



## **Ad-Hoc Query on Strengthening Readmission and Sustainable Reintegration in Kosovo**

**Requested by HU EMN NCP on 28<sup>th</sup> July 2014**

**Compilation produced on 15<sup>th</sup> September 2014**

**Responses from Austria, Belgium, Bulgaria, Czech Republic, Germany, Hungary, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovak Republic, Spain, Sweden and United Kingdom plus Norway (17 in Total)**

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### **1. Background Information**

The Hungarian delegation hereby wishes to share some information concerning the project of “Strengthening Readmission and Sustainable Reintegration in Kosovo”.

Overall objective of the project to support the Kosovo authorities in the proper management and implementation of the system for readmission and sustainable reintegration of returnees in Kosovo.

The purpose of the mission is to assess the current state of cooperation among relevant governmental authorities, international community and non-governmental organizations in this field, to obtain complete picture on current situation on readmission and reintegration processes in Kosovo and to propose recommendations in order to further improve the procedures.

The project is led by the Administration of the Republic of Austria and the Agency for European Integration and Economic Development (AEI) of Austria, the junior partner is the Finnish National Institute for Health and Welfare (THL). The implementation period of the project is 24 months, Hungary is a co-partner participating in the project.

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During the activity, the main task is to evaluate the ongoing processes, to meet different actors, detect gaps and needs for improvement of the cooperation among the national, non-governmental and international players, including EU Member States. Special tasks of our component are the improvement of migration-related cooperation and coordination of Kosovo with the relevant EU/Schengen Member States with a large Kosovo population, in order to facilitate the implementation of readmission (and reintegration) procedures.

Kosovo has concluded 21 bilateral readmission agreements with different EU Member States (EU MSs) and 2 with Schengen Associated States. According to the representatives of the Kosovar Ministry of Internal Affairs (MIA) readmission tends to function even with those MSs which have not concluded an agreement with Kosovo. However, MSs which most frequently request readmission of Kosovar citizens (e.g. DE, FR, CH, BE, SE, FI, AT, HU) have already concluded bilateral readmission agreements.

The ethnic background, length of time spent in certain EU MSs and health condition, vulnerability of migrants from Kosovo also differs from one MS to another, therefore some differences concerning the approach for solving the problem can be noticed. Authorities of Kosovo sometimes have to face with lack of information about the special individual circumstances of readmitted persons which affects the reintegration of the same person.

According to the MIA of Kosovo, authorities of Kosovo cannot be adequately prepared to manage the problem of certain illegal migrants sent back to their country of origin (Kosovo) without special information on persons concerned by the readmission procedure. For these authorities preliminary information on returning individuals can be essential for proper reception at the Pristina Airport and for carrying out prior measures when preparing for the reintegration of readmitted persons. In EU MSs different authorities are responsible for certain special care for foreseen for expelled third country nationals, therefore it is sometimes hard to obtain and collect further relevant information about readmitted people.

Effectively fighting against illegal migration and improving the visa liberalization process for Kosovo can only be possible if the readmitted nationals are fully reintegrated to the society of Kosovo. According to our point of view, EU MSs who send back Kosovar citizens to their country of origin should help the authorities in Pristina in order to promote their sustainable reintegration. Of course, reintegration of citizens of Kosovo is a task of the Government of Kosovo, however, prevention of repeated illegal entry and stay in EU MSs of repatriated Kosovars is in the common interest of the affected EU MSs and Kosovo.

Bilateral readmission agreements between EU MSs and Kosovo establish possibility to exchange information about the educational and health needs and possible criminal background of persons to be readmitted. According to the bilateral agreements it is the duty of EU MSs to inform the authorities of Kosovo about the relevant circumstances of the individual. Difficulty may occur concerning data protection when certain MSs try to collect and send data on the person concerned. It can also happen that the national of Kosovo who is subject to a readmission procedure refuses to provide the necessary information to the authorities of MSs.

In the preparation of measures necessary for the effective integration of readmitted persons, the following preliminary information would be useful during readmission procedures. We would appreciate if you could provide information (with short explanation) on following practice:

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1. Which authority is responsible for implementation of readmission agreement with Kosovo? Could you provide exact name and address, email and phone number of the authority?
2. Do you regularly inform the authorities of the receiving country (Kosovo) about the possible security threats concerning the person (convictions, pending criminal procedures, aggressiveness, dangerousness)?
3. Do you regularly inform the authorities of the receiving country (Kosovo) about medical status of person to be readmitted (illness, infectious diseases, disabled status, medical treatment provided in the EU MS etc.)?

Answering the following questions (with short explanation if possible) would also help sustainable reintegration of Kosovar citizens.

