

# Returnees under the readmission agreements

an important issue in the context of  
European Integration

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The project is funded  
by the European Union





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prEUgovor - practical policy proposal 04/12

**Publisher**

Coalition PrEUgovor  
[www.preugovor.org](http://www.preugovor.org)

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**ISBN**

978-86-6237-152-2

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The Action is supported by the European Union through the program “Civil Society Facility” under the Instrument for Pre-Accession Assistance (IPA). The contents of the Report are the sole responsibility of the publisher and views expressed in this document are not necessarily those of the European Union.



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# Abbreviations

EUROSTAT	Statistical Office of the European Communities
EHO	Ecumenical Humanitarian Organisation
Mol RS	Ministry of Interior of the Republic of Serbia
CRM	Commissariat for Refugees and Migration of the Republic of Serbia
NPAA	National Programme for the Adoption of the Acquis
NES	National Employment Service



## Summary

The document entitled “Returnees under the readmission agreements - an important issue in the context of European Integration” is mainly focused on a statistical presentation and description of procedures and mechanisms for data gathering, and on the monitoring and planning of measures aimed at returnees who are citizens of the Republic of Serbia.

After the EU abolished visas for Serbian citizens, many of them used the freedom of movement to apply for asylum in an attempt to solve their economic problems. Western countries see this type of migration as an abuse of the asylum system and they warned Serbia that the visa-free regime would be reconsidered if the number of asylum seekers was not reduced.

Both Serbia and the EU have taken some administrative measures, but the factors that motivate people to migrate require additional efforts by the Republic of Serbia to improve the economic and social situation of returnees and thus prevent secondary migration.

It is encouraging that in the European Commission’s First Report under the visa suspension mechanism<sup>1</sup>, the Republic of Serbia was positively assessed with regard to readmission, and to the efforts it was investing in reintegrating the persons thus returned. This positive trend should be used for maintaining the current situation in this field but also for improving some measures or activities, to match the needs migrants with the possibility of conducting a realistic migration policy both in Serbia and the EU.

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<sup>1</sup> European Commission’s First Report under the visa suspension mechanism [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-is-new/news/20171220\\_first\\_report\\_under\\_suspension\\_mechanism\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-is-new/news/20171220_first_report_under_suspension_mechanism_en.pdf)

# Introduction

For many years, the visa regime was the most debated open issue between the European Union and the Western Balkan countries in the wider subject of migration. This issue first included monitoring the continuous fulfilment of visa liberalisation requirements, then it was used as a means of putting pressure on states to preserve the visa-free regime by instructing their citizens not to use freedom of movement to apply for asylum in an attempt to solve their economic problems.

With the escalation of the migrant and refugee crisis in 2015, abuse of the visa-free regime by citizens of the Western Balkans was no longer presented as a priority, at least not among the wider public, although according to numerous EU documents and statements of Member States' officials it was still followed with due attention.

Both Serbia and the European Union have taken some administrative measures, but the complexity of migration flows and the intertwining factors that motivate people to migrate, emphasised the need to take a differentiating and multi-sector approach. The Republic of Serbia has established institutional, legislative and administrative structures regulating readmission and reintegration issues. For the Republic of Serbia, admission of returnees under readmission agreements does not only imply an obligation towards other signatory countries and the European Union, but also various other activities aimed at integrating returnees in all spheres of life. A consistent political dedication of the Republic of Serbia to providing more permanent support to returnees is reflected in the measures envisaged by key strategic documents related to European Union accession and in the allocation of significant government funds and in raising donor funding.

It is commendable that the Republic of Serbia has set up mechanisms, at both central and local levels, for implementing various types of support programmes for returnees. The Commissariat for Refugees and Migration has developed a series of indicators for assessing the integration of returnees, which measure the efficiency of the measures taken in the field of reintegration of returnees under readmission agreements. Moreover, with the aim of gathering data on the returnees, the Commissariat for Refugees and Migration has developed a special questionnaire to be filled in by returnees on a voluntary basis in the premises of the Readmission Office.

However, besides the abovementioned activities, one of the major problems for appropriate planning of assistance and for all future activities is the lack of comprehensive records on this population. This problem occurs primarily due to the lack of any legal obligation to register the returnees and to the lack of systematic monitoring of voluntary return. Part of this category of persons is not covered by official statistics, and specific research done by some organisations and the responsible state authorities discover only fragments of the problem. On the other hand, the defined indicators, which have been part of the data published in the Migration Profile of the Republic of Serbia for two years now, provide only partial insight into all the activities conducted. There is therefore some space to redefine the indicators on the basis of experience gained so far, available information on returnees and implemented activities, and thus improve the quality of data gathered and enhance the process of planning of this part of Serbian migration policy.

The Document contains three parts: the first is an overview of the normative and strategic framework in this field, followed by available statistical data, then a short overview of support programmes. The central part of the document is an analysis of indicators, a proposal of redefined indicators and recommendations for the improvement of the data gathering and monitoring system in this field.



# Statistical Indicators

According to data from the First Report under the Visa Suspension Mechanism, the number of asylum applications by Serbian Nationals in the EU decreased by 41% between the second half of 2016 and the first half of 2017 (from 7,140 to 4,225). In 2015, nationals of the Republic of Serbia lodged 30,325 asylum applications.<sup>2</sup> The number refused entry to the EU was roughly the same in 2016 and 2015 (2016 - 7,910; 2015 - 7,850). As regards illegal stays, there was also a decrease by 19% in 2016 compared to 2015 (from 13,785 to 11,180). The asylum recognition rate was almost unchanged, so both in 2015 and 2016 it was somewhat below 2% (1.86% in 2015 and 1.95% in 2016). The number of return decisions for Serbian citizens decreased by 7%, from 14,985 in 2015 to 13,870 in 2016, and the return rate was 89.04% in 2016.

