Readmission

Ministry of Interior of the Republic of Serbia
General Police Directorate
Administrative Affairs Directorate
Travel Documents Department
Section for implementation
of readmission agreements
11-13 December 2013
1. Law on Conclusion and Implementation of International Treaties
   - MULTILATERAL COOPERATION 22007A1219(03) Eurlex 19.10.40

2. Law on Ratification of the Agreement between EC and Republic of Serbia on Readmission of Persons Residing Without Authorization
   - Pursuant to Article 19 of the Agreement with EC, the Republic of Serbia signed implementing protocols with:
     - Republic of Italy (signed 13.11.2009)
     - Republic of Slovenia (signed 08.06.2009)
     - Republic of France (signed 18.11.2009)
     - Great Britain (signed 18.03.2010)
     - Republic of Austria (signed 25.06.2010)
     - Republic of Malta (signed 02.07.2010),
     - Republic of Slovakia (signed 18.11.2010),
     - FR Germany (signed 29.03.2011)
     - Republic of Romania (signed 09.06.2011)
     - Republic of Bulgaria (signed 16.09.2011)
     - Czech Republic (signed 17.12.2012)
     - Benelux (signed 25.01.2013),
     - Republic of Cyprus (signed 25.01.2013),
     - Republic of Estonia (signed 09.11.2011)
     - Republic of Greece (signed 11.09.2013)
   - Protocols with Sweden and Portugal have been harmonized and their signing is foreseen.

The negotiations with the Kingdom of Spain have ended, and Portugal has already signed.
Denmark and Croatia are EU members, but bilateral Agreements with implementation Protocols are signed between R Serbia and these countries.
Bilateral Cooperation

1. Law on Ratification of the Agreement between the Council of Ministers of Serbia and Montenegro and Council of Bosnia and Herzegovina on readmission of persons who do not, or no longer, fulfill legal conditions in force for entry to or residence on the territory of other state, along with Protocol signed on 26 May 2004, came into effect on 27 December 2007.

   - On 5 July 2013 Signed new Agreement with Protocol between the Government of the Republic of Serbia and the Council of Ministers of Bosnia and Herzegovina on readmission of persons residing without authorization,

2. Law on Ratification of the Agreement between the Government of the Federal Republic of Yugoslavia and the Government of the Kingdom of Denmark on readmission of persons who do not, or no longer, fulfill legal conditions in force for entry to or residence on the territory of other state, signed on 19 May 2002 and came into effect on 8 March 2004.

3. Law on Ratification of the Agreement between the Council of Ministers of Serbia and Montenegro and the Government of Canada on readmission of persons who do not, or no longer, fulfill legal conditions in force for entry to or residence on the territory of other state, signed on 16 March 2006 and came into effect on 06 June 2009.

4. Law on Ratification of the Agreement between the Republic of Serbia and the Kingdom of Norway on readmission of persons residing without authorization, signed on 30 November 2009 and came into effect on 01 May 2010.

5. Law on Ratification of the Agreement between the Republic of Serbia and the Government of the Republic of Croatia on readmission of persons whose entry or stay is illegal, signed on 25 May 2009 and came into effect on 1 June 2010.

7. Law on Ratification of the Agreement between the Government of the Republic of Serbia and the Government of the Republic of Macedonia on readmission of persons whose entry and stay is illegal, signed in Belgrade on 4 October 2010 and came into effect on 18 November 2011.


9. Law on Ratification of the Agreement on readmission of persons residing without authorization signed with the Republic of Moldova on 28 February 2011 and came into effect on 1 November 2012.

10. Agreement with Protocol between the Government of the Republic of Serbia and the Government of Montenegro on readmission of persons whose entry or stay is illegal, signed on 12 April 2013.

