OBSERVATIONS TO RETURN OPERATIONS CONDUCTED IN THE 1ST HALF OF 2023
BY THE FUNDAMENTAL RIGHTS OFFICER

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Reg. FRO/JOGR/2023
Frontex’s Fundamental Rights Officer is, according to the EBCG Regulation (2019/1896, Article 50(7)), to provide observations on fundamental rights on return operations, covering returns organised or coordinated by Frontex.

“The executive director shall evaluate the results of the return operations and shall transmit every six months a detailed evaluation report to the European Parliament, to the Council, to the Commission and to the management board covering all return operations conducted in the previous semester, together with the observations of the fundamental rights officer. The executive director shall make a comprehensive comparative analysis of those results with a view to enhancing the quality, coherence and effectiveness of future return operations. The executive director shall include that analysis in the Agency’s annual activity report.”

**TABLE OF CONTENTS**

1. Forced-return monitoring 3

2. Data on return monitoring 3
   2.1. Return operations monitored by FROMs 5

3. Observations 5

4. Details on Serious Incident Reports and Complaints 11
   4.1. Serious Incident Reports 11
   4.2. Complaints 11

5. Good practices 11
   5.1. Vulnerable groups, including families with children 11
   5.2. Forced-return escorts (as well as other participants of return operations) 11
   5.3. Logistics and organisational issues 12

6. Recommendations 12
   6.1. Overarching recommendations 12
   6.2. Specific recommendations 13
1. FORCED-RETURN MONITORING

Frontex, the European Border and Coast Guard Agency, assists Member States in returning non-EU nationals subject to European Union return policy and in compliance with the Return Directive 2008/115/EC—persons who have no right to stay. The Agency is responsible for the coordination and organisation of return operations as well as voluntary returns from the EU, while Member States also conduct returns on their own.

Forced-return monitoring, pursuant to Article 8(6) of the Return Directive, serves to promote fundamental rights compliant returns while also ensuring accountability and transparency. One of the tasks of the Fundamental Rights Office at Frontex is to monitor the Agency’s compliance with fundamental rights, including in return operations, voluntary returns and return interventions.

The observations provided by the Fundamental Rights Officer (FRO), include an overview of findings and conclusions based on reports by forced-return monitors. These include reports drafted by forced-return monitors from the pool of monitors established by Frontex (Article 51 of the EBCG Regulation). This pool of monitors, which also includes Frontex’ own fundamental rights monitors (FROMs), assigned by the Fundamental Rights Officer as per Article 110, reinforce national monitoring mechanisms.

A new Forced-Return Monitoring System (FRMS) has been introduced since 1st January 2023. FRMS is an IT reporting application that is mandatory for all monitors and replaced the previous method of submitting reports by email. The new tool aims to facilitate regular reporting in a unified manner and has already generated the outputs for the first half of 2023.

The Observations to Return Operations present recommendations on compliance with fundamental rights during Frontex supported return operations as well as a set of good practices.

In the current reporting period, from 1 January 2023 to 30 June 2023, the pool of forced-return monitors consisted of 66 forced-return monitors nominated by Member States. Moreover, 6 FROMs are regularly engaged in forced-return monitoring. Additional FROMs are to receive training in the 2nd half of 2023, in order to ensure and also enhance the return monitoring capacities.

FROMs are also engaged in monitoring return operations of the Agency which fall outside of the scope of the pool of monitors. This entails the monitoring of all types of Frontex returns, beyond the requests from Member States to draw on the pool of forced-return monitors (Article 51(4) of the Regulation). It is applied where Frontex’ Fundamental Rights Officer has an interest to assign FROMs to monitor fundamental rights compliance and issue recommendations.

The FRO Observations are attached to a report prepared by the European Centre for Returns Division of Frontex, entitled Frontex Evaluation Report – Returns in the 1st half of 2023 (FER).

2. DATA ON RETURN MONITORING

In the 1st half of 2023, Frontex supported 138 returns (forced and voluntary) by charter flights to 26 countries. Most of these operations (88%) were organised by four Member States: Germany, Italy, Spain, and France. In about three quarters (74%, 101 of the 136) of the forced charter flights monitoring were present on board. Figure 1 provides the percentage of return operations supported by Frontex, by organising Member State.