The Commissariat for Refugees and Migration publishes aggregate statistical data on the number of returnees of Serbian nationality in the Migration Profile. The data are gathered on the basis of the information from the Ministry of the Interior (MoI) Directorate for Administrative Affairs, and from the Readmission Office at Nikola Tesla Airport (referred to below as “the Readmission Office”).

According to data from the 2016 Migration Profile of the Republic of Serbia, 7,484 Serbian nationals returned, of whom 7,282 were registered to enter at the border crossing SGP Belgrade (Nikola Tesla Airport).<sup>3</sup> It also happens that voluntary returnees are registered at Nikola Tesla Airport about whose return the MoI is not informed, so nor is the Commissariat for Refugees and Migration. In this case, the Commissariat checks with the MoI whether these persons are returnees under readmission agreements, by requesting data from the MoI on whether the country they arrive from has sent a readmission request, and whether the MoI’s answer was positive (if the answer was positive, it means that the persons for which the readmission request was sent are Serbian nationals). In this case, these persons are registered as returnees.

According to the data of the Ministry of Interior of the RS, a total of 5,779 readmission requests for Serbian nationals were sent in 2016 by competent authorities of Western European countries, most of them by the authorities of Germany (4,390), then the Netherlands (252), Sweden (209), Switzerland (136), etc. Out of the total number of readmission requests, 4,850 were affirmatively replied (3,733 requests from the competent authorities of Germany, 220 of the Netherlands, 200 of Sweden and 115 of Switzerland, etc.). Under the readmission agreements, before the return of a person with unauthorised stay, the competent authorities of the Republic of Serbia and Member States should agree in writing and in advance about the date of transfer, point of entry, possible accompanying person and other details related to the transfer of the person to be returned.

The Readmission Office keeps its own records on returnees who addressed it for the purpose of gaining information and requesting assistance. Out of the total number of returnees in 2016, only 3,655 addressed the staff of the Readmission Office. Records are kept on the basis of the data acquired from the questionnaire that the returnees fill in voluntarily in the premises of the Readmission office. The data acquired from the questionnaire are the following: country from which the person is returning, gender, marital status, nationality, status of the person during his/her stay abroad (options offered are: stay with a temporary residence permit, applied for asylum, refugee status, requested regulation of citizenship, filed a complaint about a refused asylum claim and stayed illegally), category of the returnee (whether the person is returned under a readmission agreement, or is a voluntary returnee, stateless person, a national of a third country, repeated returnee, a returned unaccompanied vulnerable person), place of residence in the Republic of Serbia, type of current accommodation, education and profession, health status and type of assistance

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<sup>2</sup> Eurostat, <http://ec.europa.eu/eurostat/web/asylum-and-managed-migration>

<sup>3</sup> Migration Profile of the Republic of Serbia for 2016, Commissariat for Refugees and Migration, <http://www.CRM.gov.rs/docs/migracije/migracioni%20profil%202016.pdf>

needed (health care, acquisition of documents, etc.). Due to the volume and type of information acquired from the questionnaire, their records are the basis for establishing a database. Synthesized data is published in the Readmission Office's reports and in the Migration Profile.<sup>4</sup>

Data about the number of return decisions made by EU Member States and the number of persons registered at SGP Nikola Tesla Airport border crossing leads to the conclusion that several thousand people have returned voluntarily or that they entered the territory of the Republic of Serbia through another official border crossing. Moreover, it is certain that in spite of the return decisions, a number of persons remain in the country of destination illegally.

As regards data monitoring and gathering, the greatest challenge comes from local governments. Gathering data about returnees in municipalities is of particular importance because it enables registration of a certain number of persons who have voluntarily returned before a forced return procedure was applied to them and who, although they are not formally admitted under the readmission procedure, are in a similar or the same social and economic situation and receive assistance as readmitted persons. According to data from research done by the Ecumenical Humanitarian Organisation on the territory of the Autonomous Province of Vojvodina, it frequently happens that the figures held by the Readmission Office, are several times smaller than the data held by local governments.<sup>5</sup> The differences in numbers stem from the fact that some returnees fill in the questionnaire in a municipality where they intend to stay, but then they stay only shortly on its territory. If they do not register their change of residence with the Migration Commissariat/Council in the new municipality where they are staying, the data about their place of residence become unreliable. To overcome this problem, the Commissariat for refugees sends to the commissioners the list of returnees who, according to the records, are planning to stay in a certain municipality, so that it may be checked whether these persons are really staying there. In addition, local governments have not developed systems to identify returnees and actively take care of their rights, until the returnees themselves address some of the competent authorities. Timely data exchange and updating of the gathered data is also important for the allocation of government and donor funds necessary for providing support to the returnees.

The use of 'alternative databases', intended for specific categories among returnees, such as a database for monitoring Roma inclusion, set up by the Statistical Office of the Republic of Serbia, has not significantly contributed to monitoring the effects of the implemented measures,<sup>6</sup> and it is therefore necessary to strengthen the established mechanisms that are intended for the broader category of all returnees.

## Normative and Strategic Framework

The countries of the region that wish to become fully-fledged EU Member States need to meet appropriate standards in the field of migration, which include signing and implementing bilateral and multilateral readmission agreements. Besides the Agreement with the European Union,<sup>7</sup> the Republic of Serbia has signed bilateral readmission agreements with 13 further states,<sup>8</sup> and 18 protocols on the implementation of readmission

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4 Based on the Readmission Office's data, it may be concluded, among other things, that majority of returnees are families (in 2016, out of 3,655 registered persons, 1,299 were families, in 2017, until July, out of 1,273 returnees, 476 of them were families), and that, as regards nationality, majority are Roma (in 2016, 73.8% of the total number of registered returnees were Roma, and in 2017, until July, 76.2%), and then Serbian nationals (11.3% in 2016).