4. Which are the main authorities in your MS dealing with irregular migrants who can be treated as members of vulnerable groups (disabled, ill person in need of special treatment, unaccompanied minors, elderly people, pregnant women, single parent family, members of certain ethnic minority, victim of THB, families with young children who attended school in MS or whose children do not speak official language of Kosovo etc.) before taking over them to the authorities of Kosovo?

Could you provide exact name and address, email and phone number of the authority? May these authorities be contacted by authorities of Kosovo if needed for some reason during the reintegration phase?

5. Do you examine if the person subject to readmission procedure has any family relationship in EU MSs or in Kosovo? If yes, does it have any influence to the procedure? Do you inform the authorities of Kosovo on that issue?
6. Do you examine the level of education of person and his/her family members? Are there authorities or institutions which can provide information for authorities of Kosovo about the education or any training in the EU MS of the readmitted Kosovar citizen?
7. Does the competent authority of the MS who is responsible for implementation of readmission agreement collect the relevant (sometimes sensitive) information from other national authorities responsible for treatment, accommodation, education etc. of the person subject to return procedure? Do you share this information with the Ministry of the Interior of Kosovo?
8. Do you examine how long the readmitted person stayed (legally and illegally) on the territory of EU MS?

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9. Do you examine whether disease the person suffers from can be properly cured or stabilised by the medical institutions of Kosovo? Are there special measures foreseen in this regard?
10. How do you deal with situations when citizen of Kosovo to be readmitted is a member of ethnic minority community in the region where he/she is supposed to return?
11. Which guarantees are provided in case of readmission of an unaccompanied minor?
12. Do you inform the authorities of Kosovo if an indication appears that the person to be sent back has some links with criminal activities (as perpetrator, victim or witness etc.)?
13. Which are the most relevant circumstances taken into consideration in decision making procedure on the following: whether the migrant is allowed to participate in a voluntary return program or has to be sent through a procedure established by readmission agreements?

(We are aware that this issue concerns law on data protection of EU MSs.)

On that basis, the Hungarian delegation has prepared the above questions which are of relevance for Member States established cooperation with authorities in Kosovo in order to carry out readmission of citizens of Kosovo to their country of origin. We encourage delegations to send their views on specific points raised in the questionnaire.

The HU EMN NCP would very much appreciate if we could receive your responses by **25<sup>th</sup> August 2014.**

## **2. Responses**

	<b>Austria</b>	<b>No</b>	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	<b>Belgium</b>	<b>Yes.</b>	1. The Identification Unit (head of Unit: Mrs Marlies Elebaut – marlies.elebaut@ibz.fgov.be) of the Belgian Immigration Office, WTC II, Chaussée d'Anvers 59 B, 1000 Brussels is responsible for the readmission requests (bur_cid01@ibz.fgov.be). The Removals Unit (acting head of Unit: Mr Sven Van Semmertier – sven.vansemmertier@ibz.fgov.be) of the Immigration Office is responsible for the organization of the transfers to Kosovo (bur_cr01@ibz.fgov.be) . Kosovo has already received contact data

