

(English version)

**Priority question for written answer P-002140/24
to the Commission
Raquel García Hermida-Van Der Walle (Renew)
(17 October 2024)**

Subject: Netherlands Government plan to return asylum seekers who have exhausted all legal remedies to Uganda

On 16 October, the Netherlands Government announced its intention of holding failed asylum seekers in Uganda — not only Ugandan asylum seekers, but also asylum seekers from other countries. The human rights situation in Uganda has been deteriorating for years, especially for LGBTIQ people, who have been at risk of the death penalty since last year. In addition, a Ugandan citizen was recently given a six-year prison sentence for ‘insulting’ the President and his family on social media. ⁽¹⁾

1. Will the Commission immediately ask the Netherlands Government for more information about this plan?
2. Can the Commission confirm that sending failed asylum seekers of different nationalities to Uganda against their will is not in line with the Return Directive?
3. Will the Commission, in its capacity as guardian of the Treaties, ensure that European asylum and migration legislation, including effective and humane return of rejected asylum applicants, is properly enforced at all times?

Submitted: 17.10.2024

**Answer given by Mr Brunner on behalf of the European Commission
(28 February 2025)**

The Commission is in regular contact with the Dutch authorities on aspects related to migration management, on the implementation of the Pact for Migration and Asylum ⁽¹⁾ and returns. The information announced in the media has not been part of a discussion between the Netherlands and the Commission.

In general, it is possible for the EU and the Member States to cooperate with countries outside the EU in managing migration. It is important that this is done in full respect of EU and international law.

Currently, the Return Directive ⁽²⁾ enumerates exhaustively the conditions under which a third-country national with no legal right to stay in the EU can be returned.

The Commission is currently working on a proposal to revise the legislative framework on returns with the objective of increasing the effectiveness of EU return procedures.

In parallel, the Commission and the Member States continue to pursue efforts to improve cooperation on readmission with third countries.

As guardian of the Treaties, the Commission will continue to ensure that EU law is applied correctly across all Member States and has the prerogative of taking action against any breaches to maintain the integrity of the EU legal framework.

¹ <https://nos.nl/artikel/2540986-kabinet-wil-uitgeprocedeerde-afrikaanse-asielzoekers-naar-uganda-sturen>.

⁽¹⁾ https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum_en#:~:text=The%20Pact%20on%20Migration%20and%20Asylum%20is%20a%20results%20while%20remaining%20grounded%20in%20our%20European%20values

⁽²⁾ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, OJ L 348, 24.12.2008, p. 98-107.