5 *Report on the Implementation of Public Policies towards Returnees under Readmission Agreements in Vojvodina*, Ecumenical Humanitarian Organisation, 2016, <http://www.ehons.org/rs/news/553-sprovođenje-javnih-politika-prema-povratnicima>

6 Integration of Roma Returnees through better conditions for education and employment, by Tanja Jakobi i Dejan Marković, Public Policy Research Centre, 2017, str. 4, [http://www.publicpolicy.rs/files/CENTAR%20i%20FRS\\_Integracija%20Roma%20povratnika%20kroz%20bolje%20uslove%20obrazovanja%20i%20politike%20zaposljavanja\(1\)\(1\).pdf](http://www.publicpolicy.rs/files/CENTAR%20i%20FRS_Integracija%20Roma%20povratnika%20kroz%20bolje%20uslove%20obrazovanja%20i%20politike%20zaposljavanja(1)(1).pdf)

7 The Law Ratifying the Agreement between the Republic of Serbia and the European Community on the readmission of persons residing without authorisation, Official Gazette of the RS - International Treaties, No. 103/07

8 Bosnia and Herzegovina, Denmark, Canada, Norway, Croatia, Switzerland, Macedonia, Moldova, Albania, Montenegro, Russian Federation, Republic of Portugal and Spain.



agreements with 20 countries. A readmission agreement envisages and closely regulates conditions for the implementation of formal return procedures for persons residing without authorisation in the territory of a Contracting Party, based on a return decision applying to these persons. A fact that is frequently overlooked is that part of the Agreement is a Joint Declaration that confirms the necessity for an efficient, effective and sustainable social and economic reintegration of returnees - citizens of Serbia, and the need for the Contracting Parties to provide a greater support to their reintegration. By signing the Readmission Agreement, the Republic of Serbia has committed itself to implementing measures aimed at reintegration of returnees. The institutional framework for implementation of the reintegration policy, and specific measures and activities have been established in a special strategy. The Law on Migration Management, as an umbrella law in the field of migration, establishes the responsibility of the CRM for treating returnees under a readmission agreement. Moreover, the Law requires the CRM to propose and take measures aimed at reintegration of returnees under readmission agreements, and to gather, integrate and analyse data and indicators for migration management, including data relevant for the position of returnees under readmission agreements. Provisions of Article 12 establishing the responsibilities of the Migration Council are also significant: Paragraph 2 provides for the Migration Council to perform duties pertaining to: monitoring and reporting to the Commissariat on migration flows on the territory of the autonomous province or local government; proposing programmes, measures and action plans to be undertaken for efficient migration management on their territories; undertaking other activities in the field of migration management in accordance with the law.

A criminal offence of 'facilitating asylum abuse in foreign countries' has been introduced in the Criminal Code<sup>9</sup> (Article 350a).

**According to the statistical data of the State Public Prosecutor's Office, in 2015 there were a total of 22 criminal charges at the Prosecutor's Office (5 unsolved cases from before, and 17 newly received charges) submitted on suspicion of the crime of facilitating the abuse of the right to asylum in a foreign country referred to in Article 350a, 7 of which were rejected. 4 convictions were passed and 3 acquittals. Of the convictions, 4 were suspended sentences. 5 appeals were lodged, 2 of which were accepted.**

**In 2016, there were a total of 12 criminal charges at the Prosecutor's Office (9 from the previous period and 3 criminal charges filed in 2016) filed for the same type of criminal offence, 1 of which was rejected. In the same period of time, 5 convictions were passed, 4 out of which were suspended sentences, including 2 security measures (1 security measure of compulsory alcoholism treatment, 1 security measure of seizure of objects) and 2 acquittals. 3 appeals were lodged, 1 of which was accepted.**

In June 2011, the Government of the Republic of Serbia passed the Regulation on Increased Responsibilities of the Border Police,<sup>10</sup> which introduces strict checks at border crossings. This Regulation provides for the possibility of denying exit from the country to Serbian citizens if they cannot justify their reason for travelling, which means that Serbia now applies the Schengen Convention as a guardian of the EU border. Police officers of the MoI RS Border Police Directorate may ask travellers at border crossings, to produce "proof of sufficient funds, invitation letter or other document to show the purpose of travelling approved in the legislation of the EU and its Member States", as it is literally written in the Regulation, with an aim of "protecting the interests of the Republic of Serbia and its citizens".

<sup>9</sup> Criminal Code, Official Gazette of the RS, No. 85/2005, 88/2005 - corrigendum, 107/2005 - corrigendum, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014 and 94/2016.

<sup>10</sup> Regulation closer determining the manner of exercising border police officers' powers and performing duties of persons crossing the state border, Official Gazette of the RS, 05 No.: 110-4226/2011-001.

The fact that the issue of returnees is addressed by several strategies and accompanying action plans indicates that the reintegration of such persons and prevention of secondary migration is a complex issue requiring coordination of activities and inter-sector cooperation. The Strategy for Reintegration of Returnees Under the Readmission Agreement, together with its Action Plan<sup>11</sup> is the first document that systematically initiates the returnees' reintegration using a coordinated approach. Its purpose is to facilitate the integration of returnees into society in an efficient, effective, sustainable manner on a long-term basis, with full respect for their rights and their active engagement in the process of implementing measures and activities envisaged by the Strategy, in order to empower them for an independent life and life on an equal footing with other citizens. With regard to establishing a system of monitoring and evaluating the Strategy's implementation, it is particularly important to emphasise that no action plans had been adopted before 2012.