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			<p>from our side.</p> <ol style="list-style-type: none"> <li>2. Such information will be transmitted only on a case by case basis. We first make an assessment whether this information should be transmitted in to what extent. In practice, this information is almost never communicated. If the person is particularly aggressive and this could influence his behaviour during the transfer or at arrival in Kosovo, this will be communicated.</li> <li>3. The individual to be removed, receives a copy of his complete medical file (if available) so that he can use this information in his country of origin. It is possible that the MD of the detention centre makes a summary in English of the medical file, which can be useful for the MD in Kosovo. The Immigration Office will communicate if necessary whether the person is disabled in order to foresee appropriate support at arrival. If the person has an illness, the Immigration Office will not communicate the sort of illness, but will communicate on the basis of a standard code (we also use this for airlines) whether appropriate measures should be taken (person should be taking certain medication on a certain time schedule, supporting staff should wear gloves ...). If the disease is contagious and this could be transmitted by air or touch, the Immigration Office will NOT transfer the person as long as this is not safe to do so.</li> <li>4. The Immigration Office is responsible for the assessment whether the person to be removed is a member of a vulnerable group. All depends on the kind of vulnerability and the “history” of the person in Belgium. If the person can obtain AVRR, we will take contact with IOM or Caritas, in order to start a AVRR scheme (see also <a href="http://www.voluntaryreturn.be">www.voluntaryreturn.be</a> and <a href="http://avrr.belgium.iom.int/en/">http://avrr.belgium.iom.int/en/</a> ). It is possible to request AVRR out of detention (for adults through the social workers in the detention centres, for families with children through the coaches in the family units). If this person does not fulfil the criteria for an AVRR scheme, there is still the possibility to obtain “special needs” (which could be compared to an assisted forced return and re-integration scheme). The social workers and the coaches have to ask for an assessment of the feasibility of these special needs at the Immigration Liaison Officers Unit (Ilobel@ibz.fgov.be). Furthermore, this unit has also contacts with the Kosovar authorities, in order to verify whether these persons can obtain a supplementary or specific support through the Kosovar national re-integration programs (which are decided by the Kosovar counterpart – see annex).</li> <li>5. We will always control whether someone has a right to stay in another EU MS, independant from the fact whether there are family members or not. We are mostly not aware of any famiily members in other MS or in Kosovo. It is foremost the person himself who has to give information about his family, which in many cases he does not give. It may be possible that the person has family members in other MS, but this does not mean that he has a right to stay in this MS. He should then apply for family unification at the proper authorities of the MS (in most cases the embassy of the MS in Kosovo). If the Immigration Office has requested the readmission of a Kosovar person in another MS on the basis of previous staying in that MS, this fact will only be</li> </ol>
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			<p>communicated upon request to the Kosovar authorities. Dublin request are never communicated to the Kosovar authorities.</p> <p>6. We do not make an assessment on that matter. It may be possible that this will be examined if there is an AVRR application (e.g. if the re-integration request concerns an education scheme for the children).</p> <p>7. We do not collect this information.</p> <p>8. This is not examined during the readmission process. It may be examined prior to this process, if there is e.g. an application for hardship, how long this person is already in Belgium.</p> <p>9. See also question 4. Return of ill persons is only possible if there is accessibility of the medical treatment and if necessary a financial or material support will be granted for a certain period (depending on the illness – max. 1 year in special needs – max. 2 years in AVRR).</p> <p>10. We will verify on the basis of different sources (UNHCR, Kosovar authorities, ...) whether the person can return to this region. If necessary, we will look into a relocation scheme, together with the Kosovar authorities (see also question 4 – Kosovar national program for re-integration).</p> <p>11. we do not readmit unaccompanied minors. We only organize AVRR for unaccompanied minors, where we always look at the best interest of the child.</p> <p>12. In general this information is not communicated (only on a case by case basis upon request). See also question 2.</p> <p>13. In Belgium the mantra is “voluntary if possible, forced if necessary”. In principle, people receive the opportunity to depart on a voluntary basis (with AVRR or not) (see also <a href="http://www.sefor.be">www.sefor.be</a>). If they do not want to go back on a voluntary basis, a forced return may be organized. Some categories are excluded from AVRR (e.g. persons who have refused to return voluntarily on several occasions, criminal cases, ...) but may still have the opportunity to receive “special needs”.</p> <p>VERBAUWHEDE Geert</p> <p>Advisor</p> <p>T 0032 2 793 83 60</p>
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EMN Ad-Hoc Query on Ad-Hoc Query on Strengthening Readmission and Sustainable Reintegration in Kosovo

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			<p>F 0032 2 274 66 17</p> <p>geert.verbauwhede@ibz.fgov.be</p> <p>FPS Interior</p> <p>General Directorate Immigration Office</p> <p>Direction Control Interior – Identification and Removals Section</p> <p>WTC II Chaussée d’Anvers 59 B</p> <p>1000 Bruxelles</p>
	<b>Bulgaria</b>	<b>No.</b>	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	<b>Czech Republic</b>	<b>No</b>	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	<b>Germany</b>	<b>Yes</b>	<p>1. The Federal Republic of Germany is following the constitution subdivided into 16 Federal States. Due to this prevailing principle actually the 16 Federal States (mostly Ministries of the Interior) are the responsible authorities concerning migration matters. In terms of implementing of readmission agreements or negotiating on a trans-/international level (e.g. other countries, EU) the German Federal Ministry of the Interior (address: Bundesministerium des Innern, Ref. M I 2, Alt-Moabit 101D, 10559 Berlin; <a href="mailto:poststelle@bmi.bund.de">poststelle@bmi.bund.de</a>; <a href="mailto:MI2@bmi.bund.de">MI2@bmi.bund.de</a>; +49 30 18 681 - 0) takes responsibility as part of the general return policy in Germany. The bilateral readmission agreement between the Federal Republic of Germany and the Republic of Kosovo has come into force on 1<sup>st</sup> September 2010.</p> <p>On a practical level the implementation of readmission agreements is individually carried out by the enforcement authorities of the 16 Federal States (e.g. “Regierungspräsidium Karlsruhe” = central department for the Federal State Baden-Württemberg: post box 4047, 76025 Karlsruhe: <a href="mailto:poststelle@rpk.bwl.de">poststelle@rpk.bwl.de</a>).</p> <p>On the basis of a special agreement among the Federal Police and the 16 Federal States the Federal Police (= Bundespolizei) are responsible for removals on the basis of the readmission agreement for roughly 30 target countries (mostly Middle African states and East Asian states). The Federal Police have partly posted own liaison officers in some African/Asian states to facilitate the return procedure / removal with the local immigration offices. The address of the Federal Police: “Bundespolizeipräsidium” (= German Federal Police Headquarters), Department 25, Heinrich-Mann-Allee 103, 14473 Potsdam; <a href="mailto:bpolp.referat.25@polizei.bund.de">bpolp.referat.25@polizei.bund.de</a>; +49 331 97 997 – 0).</p> <p>2. In the case of removals, the responsible Kosovar authorities will be informed by the information sheet “Notification of arrival”.</p>