![Figure 1: Percentage of return operations supported by Frontex, by organising Member State](image)

Note: Organising Member State – the Member State which is responsible for the organisation of a return operation which could be from one specific Member State or a joint one from several Member States. Participating Member State(s) – the Member State which participates in a joint return operation (or collecting return operation, if applicable) organised by the organising Member State.

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2. The Return Directive obliges Member States in Article 8(6) to establish an effective national forced-return monitoring system.
3. Article 51 of the EBCG Regulation 2019/886 specifies that “The Agency shall, after taking due account of the opinion of the fundamental rights officer, constitute a pool of forced-return monitors from competent bodies of the Member States who carry out forced-return monitoring activities in accordance with Article 8(6) of Directive 2008/115/EC and who have been trained in accordance with Article 62 of this Regulation”.
4. Article 110 of the EBCG Regulation 2019/886 specifies that “the fundamental rights officer shall assign at least one fundamental rights monitor to each operation. The fundamental rights officer may also decide to assign fundamental rights monitors to monitor any other operational activity he or she considers relevant”.
5. Member States shall be responsible for contributing to the pool by nominating forced-return monitors corresponding to the defined profile, without prejudice to the independence of those monitors under national law, where national law so provides.
6. Countries of return data is shared periodically with the EU institutions and in specific return related fora.
11 organising Member States made use of national forced-return monitors, monitors from the pool, as well as FROMs assigned by the FRO during the returns: Austria, Belgium, Finland, France, Germany, Greece, Italy, Norway, Poland, Spain, and Sweden. One Frontex organised return operation to Bangladesh was implemented in the reporting period.

In addition, two return operations organised by Spain were combined return operations including returnees falling under voluntary and forced returns supported by Frontex under a pilot project and monitored by the fundamental rights monitors.

In June, one of the return operations carried out by Germany involved experts on children’s rights issues from the Netherlands. It allowed the experts to observe the practical aspects of a return operation coordinated by the Agency involving families with children and to present their assessment.

Figure 2 provides an overview of the total number of return operations by Organising Member State (or Frontex), out of these how many with monitors on board.

Three main types of return operations are organised:

- **Collecting return operations**, where an aircraft and escorts are provided by the country of return.
- **Joint return operations**, where several Member States jointly return persons on one flight.
- **National return operation**, where one Member State return persons on one flight.

Of the 136 Frontex supported forced-return operations organised by charter flight, monitors were present on board on all collecting return operations (as required under Article 50(3) of the EBCG Regulation); in 97% (29 flights) for joint returns, and in 60% (51 flights) for national return operations. Two of the forced-return operations were combined with voluntary returns.

Figure 3 provides an overview of the number of return operations where monitor(s), either from the pool, national monitor or FROM were on board.

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7 Those two return operations are part of a Frontex pilot project, run by ECRET. For efficiency reasons, the operations combine the return of non-EU nationals subject to individual, enforceable return decisions issued by Member States and the return on voluntary basis of non-EU nationals to their countries.
Table 1 provides an overview of return operations with monitors on board and statistical information on reporting.

### 2.1. RETURN OPERATIONS MONITORED BY FROMs

Of the 101 return operations with monitors on board, 95 (75%) were covered by monitors from the pool, and 39 by national monitors from the Member States. On certain flights there may be more than 1 monitor on board.

FROMs, who acted either as members of the pool (6 flights) or under the monitoring mandate within Article 110(3) of the EBCG Regulation (19 flights), monitored 25 return operations in total. In the reporting period, the FROMs took part in 1 collecting return operation, 16 joint return operations and 8 national return operations. All of these were operations by charter flights, covering 10 different organising Member States as well as Frontex.

The monitoring mandate within Article 110(3) allows for FROMs presence, in addition to the flights covered in the framework of the pool, at strategically important operations in order to get a more comprehensive overview of the spectrum of Frontex supported return operations. Such operations are identified based on several factors, among others, a high security risk assessment of returnees’ behaviour, a high probability of the use of force based on risk assessments, a need to guarantee the presence of a monitor in some cases where operations are not covered by the pool, or in the case of operations conducted by a new organising/participating Member State. Table 2 provides an overview of the return operations with FROMs on board under the monitoring mandate provided by Article 110 of the EBCG Regulation (19 flights).

