of COVID-19 pandemic on voluntary and forced return procedures and policy responses: Series of EMN-OECD informs on the impat of COVID-19 in the migration area* . https://ec.europa.eu/home-affairs/sites/default/files/00_eu_inform5_return_en.pdf





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