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			<p>This sheet contains personnel data of the forced returnee and if applicable any criminal records or any general statements (e.g. illegal entry/residence).</p> <p>In the case of a voluntary return there's no exchange of any information prior to the arrival. The Embassy of the Federal Republic of Germany informs the Department for Borders, Asylum and Migration of the Kosovar Ministry of the Interior in accordance with Article 3 of the Readmission Agreement.</p> <p>3. In the case of removals, the German Federal Police inform the Kosovar authorities (see 2.) about the medical status or any particular health conditions if this should be necessary for the transfer and/or as a preparatory measure in the country of destination.</p> <p>4. Dealing with irregular migrants / vulnerable groups all ca. 600 (local) Foreigners Authorities (municipalities, regional county administrations = Ausländerbehörde) are responsible. The Kosovar authorities can address the individual German authorities by contacting the Embassy of the Federal Republic of Germany in Prishtina. Removals carried out by the Federal Police the Kosovar authorities can directly address The German Federal Police.</p> <p>5. There's no information exchange (neither voluntary returns nor removals) with the Kosovar authorities about family relationships.</p> <p>6. There's no examination of the level of education in terms of removals. For voluntary returns the (local) Foreigners Authorities can provide information about any education and trainings if requested by the Kosovar authorities.</p> <p>7. Any relevant information (treatment, accommodation, health issues, education) is stored and always available by the (local) Foreigners Authorities. This information can be provided to the German Embassy upon request of the Ministry of the Interior of Kosovo. In terms of removals there's no exchange on information with the Kosovar authorities.</p> <p>8. Data concerning the whole duration of the stay are stored and can be retrieved by the national central register of foreign nationals (= "Ausländerzentralregister [AZR]"). All (local) Foreigners Authorities have direct access to this data base and have to update compulsorily all relevant data.</p> <p>9. Yes, German authorities examine medical obstacles to deportation before issuing a return decision. Besides COI databases (like MILO or MedCOI project) including information about the availability of medical support, medication, access to health care etc., competent authorities can request case-related information from the German Embassy. In addition the German return and reintegration project "URA 2" in Prishtina offers basic financial support for the purchase of medicines (single payment) and appropriate psychological support for returnees.</p> <p>10. The Republic of Kosovo is a multi-ethnic and multi-religious constitutional state. In the Republic of Kosovo there is from our perspective actually no life-threatening danger for returnees based on ethnic constraints. This is why the ethnic origin is not taken into</p>
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			<p>consideration.</p> <p>11. According to paragraph 58 (1a) AufenthG (= German Residence Act), the enforcement authority has to ensure before (!) the removal of an unaccompanied minor that he/she can be handed over to a family member, or another person who is a primary person in charge of the child, or to an appropriate reception center in the receiving country.</p> <p>12. Please see answer to question 2.</p> <p>13. With the delivery of the deportation order issued by the responsible (local) Foreigners Authority the returnee has to leave the country at a certain date: The returnee has two options:  a) return voluntarily (with assistance, e. g. German basic return assistance programme REAG/GARP) or  b) forcibly deported by the enforcement authorities (Federal States or Federal Police).</p>
	<b>Hungary</b>	<b>Yes</b>	<p>1. National Police Headquarters, H-1139 Budapest, Teve u. 4-6. Aliens Policing Unit (e-mail: <a href="mailto:jdrendo@orfk.police.hu">jdrendo@orfk.police.hu</a>)</p> <p>2. According to the bilateral readmission agreement between Hungary and Kosovo the readmission application shall contain the following information:  (a) all available particulars of the person to be readmitted (e.g. given names, surnames, mother's/father's name, date and place of birth, sex and the last place of residence)  (b) means of evidence regarding nationality, the conditions for the readmission of third-country nationals and stateless persons.  Where necessary, the readmission application should also contain the following information:  (a) a statement indicating that the person to be transferred may need help or care, provided the person concerned has explicitly consented to the statement;  (b) any other protection or security measure which may be necessary in the individual transfer case.</p> <p>3. According to bilateral readmission agreement between Hungary and Kosovo, the National Police Headquarters sends information about medical status of readmitted person in every single case.</p> <p>4. As of now, Hungary is still not a country of destination for illegal migrants, the majority of readmitted persons stay in Hungary for a very short period therefore these persons are in special detention centre for vulnerable persons before taking over them to the Kosovo.</p> <p>5. According to Act II of 2007 on the Entry and Stay of Third-Country Nationals:  The immigration authority shall have regard for the following factors before adopting a return decision under immigration laws concerning a third-country national who is holding a residence permit issued on the grounds of family reunification:</p>