Furthermore, the Strategy sets out the duties of the Council for the Integration of Returnees under Readmission Agreements, as a special government body in charge of reviewing and proposing measures and activities for realization of admission, taking care of and integrating returnees; providing support in defining measures at the municipal level for helping returnees; suggesting a framework for an inter-state dialog on issues of protection and exercising migrants' rights and on illegal migration issues; monitoring implementation of the envisaged measures. To monitor the Strategy's implementation more efficiently the establishment is envisaged of a special, professional Council body (Team for Monitoring the Strategy's Implementation) tasked with periodical review of the implementation of the strategic measures, the activities and the effects of the Strategy. Unfortunately, this Council has not met since its establishment.

Among other things and besides the implementation of the Strategy for Reintegration of Returnees, the Strategy for Combating Illegal Migration for 2009 - 2014<sup>12</sup> stipulates that "the need for a larger financial and economic involvement of EU Member States in social and economic reintegration of returnees should more explicitly be insisted upon".

To review and monitor the scale of the process, Serbia has developed a National Programme for the Adoption of the Acquis – NPAA, which establishes a detailed plan to harmonise legislation and define the human and budgetary resources necessary to implement the envisaged tasks.<sup>13</sup> The NPAA provides that under the Migration Management Law the CRM adopt annual programmes for the reintegration of returnees, financed by the Serbian government. Moreover, to improve the work and methods used for efficient and quality cooperation in the implementation of readmission, it ensures that establishment of institutional mechanisms and building capacities will continue, with a particular focus on increasing capacities through training officials, and on increasing the material and technical resources needed to fulfil international commitments undertaken. Furthermore, it provides for continuous monitoring and review of the effects of implementing readmission agreements. It is also important that the Action Plan for Chapter 24 contains a measure envisaging the adoption of a Regulation on a unique system of data gathering, organising and exchange in the field of migration, and several measures particularly referring to readmission issues: "The Commissariat for Refugees will continue implementing programmes for reintegration of returnees under the Readmission Agreement; Improve capacities for monitoring the team for the implementation of the Strategy for Reintegration of Returnees by developing a group of special indicators for regular reporting; Ensure funds for local governments to implement activities aimed at reintegrating returnees".<sup>14</sup>

Unlike the previous Strategy for Improving the Status of Roma in the Republic of Serbia, which expired in 2015, the new Strategy for the Social Inclusion of Roma in the Republic of Serbia 2016-2025 does not recognise returnees as a special group, but the Strategy notes progress made in a series of issues relevant

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11 Strategy for Reintegration of Returnees Under the Readmission Agreement, Official Gazette of the RS, No. 15/09.

12 Strategy for Combating Illegal Migration for 2009-2014, Official Gazette of the RS, No. 55/05, 71/05 – corrigendum, 101/07 and 65/08).

13 National Programme for the adoption of the Acquis – NPAA, July 2014

14 Action Plan for Chapter 24,

<http://www.mup.gov.rs/wps/wcm/connect/e3a32b72-88f9-4191-a9fd-2fe85c7a4990/АКЦИОНИ+ПЛАН+ЗА+ПОГЛАВ/ЪЕ+24+-+ПРАВДА%2С+СЛОБОДА+И+БЕЗБЕДНОСТ.pdf?MOD=AJPERES&CVID=IO7C6d9&CVID=IO7C6d9&CVID=IO7C6d9>



for returnees, such as: shorter procedures for registration in birth registers, introduction of pedagogical assistants, healthcare mediators and local Roma coordinators.<sup>15</sup>

The National Employment Strategy (2011 – 2020)<sup>16</sup> provides for the development of special programmes and active employment measures for returnees under readmission agreements. Based on the fact that a majority of the returnees are members of the Roma national minority, the need for a particular economic empowerment of this category of persons is particularly emphasised. As an effective measure for their employment, the National Strategy envisages the promotion of social entrepreneurship. Moreover, the National Employment Action Plan for 2017 does not recognise returnees under readmission agreements as hard-to-employ people, but in principle it emphasises that it is necessary to include them into active employment policy programmes and measures that facilitate their integration into the labour market and improve their quality of life.

It is mentioned in the National Employment Strategy that in 2009 a Fund for Youth Employment (the Fund) financed from various sources was established at the NES. The goal of the Fund is to facilitate the acquisition of knowledge and skills, and the employment of young people who need special support, such as people without qualifications or with low qualifications, persons with disabilities, Roma people, returnees under readmission agreements, and refugees and displaced persons. The programmes implemented under the Fund are various and frequently combine training and subsidies to employers for the employment of young people, because these yield the best results.

Since the visa liberalisation regime was introduced by European countries for Serbia, there has been an increase in the number of asylum applications filed by Serbian nationals, and this has raised an issue of the suitability of the strategic document on the reintegration of returnees under readmission agreements, in view of the varied circumstances of their departure, stay and return and the characteristics identified in most of the returnees. Some experts believe that the issue of reintegration of “new returnees” is actually an issue related to the status of national and ethnic minorities and that their departure and return should consequently be considered through the strategic documents aimed at improving the status of national and ethnic minorities. The debate on the strategic framework continues, primarily through assessment of the measures envisaged by the Action Plan for Chapters 23 and 24.