### 3. OBSERVATIONS

The following observations are based on an analysis of the findings of the 114 monitoring reports submitted via the Forced-Return Monitoring System (FRMS). The monitoring reports include specific incidents, shortcomings, as well as more general practices.

The monitoring of return operations shall be carried out by a forced-return monitor based on objective and transparent criteria and shall cover the whole return operation from the pre-departure phase until the hand-over of the returnees, with the aim of observing and reporting on the compliance of all activities with fundamental rights (as per Article 50(5) of the EBCG Regulation).

The following tables provide details on key observations based on 114 monitoring reports.
Table 3: Observations on facilities and organisational issues

<table>
<thead>
<tr>
<th>Shortcoming</th>
<th>Location</th>
<th>Recommendation</th>
<th>Status of recommendations/per country</th>
<th>Follow up Member States/Frontex</th>
</tr>
</thead>
<tbody>
<tr>
<td>At some airports the premises designated as waiting areas were deemed inadequate in terms of maintenance, hygienic and privacy (lack of separate rooms for conducting searches and other related procedures) conditions, as well as lack of minimum furnishing and services.</td>
<td>Trieste, Palermo, Athens, Bordeux</td>
<td>Improve conditions in all facilities designated for conducting return operations or designate other locations/premises for the performance of those procedures.</td>
<td>Implementation in initial process/ongoing</td>
<td>Discussion between Frontex and competent authorities of the Member State resulted in taking initial steps on improving the quality and standards of facilities used in return operations.</td>
</tr>
<tr>
<td>In a few cases, there was insufficient number of female participants (escorts and/or interpreter/medic) in the operation - disproportionate in relation to participating female and children returnees.</td>
<td>Hannover, Berlin, Düsseldorf, Madrid</td>
<td>Both organising and participating Member States to ensure an adequate number and proportional gender representation of female forced-return escorts, and whenever possible female interpreters/medics to better match the gender of the returnees.</td>
<td>Partially addressed</td>
<td>Member States to continue to promote and consider the participation of female escorts and other female participants (interpreters, medics).</td>
</tr>
<tr>
<td>Lack of medical staff on some participating Member States connecting flights.8</td>
<td>Larnaca (As participating Member State)</td>
<td>Ensure access to medical assistance during the entire operation. This applies also to participating Member States which start pre-departure procedures at their respective airports.</td>
<td>New observation</td>
<td>Member States, acting as participating Member States to ensure presence of a minimum one medical staff to safeguard procedures carried out prior to arrival at the return operation hub.</td>
</tr>
<tr>
<td>In one case, a strip search of the male returnees was assisted by the female doctor while at the same time, a male doctor was available.</td>
<td>Leipzig (As participating Member State)</td>
<td>New observation</td>
<td>All procedures involving returnees should be conducted with appropriate regard to their privacy and dignity. As far as possible, the physical security check and medical check should be carried out by participants of the same gender as the returnee’s and conducted as much as possible in two steps, so to avoid the complete stripping of the returnee. During the security checks, as much privacy as possible should be granted to the returnee, particularly if the returnee is asked to remove their clothing completely. Security check of the female returnee should be conducted by the female escort.</td>
<td></td>
</tr>
<tr>
<td>In two cases, lack of body search rooms or properly separated area for the physical security check procedure.</td>
<td>Cologne (As participating Member State)</td>
<td>New observation</td>
<td></td>
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</tr>
<tr>
<td>In one case, several returnees were body-searched at the same time in one room.</td>
<td>Madrid (As participating Member State)</td>
<td>New observation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>In one case, during the unclothed body search, the returnee was asked to take off his clothes twice, which led to his refusal and eventually use of coercive measures towards him.</td>
<td>Berlin (As participating Member State)</td>
<td>New observation</td>
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</tbody>
</table>