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			<p>a) the duration of stay;  b) the age and family status of the third-country national affected, possible consequences of his/her expulsion on his/her family members;  c) links of the third-country national to Hungary, or the absence of links with the country of origin.</p> <p>Any third-country national who:  a) resides in the territory of Hungary under immigrant or permanent resident status;  b) is bound to a third-country national residing in the territory of Hungary under immigrant or permanent resident status by marriage or registered partnership, and has a residence permit,  may be expelled only if his/her continued residence represents a serious threat to national security, public security or public policy.</p> <p>6. Kosovar citizens do not stay on the territory of Hungary for a long time, therefore they cannot take part such an education which has effect to the expulsion and readmission procedure.</p> <p>7. Aliens Policing Unit of National Police Headquarters collects all relevant information concerning readmitted person and forward these information to the requested authority in Kosovo.</p> <p>8. During the questioning of readmitted persons the Police Officers are collect every relevant information concerning length of illegal or legal stay of person concerned.</p> <p>9. According to Act II of 2007 on the Entry and Stay of Third-Country Nationals:  Third-country nationals may not be turned back or expelled to the territory of a country that fails to satisfy the criteria of safe country of origin or safe third country regarding the person in question, in particular where the third-country national is likely to be subjected to persecution on the grounds of his/her race, religion, nationality, social affiliation or political conviction, nor to the territory or the frontier of a country where there is substantial reason to believe that the expelled third-country national is likely to be subjected to the death penalty, torture or any other form of cruel, inhuman or degrading treatment or punishment (principle of non-refoulement).  Hungarian Aliens Policing Authorities always take consider the principle of non-refoulement for this reason no one can be remove who suffer such an illness which cannot be cured at the requested country.</p> <p>10. See the answer to question no 9.</p> <p>11. According to Act II of 2007 on the Entry and Stay of Third-Country Nationals:  An unaccompanied minor may be expelled only if adequate protection is ensured in his country of origin or in a third country by means of reuniting him with other members of his family or by state or other institutional care.</p> <p>12. See the answer to question no 2.</p> <p>13. Every illegally staying third-country national receives information about their rights and duties in Hungary during the 8 first</p>
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			hours after apprehension or during detention in written form. The form contains relevant information about how to apply in voluntary return program. If the person fill in the application form of voluntary return program every further procedure will be perform by the aliens policing authorities and International Organisation for Migration.
 <b>Latvia</b>	<b>Yes</b>	<p>1. In the Republic of Latvia the authority responsible for the implementation of readmission agreements concluded by the Republic of Latvia and the European Union is the State Border Guard Operational Management Board, address: Rudolfa str. 5, Riga, Latvia, LV-1012.</p> <p>2. There is a draft readmission agreement between the Republic of Latvia and the Republic of Kosovo, which is not signed yet. The draft readmission agreement prescribes that the requesting state in each case of readmission of person (transit cases also) informs the authorities of the requesting state (receiving country) about the security threats (convictions, aggressiveness, dangerousness) that the person to be readmitted may cause.</p> <p>3. The draft readmission agreement prescribes that additionally to the basic information (particulars of the person, proofs and conditions for readmission, threats posed by the person) the requesting state in each case of readmission and transit of person informs the authorities of the requested state on the state of health of a person to be readmitted.</p> <p>4. The Republic of Latvia is not a target country for citizens of Kosovo. Latvia has not had readmission cases to Kosovo. In the Republic of Latvia the State Border Guard is dealing with irregular immigrants, who are members of vulnerable groups and are subjects of return procedure. Address: Rudolfa str. 5, Riga, Latvia, LV-1012, phone: 00371 67075616. In the Republic of Latvia reintegration support for returnees is provided by the IOM Riga Office, address: IOM Riga Office ANO House, Pils str. 21, LV-1050 Riga, Latvia, phone: +371 67503626, +371 67503627, e-mail: imezs@iom.int</p> <p>5. The State Border Guard while implementing the return procedure with regard to a foreigner, who is a vulnerable person, examine whether the person has any relatives or family members in the country of return or any EU country (relatives with legal status). The State Border Guard provides hand over of a vulnerable person to a family member, legal representative or the representative of a specialised institution in the country of return. In a readmission request, Latvia usually indicates information available on relatives of the foreigner to be readmitted. In case, during the readmission procedure it has been ascertained that the vulnerable person, who is a subject, has relatives with legal status in the EU country the possibility for return to the EU country will be assessed and reconciled with authorities of the respective EU country. In case of positive decision the person to be readmitted will be returned to the respective EU country and handed over to the family member. In this case Latvia will recall readmission procedure and inform the competent authorities of Kosovo about the reasons.</p> <p>6. The State Border Guard does not examine a person's and his/her family members' level of education before readmission of person or family. The State Border Guard examines the level of education of minor with the aim to provide access to the education during</p>	