## Support Programmes

The Strategy for Reintegration of Returnees Under the Readmission Agreement establishes a system of admission and care that includes: initially providing them with information about their fundamental rights related to healthcare and social protection, education and employment (the information is directly provided by the staff of the Readmission Office at the airport or by the local Commissariats for Refugees and Migration) and provision of urgent accommodation at Emergency Reception Centres. Returnees who do not address the Readmission Office and persons who entered the territory of the RS by land, may get information on the returnee admission system and assistance with reintegration from the local Commissariats for Refugees and Migration and local Councils for Migration.

The CRM is in charge of providing temporary collective accommodation and a 14-day stay, with the possibility of extending it for persons with special psycho-physical conditions (old age, disability, and disease), until

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15 Integration of Roma Returnees through better conditions for education and employment, by Tanja Jakobi i Dejan Marković, Public Policy Research Centre, 2017, str. 4, [http://www.publicpolicy.rs/files/CENTAR%20i%20FRS\\_Integracija%20Roma%20povratnika%20kroz%20bolje%20uslove%20obrazovanja%20i%20politike%20zaposljavanja\(1\)\(1\).pdf](http://www.publicpolicy.rs/files/CENTAR%20i%20FRS_Integracija%20Roma%20povratnika%20kroz%20bolje%20uslove%20obrazovanja%20i%20politike%20zaposljavanja(1)(1).pdf)

16 Official Gazette of the RS No. 37/2011

another suitable accommodation is provided. According to data of the Readmission Office, in 2016, out of the total number of registered returnees, 62 persons declared not to currently have accommodation, while 24 persons were staying at emergency reception centres for about six months on average.

Since 2015, the CRM annually passes a Regulation on defining the programme of incentives for implementation of measures and activities required for the accomplishment of objectives in the field of migration management in local government units which, among other things, also include activities aimed at reintegration of returnees under the readmission agreement. Certain financial resources from the Serbian government are allocated to local governments that have previously met the specified requirements for each of the identified groups of services. Activities for the reintegration of returnees are aimed at providing economic support to refugees (through purchasing material and necessary equipment for agriculture, trade, services, or other industries), providing and improving their living conditions, facilitating access to labour market and including them into systems of social and health care protection. It is important to note that, among other criteria for participation in the programme, the Regulation also requires local communities to have previously established a Migration Council, to have adopted a plan for implementation of activities and to have sufficient capacities in terms of staff and technical requirements to implement these measures or activities.

According to EHO data and based on research conducted in AP Vojvodina, allocated government funds aimed at improving the position of persons returned to the Republic of Serbia under the readmission agreement were available to a total of 13 municipalities, while one municipality used the funds allocated to this purpose through a project financed by the European Union. It appeared that allocated government funds range from RSD 300,000.00 in the municipality of Plandiste, to slightly more than RSD 2 million allocated by the Town of Zrenjanin. Apart from this, the collected data indicate that in some of the local government units there is no correlation between the funds allocated from their budgets and the number of registered returnees.<sup>17</sup>

The support system provided by state institutions is also supplemented through publishing a call for financing projects carried out by associations. Apart from direct provision of a variety of kinds of support in terms of legal counselling, humanitarian aid, economic empowerment and improvement of living conditions, an important segment is also dedicated to the distribution of information aimed at preventing illegal and promoting legal migration and at ensuring rights after returning to the country of origin.

The support provided by destination countries in which nationals of the Republic of Serbia have spent a certain period of time, facilitated through international organisations or directly delivered to competent institutions, also plays an important role. This support is aimed at building the capacities of competent institutions and local governments, and also at direct support to returnees. Presently, the largest support is aimed at economic empowerment through diverse programmes of additional qualification, retraining and self-employment.

There are further possibilities for improving the planning and implementation of support programmes for returnees, above all through enhancing coordination of all those actively participating.

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<sup>17</sup> Report on the Implementation of Public Policies towards Returnees under Readmission Agreements in Vojvodina, Ecumenical Humanitarian Organisation, 2016, <http://www.ehons.org/rs/news/553-sprovođenje-javnih-politika-prema-povratnicima>



# Indicators and Proposal for Redefined Indicators

A significant step forward has been made in monitoring results in the field of reintegration by the development of a set of indicators according to a recommendation of the European Commission. It is especially important that competent institutions collected information according to the defined indicators and publish it in the Migration Profile, which is the most important and most comprehensive catalogue of statistical data on migration in the Republic of Serbia. Data collection in the field of migration is a complex issue both due to the very nature of phenomenon and the multi-sector authority established.

Two closed cycles of data collection provide sufficient ground for analysing the level of achievement of objectives for which the indicators have been defined, the quality of collected information, especially in the context of planning future activities, and also all key segments of support programmes required for sustainable reintegration.

Generally, it has been thought possible to improve the quality of collected data by further specifications regarding both competent institutions and indicators. The majority of indicators can be described as quantitative indicators whereas, when analysing the collected data, it is unclear for a small group whether they are aimed at collecting information regarding quality or quantity. In this respect, the issue imposes itself of considering the solution, defining a certain number of qualitative indicators while relying on important strategic documents. Additionally, taking into account the crucially important role of local governments, it is also necessary to consider the introduction of a whole set of indicators which would particularly relate to monitoring results at the level of local governments, starting with the number of recorded returnees and their characteristics. Next, it can be seen that indicators regarding employment, access to the labour market and use of available social transfers, are completely omitted, which may appear as a problem since exactly the issues of inclusion into the labour market and unfavourable economic conditions stand out in a significant part of the conducted research as prevailing factors in making the decision to leave the country.

The following table includes an overview of a number of indicators, for each indicator separately, and suggestions for redefined indicators.