8 The Code of Conduct for Return Operations and Return Interventions Coordinated or Organised by Frontex foresee the obligatory presence of appropriate medical staff during the entire duration of a Frontex-coordinated return operation.
<table>
<thead>
<tr>
<th>Shortcoming</th>
<th>Location</th>
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<th>Member States/ Frontex</th>
</tr>
</thead>
<tbody>
<tr>
<td>In two cases, participants (escorts and others) were not properly identifiable. Lack of registration system for the numbers on return operation participants.</td>
<td>General comments</td>
<td>In order to easily identify the various roles, the participants shall wear proper vests during a return operation.</td>
<td>Partially addressed</td>
<td>Frontex to provide a sufficient number of vests and to ensure they are used at each return operation. Member States to set up a record to link the participants’ names with the allocated numbers, for effective identification.</td>
<td></td>
</tr>
<tr>
<td>Lack of interpreters in several return operations.</td>
<td>Trieste, Palermo</td>
<td>Engage interpreters in all operations to ensure that returnees can understand the procedures and communicate their needs. The presence of an interpreter is advisable also in terms of security, to anticipate potential tensions/violent situations.</td>
<td>To be addressed</td>
<td>Frontex to consider introducing a requirement of at least one interpreter present during each return operation supported by the Agency.</td>
<td></td>
</tr>
<tr>
<td>(As participating Member State)</td>
<td>Larnaca</td>
<td>New observation</td>
<td></td>
<td></td>
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<tr>
<td>In some cases, personal belongings were not properly packed and labelled.</td>
<td>Rome</td>
<td>Personal belongings and other valuable items shall be collected by the escorts, secured in a separate envelope/plastic bag, after which protocol listing the items shall be signed by the returnee.</td>
<td>New observation</td>
<td>Member States to ensure adequate safeguards for the returnees’ personal belongings and their luggage handling.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Madrid</td>
<td>New observation</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>In one case, the returnee’s money was packed with his main luggage, which caused unnecessary distress to the returnee and posed a risk for disruptive behaviour.</td>
<td>Düsseldorf</td>
<td>New observation</td>
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</tr>
<tr>
<td>In several cases, there was no debriefing after the return operation, or it took place with some of the mandatory participants missing.</td>
<td>Trieste</td>
<td>Debriefings are an obligatory part of each operation. It is essential to enable all participants to raise and discuss potential concerns. Escort leader, back-up team leader, Frontex representative and monitor should be present for the de-briefing. If necessary, medics and interpreter can also be present.</td>
<td>Partially addressed</td>
<td>Frontex, in cooperation with the Member State, to ensure that debriefing is an integral part of each of the return operation.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Madrid</td>
<td>New observation</td>
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9 In some Member States vests are not used at all, in others their use is incompatible with the applicable rules. In other Member States, there is no system in place to identify the escorts in case of potential need to submit a complaint.
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Briefing for escorts was not exhaustive or did not include all mandatory participants.</td>
<td>Berlin, Leipzig, Lödž, Madrid, Larnaca (As participating Member State)</td>
<td>The presence of all relevant participants should be ensured during the briefing.</td>
<td>New observation</td>
<td></td>
</tr>
<tr>
<td>Video recording was used in two operations and questioned by the monitor if authorized.</td>
<td>Frankfurt, Trieste, Frankfurt, Trieste, etc.</td>
<td>Member States to ensure that filming and photographing of individuals (including for legal purposes according to relevant national law) is carried out upon prior communication to organising Member State and subsequent authorisation by Frontex and that they are officially carried out by forensic police/other national authorised entity.</td>
<td>New observation</td>
<td>Member State to act in accordance with Article 13 of the Code of Conduct for Return Operations and Return Interventions Coordinated or Organised by Frontex.(^\text{10})</td>
</tr>
<tr>
<td>In several cases, returnees were not provided with adequate and sufficient food (and water).</td>
<td>Leipzig, Strasbourg, Athens, Rome, Palermo</td>
<td>Member States to ensure water and food supplies at all stages of the return operation.(^\text{11}) Organising Member State or Frontex should liaise with airline brokers and ensure, as far as possible, supplies which are compliant with returnees’ dietary needs (including medical diets or diets resulting from religious beliefs).</td>
<td>New observation</td>
<td>The FRO and forced-return monitors to continue monitoring whether the delivery of food and drinks is appropriate and sufficient to the needs of returnees in all phases.</td>
</tr>
<tr>
<td>In several operations, lack of covered and slippery gangway to the aircraft which could cause unnecessary risks.</td>
<td>Leipzig, Brussels</td>
<td>Ensure proper and safe boarding.</td>
<td>New observation</td>
<td>The FRO and forced-return monitors to continue monitoring organisational issues related to this matter.</td>
</tr>
</tbody>
</table>

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\(^{10}\) Article 13 of the Code of Conduct for Return Operations and Return Interventions coordinated and organised by Frontex provides that "Any form of recording during an RO or RI is possible only when specifically agreed between the relevant MS, Frontex and/or the company operating the means of transport and when in compliance with applicable legislation on the protection of personal data. Recording for private use is prohibited."