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		<p>the return procedure.</p> <p>7. The State Border Guard applies readmission in cases of forced return. In accordance with national legislation the State Border Guard provides for the detained foreigners who are placed in the State Border Guard detention premises possibility to receive guaranteed health care services and for the detained minors or minors, who are not detained, but are placed with family members in a detention centre, access to education. Relevant information is retained in the case file of the foreigner. Information about the foreigner, who is not detained, is collected if it is necessary. The State Border Guard can send information on treatment, accommodation and education provided for the foreigner during the return procedure to the competent authority of Kosovo under the request.</p> <p>8. The State Border Guard examines the term how long the foreigner to be readmitted stayed illegally on the territory of the Republic of Latvia.</p> <p>9. In case of voluntary return, when a foreigner applies for the assisted voluntary return and reintegration program, the possibility to provide the proper treatment of disease the person suffers from is examined by the IOM Riga Office. In case of forced return such examination is not provided.</p> <p>10. Taking into account that the State Border Guard does not have readmission experience to Kosovo, there is no special treatment provided for citizens of Kosovo, who are members of any ethnic minority community in the region.</p> <p>11. For an unaccompanied minor during the return procedure special guarantees are provided:</p> <ul style="list-style-type: none"> <li>- legal guardian is appointed,</li> <li>- accommodation in appropriate premises for minors, or in special premises separately from adults with appropriate nutrition and medical care,</li> <li>- access to education and treatment is provided.</li> </ul> <p>In accordance with national regulation minors belong to the group of vulnerable persons, so it is prescribed in Latvian normative acts that the handover of the vulnerable person to a family member, legal representative or the representative of a specialised institution shall be provided.</p> <p>12. The State Border Guard informs the authorities of the requested country about the criminal activities of the foreigner to be readmitted. See answer to question 2.</p> <p>13. Readmission procedure is applied only for forced return and in certain cases:</p> <ul style="list-style-type: none"> <li>- if the foreigner is not willing to return (has/does not have valid travel document),</li> <li>- if there are no proofs on the foreigner's nationality and it is necessary to confirm his/her nationality,</li> <li>- if the foreigner spends a long time in prison,</li> </ul>
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			<ul style="list-style-type: none"> <li>- if the foreigner is wanted by the competent authorities of the receiving state,</li> <li>- for handover of vulnerable persons to the family members, legal representatives or specialized institutions (readmission of unaccompanied minors, disabled persons, etc.).</li> </ul> <p>The competent state authorities that take decisions on voluntary return or forced return provide the foreigner with information about the possibility to apply for assisted voluntary return and reintegration program.</p> <p>In accordance with the Immigration Law a foreigner, in relation to whom a removal decision has been taken or a voluntary return decision has been issued, has the right to apply for aid provided by international organisations, associations or foundations, so that he or she could voluntarily return to his or her country of residence.</p> <p>The state authority that has taken a removal decision is entitled to revoke it, if the foreigner, in relation to whom the decision has been taken, has applied for the voluntary return programme. When revoking the removal order, the foreigner is issued a voluntary return decision.</p> <p>The above mentioned provisions are not applied, if:</p> <ul style="list-style-type: none"> <li>a) the foreigner poses a threat to the state security, public order or safety; or</li> <li>b) the foreigner has previously used the voluntary return programme.</li> </ul>
	<b>Lithuania</b>	<b>Yes</b>	N/A
	<b>Luxembourg</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. Direction de l'Immigration, Ministère des Affaires Etrangères et Européennes, Service Retours. Address: 26, route d'Arlon, L-1140 Luxembourg. Telephone number: (+352) 247-84040. E-mail address: <a href="mailto:immigration.readmission@mae.etat.lu">immigration.readmission@mae.etat.lu</a></li> <li>2. No. The personal information that can be transmitted to the Kosovar authorities is established in article 12.3 of the readmission agreement signed between the Benelux and Kosovo in Brussels on 12 May 2011 and ratified by <a href="#">Law of 16 May 2012</a>. The personal information is name, surname, alias, date of birth, place of birth, nationality or previous nationalities, type of identification document or travel documents and their number.</li> <li>3. In principle the Luxembourgish authorities are not obliged to provide this information. However, if the individual is sick according to article 8 of the readmission agreement and article 4 of the protocol of execution the Luxembourgish authorities have to file a specific form.</li> <li>4. The determination of vulnerability can be made by the caseworker of the Refugee Department (Service Réfugiés) of the Directorate of Immigration during the audition of the international protection procedure. There are no specific methods to determine vulnerability. Nevertheless, the Government has the intention to introduce a new compulsory identification mechanism to ensure that the specific needs of applicants for international protection, falling within the category of vulnerable persons (sick people, single women, women with children, unaccompanied minors, etc.), are identified in order to guarantee adequate support throughout the procedure.</li> </ol> <p>In the return procedure, normally the person has already been determined as a vulnerable case by the Directorate of Immigration.</p>