INSTITUTION	INDICATOR	
<b>Ministry of Education, Science and Technological Development</b>	Number of public calls, projects and government funds allocated by the Ministry of Education, Science and Technological Development at the local level relating to returnees	The Ministry of Education, Science and Technological Development did not specifically state returnees under readmission as a category of beneficiaries of public calls, projects and government funds.
Regardless of the fact that the stated competent body did not publish any calls aimed in particular at the category of returnees in 2016, the indicator, as presently defined, would only offer information on the number of public calls, projects and allocated funds. Starting from the goals for which the indicators were developed, the data on the number of public calls, number of projects and financial resources, the efficiency of the undertaken measures cannot be monitored as the collected data would not include information on the scope of beneficiaries, territorial coverage, specific goals to be achieved, proportionality between the allocated means and the achieved results, etc. In addition, in certain cases of reporting to international authorities of the European Union and in the process of collecting funds, the information on potential beneficiaries of public calls may appear useful (local government and/or civil society organisation). For achieving such a defined objective it would be necessary to add one or more subindicators.		
<b>PROPOSAL :</b> Subindicator 1: Total number of direct beneficiaries, returnees, approved projects per public call Subindicator 2: Number and overview of local governments in which projects approved under public calls are implemented		

INSTITUTION	INDICATOR	
<b>Ministry of Education, Science and Technological Development</b>	Number of returnees who enrolled in a certain grade (primary school + high school) + classification by age and gender	<p>During the 2016/17 school year a total of 711 returnee pupils under readmission (369 girls and 342 boys) enrolled in <b>primary schools</b> in the Republic of Serbia. None enrolled in 1st grade, 101 enrolled in 2nd grade, 234 3rd grade, 262 4th grade, 88 5th grade, 13 6th grade, 9 7th grade and 4 enrolled in 8th grade.</p> <p>During the 2016/17 school year, a total of 15 returnee pupils under readmission (6 girls and 9 boys) enrolled in <b>secondary schools</b> in the Republic of Serbia. 7 enrolled in 2nd grade, 8 in 3rd grade.</p>
<p>It is beyond doubt that information on age, gender and the school grade returnee children enrolled in is of the highest importance, but in terms of measuring support, it would also be useful to introduce a subindicator or redefine the indicator to make a difference between returned children who stayed in the destination country for a number of years, and those who spent shorter periods of time there, and had therefore already been included in the education system of the Republic of Serbia (practically speaking, the most visible differences refer to knowledge of the Serbian language or another language used in the educational system of the Republic of Serbia).</p> <p><b>PROPOSAL</b></p> <p>Redefined indicator: Number of returnees who have for the FIRST TIME submitted an application for enrolling in a certain grade (primary school + high school) in the education system of the Republic of Serbia, + classification by age and gender</p> <p>Number of returnees who submitted an application for enrolling in a certain grade (primary and secondary schools), and who had previously been included in the education system of the Republic of Serbia, + classification by age and gender.</p>		
<b>Ministry of Education, Science and Technological Development</b>	Number of returnees who filled in a "questionnaire for classification/enrolling in a certain grade/certain level"	726 pupils returned under readmission filled in the questionnaire for classification/enrolling in a certain grade
<b>Ministry of Education, Science and Technological Development</b>	Number of applications for acknowledgement of equal status of education certificates and number of applications for recognition of a diploma	296 applications for diploma recognition for children returned under readmission for primary school have been approved (163 girls and 133 boys), and 31 applications (17 boys and 14 girls) have been approved for secondary schools.
<p>Please refer to the comment for the second indicator. We propose to specify the indicator in the same way.</p>		



INSTITUTION	INDICATOR	
<b>Ministry of Education, Science and Technological Development</b>	Number of scholarships, financial support and number of free books awarded to returnees.	Out of the total number of accommodation capacities, scholarships and loans, the Ministry of Education, Science and Technological development allocates up to 10% for students and up to 10% for pupils from vulnerable social groups. During the 2016/2017 school year, there were no applications for using these support measures according to return under readmission.
<b>Ministry of Foreign Affairs</b>	Number of emergency travel documents issued to returnees	988 emergency travel documents issued to returnees
<b>Ministry of Foreign Affairs</b>	As general indicator: number of asylum seekers from the Republic of Serbia who apply for asylum in EU countries and countries signatories to the Schengen Agreement (source diplomatic and consular representative offices)	17,900 asylum applications have been submitted in the EU countries and countries signatories to the Schengen Agreement
<b>Office for Cooperation with Civil Society</b>	Number of projects/programmes financed by the government of Serbia for displaced persons and refugees, returnees under readmission, migrants, asylum seekers and the Roma as direct beneficiaries	145 projects/programmes – refugees and displaced persons 11 projects/programmes – returnees under readmission 1 project – asylum seekers  <b>Note:</b> Supplied data for 2015, collected by the public administration authorities – local governments, AP Vojvodina, state administration authorities, all by means of electronic questionnaire developed by the Office for Cooperation with Civil Society. Preparations for data collection for 2016 are presently under way.  <b>Note:</b> It was possible to provide multiple answers to the question about the end beneficiaries of the project.

It is good that, in collecting these data, the need to include data on the number of beneficiaries has been acknowledged. However, in monitoring this indicator, it is of crucial importance to go beyond the level of volunteerism i.e. of supplementary notes, and to include this monitoring as a mandatory part of the indicator. Various state institutions have upon several occasions separately highlighted the problem of submitting updated data on the implementation of projects supported by Serbian government funds and on the basis of public calls due to the dynamics of project implementation, deadlines for reporting, etc. To overcome such impediments, data on the coverage of beneficiaries as indicated in the project proposals approved in the year for which the Migratory Profile is made can also be used as a criterion. In addition, the introduction of certain territorial specifications and quality indicators should be taken into consideration as well.