- Signing of the Agreement with the Republic of Turkey is envisaged.
- It is expected to conclude readmission Agreement and Protocol between R Serbia and Republik of Ukraine on readmission of persons
Bilateral Agreements with Protocols
LEGISLATION OUTLINE

• **Strategic documents**
  • Strategy for Migration Management
  • Strategy for Suppression to Illegal Migration in the Republic of Serbia 2009-2014.godine
  • Strategy for Reintegration of Returnees pursuant to the Agreement on Readmission
  • Strategy for Integrated Border Management
  • Strategy for Combating Human Trafficking

• **Laws**
  • Internal legislation provides a legal basis and ensures implementation of the Agreement on Readmission and enforcement of all international commitments in the filed of readmission.
  • Law on Citizenship
  • Law on Permanent and Temporary Residence of Citizens
  • Law on Identity Card
  • Law on Travel Documents
  • Law on Foreigners
  • Law on Protection of State Border
  • Law on Police
  • Law on Migration Management
  • Law on Civil Register Books
  • Law on Personal Data Protection
INSTITUTIONAL FRAME

• **Principal competent authority for signing and implementation of the Agreement on Readmission** in the Republic of Serbia is **Administrative Affairs Directorate, General Police Directorate, Ministry of Interior.**

• **Border Police Directorate** holds **secondary competence** in dealing with issues pertaining to foreigners and conduct on state border in cases of readmission and in view of transit, there is ensured a horizontal and vertical communication with other organizational units of the Ministry. A network of **diplomatic missions - consular offices** within the Ministry of Foreign Affairs is **competent for issuing of a travel document needed for return and official interview with a person to be readmitted.**

• **Commissariat for Refugees and Migrations** is the authority responsible for migration management and holds a principal role in the Strategy for Reintegration of Returnees pursuant to the Agreement on Readmission.
Institutional Framework and Procedures
Outline of Directives implemented in our legislation and Conformity Assessment

Agreements signed and implemented by the Republic of Serbia are in conformity with the Agreement between the Republic of Serbia and European Community as well as Agreements of the mentioned countries with the European Community

**22005A0517(02) Eurlex 19.10.40**
Agreement between the European Community and the Republic of Albania on readmission of persons residing without authorization
-legal frame

**22007A1219(01) Eurlex 19.10.40**
Law on Ratification of the Agreement between the Government of the Republic of Serbia and the Government of the FYR Macedonia on readmission of persons residing without authorization
-legal frame
Law on Ratification of the Agreement between the Government of the Republic of Serbia and the Government of the Republic of Macedonia on readmission of persons whose entry and stay is illegal, signed in Belgrade on 4 October 2010 and came into effect on 18 November 2011.

**22007A1219(02) Eurlex 19.10.40**
Agreement between the European Community and the Republic of Montenegro on readmission of persons residing without authorization
Signed Agreement with Protocol between the Government of the Republic of Serbia and Government of the Republic of Montenegro on readmission of persons whose entry or stay is illegal, on 12 April 2013.
Agreement between the European Community and Bosnia and Herzegovina on readmission of persons residing without authorization

Signed Agreement with protocol between the Government of the Republic of Serbia and Council of Ministers of Bosnia and Herzegovina whose entry and stay is illegal, on 05 July 2013.

Agreement between the European Community and the Republic of Moldova on readmission of persons residing without authorization

Legal frame
Law on Ratification of the Agreement on readmission of persons residing without authorization with the Republic of Moldova signed on 28 February 2011 and came into effect on 1 November 2012.

Agreement between the European Community and Ukraine on readmission of persons

It is expected to conclude readmission Agreement and Protocol between R Serbia and R Ukraine on readmission of persons
CONFORMITY ASSESSMENT