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		<p>Nevertheless, the IOM caseworker can determine the individual as a vulnerable case during the individual assessment procedure. The assessment of vulnerability is done on a case by case basis.</p> <p>The cases of unaccompanied minors are determined by the Directorate of Immigration.</p> <p>Victims of human trafficking the assessment is done in accordance with the identification procedures established by the Luxembourgish authorities (Grand-ducal police and Public prosecutor office) in accordance with article 92 (1) of the amended Law of 29 August 2008 on free movement of persons and immigration.</p> <p>Pregnant women and persons with serious medical needs are determined through medical certificate.</p> <p>5. No.</p> <p>6. No. In the return procedure the level of education is not assessed. If the children are in school the return procedure will be stopped until the school year is finished. In regard to the possibility of Luxembourgish authorities to provide information about the education or training received by Kosovar nationals the Ministry of National Education, the Long Life Learning Center, the University of Luxembourg and the National Institute of Language can provide information about the diplomas obtained by these nationals.</p> <p>7. As a member of the Benelux, Luxembourg has concluded a Benelux readmission agreement with Kosovo (see 2) and it is not required to collect more information than the one required in article 12.3 of the readmission agreement (see 2). The only information that is transferred is the one needed for the execution of the readmission.</p> <p>8. No.</p> <p>9. It is not done ex-officio by the authorities. Normally the returnee will file a postponement of removal for medical reasons with the Minister in charge of immigration in accordance with article 130 of the amended law of 29 August 2008 on free movement of persons and immigration. In that case the Minister will analyse if the medical condition can be treated in the country of origin.</p> <p>10. Luxembourg does not consider ethnic origins.</p> <p>11. Even though article 103 of the amended law of 29 August 2008 allows the return of an unaccompanied minor in practice Luxembourg does not return unaccompanied minors.</p> <p>12. This information is not required by the readmission agreement.</p> <p>13. Luxembourg promotes the voluntary return from the start and the Kosovar national can ask for voluntary return even when s/he is in detention. The readmission agreement is only used when the Kosovar national does not want to return voluntarily.</p>
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	<p><b>Netherlands</b></p>	<p><b>Yes</b></p>	<ol style="list-style-type: none"> <li>1. The R&amp;DS (Staff Directorate) is responsible for implementation. DT&amp;V Headquarters Repatriation and Departure Service P.O. Box 20301 2500 EH The Hague The Netherlands Telephone +31 880 77 70 00 Fax +31 880 77 70 50 info@dtv.minvenj.nl</li> <li>2. No.</li> <li>3. No, only if medical care after return in Kosovo is required.</li> <li>4. <b>In detention centre:</b> the medical department of the concerned centre. Or the Penitentiary Psychiatric Center (PPC)/ Judicial Center for Somatic Care (JCvSZ). If the concerned person is in a reception centre: COA (Central Agency for the Reception of Asylum Seekers) <b>For all migrants</b> (in detention or reception centre): Dutch Council for Refugees (VluchtelingenWerk Nederland VWN) Refugees have a right to a fair asylum procedure, and subsequently access to adequate housing, education, health care and work. The Dutch Council for Refugees is an independent, non-governmental organization that protects those rights <b>Unaccompanied minors:</b> Nidos Foundation Nidos performs, as an independent (family) guardianship institution under the law, the guardianship task for unaccompanied minor asylum seekers. <b>Victim of THB:</b> CoMensHa (NGO) CoMensha coordinates the initial reception, care and assistance of (potential) victims of trafficking</li> <li>5. No agreements have been made with the abovementioned organisations about being contacted by the authorities of Kosovo.</li> <li>6. No</li> <li>7. No. There are no authorities who can provide such information.</li> <li>8. No.</li> <li>9. Yes, but most of the time such examinations are not possible.</li> </ol>
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EMN Ad-Hoc Query on Ad-Hoc Query on Strengthening Readmission and Sustainable Reintegration in Kosovo