\(^{11}\) In case of unexpected circumstances (like unexpected flight delay etc.) fixed number of bottles and food supplies/snacks shall be stored in the pre-departure area premises.
## Table 4: Observations on vulnerable groups

<table>
<thead>
<tr>
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<th>Follow up Member States/ Frontex</th>
</tr>
</thead>
<tbody>
<tr>
<td>In one operation, monitors pointed out poor seating arrangements, resulting in families with children waiting for decisions to be made and causing unnecessary distress and fatigue.</td>
<td>Düsseldorf</td>
<td>Children and their family members should not be separated at any point during the process of return, unless it is in the best interest of the child.</td>
<td>New observation</td>
<td>Frontex to follow up with Member States to ensure, according to the number of returnees, more adequate conditions in the waiting areas and clear instructions and decisions when it comes to vulnerable groups.</td>
</tr>
<tr>
<td>In three cases, it was reported that only one member or part of the family has been returned, while the rest of the family was to remain in Member States.</td>
<td>Lille</td>
<td>Whenever families with children are involved, it is of utmost importance that they are not subjected to unnecessary stress and difficulties resulting from unexpected change of circumstances. It is recommended that return operations involving many families, are planned very carefully and the individual situation of the returnees is duly checked in advance.</td>
<td>New observation</td>
<td>Member States to ensure adequate planning of return operations and proper checking of returnees' documentation. Flow of information between different national bodies within the country to be improved.</td>
</tr>
<tr>
<td>In one case, a family whose members had two different citizenships, were separated, and disembarked in their two respective countries.</td>
<td>Berlin Leipzig</td>
<td>Partially addressed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>In several cases, returnees already brought to the airport, after undergoing pre-departure procedures, eventually did not board the plane. The given reasons were of organisational nature. As a result, some of the returnees were sent back home.</td>
<td>General comment</td>
<td>New observation</td>
<td></td>
<td>The FRO to further discuss this issue with Member States and forced-return monitors to continue monitoring organisational issues related to this matter.</td>
</tr>
<tr>
<td>In several cases, facilities and other organisational matters were not sufficiently adapted to the large number of children participating in the operation.</td>
<td>General comment</td>
<td>All the procedures during return operation shall be conducted in the best interest of the child and in accordance with their individual needs. This mainly concerns activities carried out during pre-departure phase.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lack of sufficient space and equipment for children.</td>
<td>Frankfurt Munich</td>
<td>Member States to designate a separate area for families and children during pre-departure phase and sufficient equipment at all stages of the return operation.</td>
<td>To be addressed</td>
<td>Continued monitoring with regards to the improvement of conditions in waiting areas dedicated to children.</td>
</tr>
<tr>
<td></td>
<td>Trieste Palermo</td>
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Table 5: Observations on use of force and means of restraint

<table>
<thead>
<tr>
<th>Shortcoming</th>
<th>Location</th>
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</tr>
</thead>
<tbody>
<tr>
<td>In a few cases, monitors assessed the use of restraints as disproportionate and unnecessary. According to the information provided by the monitors, respective returnees did not show any physical resistance.</td>
<td>Leipzig</td>
<td>An individual and dynamic risk assessment in the application of means of restraint should be applied.</td>
<td>New observation</td>
<td>The FRO to continuously monitor the use of means of restraint (including the use of restraints) and assess their necessity and proportionality.</td>
</tr>
<tr>
<td></td>
<td>Larnaca (As participating Member State)</td>
<td></td>
<td>New observation</td>
<td></td>
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<tr>
<td></td>
<td>Malta (As participating Member State)</td>
<td></td>
<td>New observation</td>
<td></td>
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<td></td>
<td>Rome Palermo</td>
<td></td>
<td>To be addressed</td>
<td></td>
</tr>
<tr>
<td>Use of restraints on all returnees for the entire (or most of the) duration of the operation and regardless of the prescriptive risk assessment.</td>
<td>Trieste Rome Palermo</td>
<td>Means of restraint shall be used as a last resort and only in exceptional circumstances.</td>
<td>To be addressed</td>
<td>The FRO to continuously monitor the use of means of restraint (including the use of restraints) and assess their necessity and proportionality.</td>
</tr>
<tr>
<td></td>
<td>Madrid</td>
<td>Means of restraint shall not be used as a preventive measure. Each situation should be treated individually.</td>
<td>Partially addressed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Larnaca (As participating Member State)</td>
<td>The use of restraints should be systematically reviewed and assessed considering the principle of necessity and proportionality.</td>
<td>New observation</td>
<td></td>
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</table>
4. DETAILS ON SERIOUS INCIDENT REPORTS AND COMPLAINTS