**PROPOSAL:**

Redefined indicator: Number of government-financed projects/programmes for displaced persons and refugees, returnees under readmission, migrants, asylum seekers and the Roma, including also the number of direct beneficiaries stated in the supported projects/programmes.

INSTITUTION	INDICATOR	
<b>Ombudsman</b>	Number of reported cases of human rights violation under the Readmission Agreement.	There were no recorded cases.
<b>Agency for Human and Minority Rights</b>	Number of Roma coordinators (their duty is to be in contact with the Roma community, offer mediation and support, counselling, cooperation with NGOs and local governments)	52 Roma coordinators

As registered returnees predominantly declare themselves as Roma year after year, it is positive that the interdependence between the issue of readmission and the position of Roma in the Republic of Serbia is presented at the declarative level through the defined indicators. However, in order for the collected data to contribute to better monitoring of the effects of the undertaken measures, it would be recommendable to redefine this indicator in such a way as to provide for the collection of data on Roma coordinators involved in the operation of local Migration Councils and/or previously included in carrying out of certain activities immediately relating to Roma returnees. This would to a certain extent make it easier to identify some of the indicators, cause-and-effect relationships between the fact of establishing the role of the coordinator for Roma issues and the effects of measures in the field of reintegration/readmission. The inclusion of Roma coordinators into Migration Councils, at least in the territory of the municipalities in which a significant number of Roma returnees has been registered, is under the provisions of the Law on Migration Management, Article 12, paragraph 4.

**PROPOSAL:**

Redefined indicator: Number of Roma coordinators (their duty is to be in contact with the Roma community, offer mediation and support, counselling, cooperation with the non-governmental sector and local governments) included in the operation of the Migration Council and/or support programmes for employees under the readmission agreement.



INSTITUTION	INDICATOR	
CRM	Number of public calls/projects aimed at returnees (financed by CRM) for local governments (number of participating municipalities also)	1 public call (worth 20 million dollars)  15 local governments submitted an application to the Public call. 10 projects have been supported, 4 of which for granting support for the completion or adaptation of a residential facility, purchasing of construction material, 1 for granting support for purchasing a farmhouse with yard, and 4 for granting funds for purchasing and delivering goods and materials for starting, developing and improving commercial activities in agriculture, trade, services or other economic fields to returnees.
<p>A closer look at the collected data leaves an impression that the stated indicator opens the possibility of collecting qualitatively more comprehensive data. However, the indicator itself has been defined almost in an identical manner to previous ones referring to the allocation of funds from the budget to support the implementation of projects aimed at returnees. Concerning the role of the Commissariat for Refugees and Migration, it is of crucial importance to envisage an indicator which will closely define the collection of data at least on the scope of beneficiaries, territorial coverage and goals of approved projects.</p> <p><b>PROPOSAL:</b></p> <p>Redefined indicator: Number of public calls/projects aimed at returnees, including also the number of beneficiaries covered by the projects (financed by CRM) for local governments (number of participating municipalities also).</p>		
CRM	Number of public calls/projects aimed at returnees (financed by CRM) intended for civil society organisations	3 public calls  A total of 11 projects have been supported regarding the reintegration of returnees under the readmission agreement, for an amount of RSD 1,999,000.00.
<p>Please refer to the explanation for the previous indicator..</p> <p><b>PROPOSAL:</b></p> <p>Redefined indicator: Number of public calls, approved projects aimed at returnees, including also the number of beneficiaries covered by the projects (financed by CRM) intended for civil society organisations, and also the amount of allocated financial resources.</p>		
CRM	Number of returnees registered at Belgrade (Nikola Tesla) airport who contacted local Commissioners for Refugees and Migration	3,655 individuals, i.e. 1,299 families, in order to receive information and assistance during return

As stated in the general notes, it is necessary to consider the introduction of a whole set of indicators to measure the efficiency at the level of local government. It is necessary however to separate the monitoring of the number of returnees registered at the airport who have addressed the Readmission Office and the monitoring of those returnees who have addressed the Commissioner for Refugees and Migration. The main reason for such a distinction is that the entry point of returnees is not necessarily the border crossing at the airport. On the other hand, there is a category of returnees who have voluntarily returned and who, in a wider context, establish the first contact with competent institutions only at a local level by addressing the Commissioner.

**PROPOSAL:**

Redefined indicator: Number of returnees registered at Belgrade airport (Nikola Tesla) by the Readmission Office.

<b>CRM</b>	CRM support provided to local governments in order to review existing local action plans involving returnees	Out of the total of 154 municipalities that adopted LAPs, 103 revised and extended their LAPs with the category of returnees under readmission.
<b>CRM</b>	Number of printed information bulletins on the rights and obligations of returnees under the readmission agreement.	3,000

Indicators must be defined so that the number of information bulletins distributed is monitored., not the number printed.

**PROPOSAL:**

Redefined indicator: Number of information bulletins on the rights and obligations of returnees under the readmission agreement distributed.