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			<p>10. Such an examination is only done when the concerned person (or his/her lawyer) claims that his/her disease cannot be cured/stabilised by medical institutions in Kosovo.</p> <p>11. Nothing in particular.</p> <p>12. The Netherlands have a special policy for returning unaccompanied minors. Reception by family members are preferable, alternatively reception by private individuals or at shelters led by government*/NGO's. If such reception is possible, the unaccompanied minor can (with accompaniment) travel back to Kosovo.</p> <p>13. No.</p> <p>14. If the concerned person is in possession of a legal status, or awaiting a reply to his/her application for a status, and wants to return, the migrant is allowed to participate in a voluntary return program. If the concerned person is in possession of a return order he/she will be sent through a procedure established by readmission agreements.</p>
	<b>Poland</b>	<b>Yes</b>	<p>Poland did not sign the readmission agreement with Kosovo, thus voluntary and involuntary return of foreigners to Kosovo happens based on general conditions laid down in the Act of 12 December 2013 on Foreigners. All third-country nationals entering or staying in the territory of Poland receives information considering their rights and duties in Poland, including the possibilities of return, through i.e. leaflets available at the Polish consulates, border crossing points, centres for foreigners seeking international protection, Voivod information desk, detention centres, etc.</p> <p>Moreover, as a rule, the return of foreigners leaving the territory of the Republic of Poland to their countries of origin under the readmission procedure is not linked to any reintegration programme in the country of return. Poland provide support for reintegration assistance of foreigners in the country of return only within assisted voluntary return programmes which are carried out in Poland by the Headquarters of the Border Guard, Office for Foreigners and the Office of the International Organization for Migration in Warsaw and are co-financed from EU funds.</p>
	<b>Portugal</b>	<b>Yes</b>	N/A
	<b>Slovak Republic</b>	<b>Yes</b>	There is no readmission agreement signed between the Slovak Republic and the Republic of Kosovo.
	<b>Spain</b>	<b>Yes</b>	Any readmission of citizens of Kosovo to their country of origin has been carried out.
	<b>Sweden</b>	<b>Yes</b>	<p>1. Swedish Migration Board, Support and coordination unit, Box 507, 169 29 Solna, Sweden.  <a href="mailto:Gb-ambassadsamordningen@migrationsverket.se">Gb-ambassadsamordningen@migrationsverket.se</a></p>

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			<p>2. According to the bilateral agreement the requesting party shall submit an application for readmission and available data proving citizenship, identity and ancestry, or other relevant data concerning the person to be readmitted.</p> <p>3. If the returnee is in special need of care we notify the authorities in our readmission application. See answer to question 2.</p> <p>4. The main authority responsible for the migrants is the Swedish Migration Board. The unit responsible for the dissemination of the information concerning these persons is a reception unit together with the responsible taking part in the readmission requests, which is the support and coordination unit.</p> <p>5. See answer to question 1.</p> <p>6. When arriving in Sweden an examination of family members is held with the applicant. This information does normally not have any influence to the procedure, and no information is forwarded to the authorities in Kosovo.</p> <p>7. The Swedish Migration Board always regularly examines the level of education of the applicants. For children up to 15 years school is obligatory and therefore always provided. Readmitted children should get their grades with them when returning to their country of origin (Kosovo). For adults this is not obligatory.</p> <p>8. Yes, if a person is in special need of treatment when arriving in Kosovo, we always inform the Ministry of the Interior of Kosovo. The information can be found in the readmission application and in a notification to the Ministry when booking a flight. The person in need of treatment will upon arrival bring translated medical assessment or medical records.</p> <p>9. No.</p> <p>10. According to chapter 5.6 § of the Aliens Act, an alien may obtain residence permit in Sweden in so-called particularly distressing circumstances. An overall assessment of the personal circumstances should be done. The government has also stated that the concept of particularly distressing circumstances must be indicated as an exception. The assessment under this section shall take particular account of his or her health, adaptation to Sweden and the situation at home.</p> <p>11. No special considerations are taken into account, regarding a person's ethnicity.</p> <p>12. The Swedish Migration Board organizes orderly and secure reception for unaccompanied minors. We cannot organize a return to their country of origin unless there is an orderly reception. The reception is usually in form of family reunification.</p> <p>13. See answer to question 2.</p>
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EMN Ad-Hoc Query on Ad-Hoc Query on Strengthening Readmission and Sustainable Reintegration in Kosovo

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			No special circumstances are taken into consideration when a person is returning back through the readmission procedure.
	<b>United Kingdom</b>	<b>No</b>	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	<b>Norway</b>	<b>Yes</b>	<b>N/A</b>

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