All Frontex operations include an obligation for all participants to report fundamental rights issues through Serious Incident Reports. The European Border and Coast Guard Regulation also provides for a complaints mechanism for persons that want to raise issues.

4.1. SERIOUS INCIDENT REPORTS

No serious incidents related to return operations were reported in the 1st half of 2023.

4.2. COMPLAINTS

Submitted complaints

Within the reporting period one complaint concerning Frontex supported return operation was submitted. It related to the joint return operation organised by Germany from Lithuania to Nigeria, with a stopover in Germany. The complaint was declared admissible currently pending FRO final assessment of the case upon respective follow-up with the Member State.

Information on the procedure

The standardised complaint form and the complaints mechanism booklet are to be made available upon request in hardcopy during forced-return operations in the languages that non-EU nationals understand or are reasonably believed to understand. The complaints mechanism posters are also to be displayed in the airports during the forced-return operations.

88 monitoring reports stated that posters about the complaints mechanism were placed at the airport while 26 monitoring reports mentioned that no posters were available.

According to the monitoring reports for the reporting period, all returnees who wished to make a complaint were given information about this possibility. As stressed in previous reports, it is important that forced-return monitors systematically report on the availability of complaint forms and information materials about the complaints mechanism during Frontex supported return operations.

5. GOOD PRACTICES

Based on the forced-return monitoring reports, a number of good practices were noted that should be replicated.

5.1. VULNERABLE GROUPS, INCLUDING FAMILIES WITH CHILDREN

- Priority treatment and special attention was given to persons with disabilities, specific safeguards were put in place during various phases of the operation: for example, a wheelchair was provided during pre-departure phase, a hoist/lift was used to facilitate boarding (observed at Hannover and Düsseldorf airports - Germany);
- Where the separation of parents was deemed to be in the child’s best interest, special attention was paid to minimise stress and meet the child’s individual needs. (observed at Angelholm airport – Sweden);
- Providing children with dedicated food and entertainment kits (activity books, colouring pencils) during the in-flight phase (observed at Angelholm airport – Sweden);
- Setting up a new separate room dedicated to children (Düsseldorf - Germany).

5.2. FORCED-RETURN ESCORTS (AS WELL AS OTHER PARTICIPANTS OF RETURN OPERATIONS)

- Overall, professional, and proactive engagement of escorts, reducing tension and creating a more friendly environment with attentive and individual approach to the returnees (observed in all Member States);
- The escorts’ high level of interpersonal skills and use of communication strategies resulted in an effective de-escalation of difficult situations as well as obstructive behaviour of the returnees (all airports – Germany, Sweden);
- Proactive behaviour of interpreters and medical staff, allowing to de-escalate tensions on several occasions (observed in all Member States);
- Involving escort officers (including Frontex Return Escort and Support Officers) trained in child protection in return operations with large numbers of children (observed at Berlin and Frankfurt airports – Germany and in Sweden);
- Individual contact of the escort leader with each returnee upon arrival to the airport of departure for introductory talk, explanation of the return procedure and risk as-

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12 A Serious Incident (SI) is an event, caused by an action or failure to act by a person or by the force of nature, that directly or indirectly involves Frontex participants or assets and entails a potential violation of EU or international law related to fundamental rights and international protection of obligations (SIR-Category 1).
13 Article 111 of the Regulation establishes a complaints mechanism to monitor and ensure the respect for fundamental rights in all Frontex activities. Any person who is directly affected by alleged fundamental rights violations during operational activities by staff involved in Frontex activities may submit a complaint in writing to Frontex. The FRO is responsible for handling complaints received by Frontex in accordance with the right to good administration.
sessment (observed at Frankfurt airport – Germany).