- **22004A0124(01) Eurlex19.10.40**
  Agreement between the European Community and the Government of Hong Kong, special administrative region of the People's Republic of China on readmission of persons residing without authorization
- **22004A0430(01) Eurlex19.10.40**
  Agreement between the European Community and region Macau, special administrative region of the People's Republic of China on readmission of persons residing without authorization
- **22005A0517(03) Eurlex19.10.40**
  Agreement between the European Community and Democratic Socialist Republic of Sri Lanka on readmission of persons residing without authorization
- **22007A0517(03) Eurlex19.10.40**
  Agreement between the European Community and Russian Federation on readmission of persons residing without authorization
- **22011A0225(03) Eurlex19.10.40**
  Agreement between the European Community and Georgia on readmission of persons residing without authorization
- **22010A1104(02) Eurlex19.10.40**
  Agreement between the European Community and Islamic Republic of Pakistan on readmission of persons residing without authorization
- **Republic of Srbija shall not have difficulties in implementation of the Agreements** since all provisions contained in the mentioned agreements are already incorporated in the Agreement signed between the Republic of Serbia and EC as well as the agreements signed between the Republic of Serbia and other countries.
- In the course of signing new bilateral agreements on readmission, the Republic of Serbia Ministry of Interior shall comply all provisions with EU standards in this field.
Administrative capacities for implementation of regulations

• Ministry of Interior of the Republic of Serbia, Administrative Affairs Directorate shall be responsible for signing and implementation of the Agreements on readmission since this Directorate has so far been responsible for delivery of these commitments.

• Administrative capacities have been created as a team 16 police officers with active participation and monitoring of a team leader, on the basis of centralized reception, processing and decision making along with vertical and horizontal communication through secured channels and intensive cooperation of all competent bodies within the Ministry and other sectored ministries, public services, institutions and other organizations.

• Technical equipment ensures basic standard of work and through engagement of police officers responsible for implementation of the Agreement on readmission all commitments have been delivered in a quick and good quality manner.

• Current technical equipment requires enhancement and betterment in order to facilitate operations in terms of quality and quantity and thus improve system of secure communication.

• Ministry of Interior along with a network of diplomatic missions and consular offices is responsible for delivery of commitments pertaining to issuance of travel documents for return of persons to be readmitted and official interviews with persons to be readmitted.
Administrative capacities for implementation of regulations

BELGRADE

Police Directorate
Administrative Directorate

Readmission Section
Administrative capacities for implementation of regulations

Embassies and Diplomatic Consulates of R Serbia in foreign countries

Travel documents for return in R Serbia

Positive answers in accordance to Readmission Agreements

Official interview with persons to be readmitted
Implementing Mechanisms

**Planned activities**

- Signing and coming into force of the Implementation Protocol to the Agreement on readmission with EC and bilateral Agreements with Protocols.
- Further development of capacities through trainings delivered to the staff.
- Proactive approach to monitoring of statistic parameters pertaining to persons to be readmitted.
- Coordination of bodies responsible for implementation of Strategy for Reintegration of Returnees pursuant to the Agreement on Readmission ensured by creation of the Team for monitoring of implementation of the Strategy.
- Established channel of communication between competent authorities on exchange of information pertaining to persons to be returned to the Republic of Serbia pursuant to the Agreement on Readmission.
- Regular collection of information on returnees and their needs in the reintegration process.
- Information to returnees on their rights and how to exercise their rights.
- Ensured financial support to local self-governments regarding projects designed for reintegration.
- Ensured law enforcement and protection measures in the field of electronic communications and information-communication technologies through adoption of system security standards.
- Activities related to updating of migration profile.
- Reporting to Eurostat in conformity with European standards.
- Improved and enhanced cooperation with Frontex.
- Encouragement of researches focused on actual issues pertaining to migration policy through observation of migration routes and exchange of experience with other public and non-public bodies and non-governmental organizations.
Readmission requests for citizens of Republic of Serbia
Readmission requests and positive answers for citizens of R Serbia in period 01.01.2008 – 01.10.2013 in according to Agreement between EC and R Serbia
Readmission requests and positive answers for citizens of R Serbia in period 01.01.2008 – 01.10.2013 in according to Bilateral Agreements
Readmission requests and positive answers for third country nationals and stateless persons.
Readmission requests and positive answers for third country nationals and stateless persons in period 01.01.2008 – 01.10.2013
Thank you for your attention!