<b>CRM</b>	Number of people accommodated by the CRM into the emergency reception centres (in cases of necessity/urgency) + average stay + total number of the allocated financial compensations to returnees by the CRM.	A total of 24 persons stayed in the intervention reception centres;  Average stay in the urgent reception centre is approximately 6 months;  7 financial aid lots were allocated.
<b>CRM</b>	Frequency of Team meetings (representatives of different Ministries) for implementation of the Strategy for Reintegration of returnees - general indicator (not directly related to services available to returnees)	0
<b>CRM</b>	Number of articles (in print media) dedicated to returnees	34 articles dedicated to returnees



<p><b>All relevant institutions</b></p>	<p>Number of civil servants who are/will be in charge of returnees under the Readmission Agreement within various ministries/ state bodies.</p>	<p>CRM - 3 (according to internal job classification) + 3 (added)</p>
<p>Taking also into account the data collected in 2015, which are identical, it can be assumed that ministries and other state bodies recognized by the Strategy do not perceive it as their obligation to supply data according to this indicator. It is also a fact that the scope of competences of ministries/state bodies differs and that, with a certain number, there is no official position for a civil servant in charge of this field. Additionally, for a certain number of civil servants, only the type of measures and/or activities which they undertake regardless of the legal status or category of persons is defined in their job description. It is therefore advisable to consider the possibility of introducing subindicators in which institutions identified in the Strategy would be explicitly stated, with a more flexible definition of indicators, so that either systematic positions and/or treatment of returnees and organizational units responsible for the respective operations are provided for.</p> <p><b>PROPOSAL:</b></p> <p>Subindicator 1: Commissariat for Refugees and Migration - number of civil servants who are in charge of returnees under readmission agreement according to the classification of jobs, and the number of those authorised for operation/in charge of undertaking particular measures.</p> <p>Subindicator 2: Commissariat for Refugees and Migration - number of civil servants who are in charge of operating with returnees under the readmission agreement according to classification of jobs, and the number of those authorised for operation/in charge of undertaking particular measures; number of organisational units/deconcentrated organisational units authorised for dealing with returnees according to the readmission agreement.</p> <p>Subindicator 3: Ministry of Labour, Employment, Veteran and Social Affairs - number of civil servants who are in charge of operating with returnees under the readmission agreement according to classification of jobs, and the number of those authorised for operation/in charge of undertaking particular measures.</p> <p>Subindicator 3: Health Ministry</p> <p>Subindicator 4: Ministry of Education, Science and Technological Development, etc.</p>		
<p><b>All relevant institutions</b></p>	<p>Free legal aid/counselling for returnees</p>	
<p>In terms of institution, it would be recommendable to follow the proposal for the previous indicator. The indicator should be redefined so as to provide for the collection of information on the number of users of free legal aid, i.e. counselling for returnees.</p> <p><b>PROPOSAL:</b></p> <p>Redefined Indicators:</p> <ul style="list-style-type: none"> <li>• Commissariat for Refugees and Migration - number of returnees to whom fee legal aid/counselling was provided</li> <li>• Ministry of Labour, Employment, Veteran and Social Affairs - number of returnees to whom free legal aid/ counselling for returnees, etc. was provided.</li> </ul>		

**ADDITIONAL INDICATORS:**

As noted above, indicators regarding the labour market and access to it are completely missing, along with very important indicators on beneficiaries of various social transfers. In some studies of the situation of returnees, data collected by the National Employment Service or the competent ministry on the proportion by category of returnees in the records of the NES or the programmes it conducts, are also used, so the proposed indicators therefore follow the type of data published in the reports, since it is assumed that the collection of these data would not impose an additional burden on the NES.

**PROPOSAL**

Indicator 1: Ministry of Labour, Employment, Veteran and Social Affairs - number of persons who declared themselves as returnees and are recorded in the registers of unemployed persons.

Indicator 2: Ministry of Labour, Employment, Veteran and Social Affairs - number of developed individual plans for employment of persons registered as unemployed who declared themselves as returnees.

Indicator 3: Ministry of Labour, Employment, Veteran and Social Affairs - number of beneficiaries of active employment measures who declared themselves as returnees (including also the types of active measure).



# Concluding Remarks and Recommendations

Part of the establishment of a functional migration management system in the Republic of Serbia should be capacity building of each subsystem of the migration management system in terms of data collection and analysis and, therefore, the assessment of the needs of different categories of migrants. Such capacity is a *conditio sine qua non* for successful planning and effective implementation of measures and activities. The system of monitoring and data collection in the field of readmission has undoubtedly been significantly improved in the last few years, but it should not be forgotten that circumstances for returnees have changed as well, and it is therefore necessary to adapt to the current environment to a certain extent. Collecting data and keeping updated records to include the vast majority of returnees is particularly important for identifying the causes of leaving the country, analysing the socio-economic situation of returnees, and planning the necessary government and donor funds and appropriate assistance and support programmes, in order to ensure effective and sustainable integration and thus prevent secondary migration.

## Recommendations:

- » Open a dialogue between all stakeholders on the strategic framework in the field of readmission and reintegration of returnees and adapt the measures from the Action Plan for Chapters 23 and 24 in accordance with the strategic directions defined.
- » Consider the possibility of redefining the indicators for assessment of the reintegration of returnees so as to measure the efficiency of measures to reintegrate returnees under the readmission agreement.
- » Consider the possibility of making the questionnaires to be filled out available at other official border crossings of the Republic of Serbia in order to increase the coverage of registered returnees, especially at road crossings at borders with European Union countries.
- » Ensure a more efficient data exchange system between the Readmission Office and other republic authorities with the Migration Councils, and especially the Commissioners.
- » Reconsider coordination mechanisms envisaged by relevant strategies of migration and especially readmission in order to establish comprehensive monitoring and analysis of issues regarding the return of Serbian nationals.
- » Adapt the diverse coordination mechanisms established between civil society organisations, international actors and state institutions during the refugee-migrant crisis, which proved highly efficient, and use them in various aspects of planning and offering support to returnees.

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The project is funded  
by the European Union



The Action is supported by the European Union through the program "Civil Society Facility" under the Instrument for Pre-Accession Assistance (IPA). The contents of the Report are the sole responsibility of the publisher and views expressed in this document are not necessarily those of the European Union.