5.3. LOGISTICS AND ORGANISATIONAL ISSUES

- Responding to different and individual needs of returnees: provision of a mobile phone for returnees to call their lawyer or relatives (observed at all airports – Germany and Ängelholm airport – Sweden), creating exceptional conditions for the smoking returnees in the absence of dedicated smoking area (observed at Frankfurt, Munich airports – Germany, and Łódź airport – Poland), providing entertainment system during long-distance flights (at Madrid – Spain), provision of extra bags for packing luggage (observed at Oslo airport – Norway);
- Proper assessment of the composition of the group of returnees leading to the provision of both male and female medics, as well as speaking the language of the returnees (observed at Berlin, Leipzig airports – Germany);
- Smooth execution of procedures and a rapid response to unforeseen organisational obstacles: organising a last-minute special transportation for the returnee with a medical condition, which helped to minimise his pain when boarding the aircraft (observed at Berlin airport – Germany);
- Separate briefings for monitors, short briefings with all participants on latest updates of the operation and briefings for escorts including a comprehensive component on fundamental rights in return operations, emphasizing the importance of team building and communication, accuracy of information and creating a professional environment of trust and responsibility (observed at Madrid airport – Spain, Ängelholm airport – Sweden, Hannover, Hamburg airports – Germany, Oslo airport – Norway);
- Visible display and easy access to all Frontex complaints mechanism information material in the pre-departure phase (Frontex organised return operation, including (in several cases) complete and detailed information being provided also verbally (observed at Madrid airport – Spain, Ängelholm airport – Sweden, Łódź airport – Poland);
- Use of blankets during an unclothed body search, which helped to minimise stress and safeguarded returnees’ dignity during the procedure (observed at Düsseldorf airport – Germany);
- Setting up a new room for medical check-ups (observed at Leipzig airport – Germany) and room dedicated for disruptive returnees (observed at Düsseldorf airport – Germany).

6. RECOMMENDATIONS

6.1. OVERARCHING RECOMMENDATIONS

- The Frontex Fundamental Rights Office, together with Member States monitoring institutions and pool monitors, should aim to monitor every single forced-return operation supported by the Agency.
- Monitoring institutions in different Member States should increase the number of national monitors to ensure effective monitoring systems.
- Member States with no effective monitoring system in place, and where Frontex supports return operations, should utilize monitors from the pool or the Fundamental Rights Office.
- Member States should refrain from using restraints as a preventive measure when conducting return operations and encourage the introduction of relevant changes in the national legislation in this regard.
- Member States should provide material and inform returnees about the complaints mechanism and make relevant forms available in a language they understand.
- Member States, in cooperation with the Agency, should set up a system whereby all participants on a return operation are identifiable.
- Frontex should ensure that information is available to all Member States participating in return operations about the existing post-return and post-arrival support available for returnees, namely the Joint Reintegration Services programme, and to ensure harmonisation with national reintegration programmes and partners.
### 6.2. SPECIFIC RECOMMENDATIONS

<table>
<thead>
<tr>
<th>Nr</th>
<th>Recommendation</th>
<th>Previously recommended</th>
<th>Addressed to</th>
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<tbody>
<tr>
<td>1</td>
<td>Consideration to be given to the participation of a child psychologist/social worker in the pre-departure phase whenever it is recognized that many children will participate in an operation.</td>
<td>No</td>
<td>Organising and participating Member States where families with children are being returned</td>
</tr>
<tr>
<td>2</td>
<td>Frontex to consider introducing a requirement to have at least one interpreter, who can communicate in a language the returnees can understand, present during each return operation supported by the Agency.</td>
<td>Yes</td>
<td>Frontex European Centre for Returns Division</td>
</tr>
<tr>
<td>3</td>
<td>Whenever Member States provide national monitors to return operations coordinated by Frontex the Member States should ensure that monitoring reports are submitted to the Frontex Fundamental Rights Office (as required by Article 50 of the EBCG Regulation) in a timely manner.</td>
<td>Yes</td>
<td>Organising and/or participating Member States where national monitors are engaged (not from the pool)</td>
</tr>
<tr>
<td>4</td>
<td>Member States to always ensure adequate seating and full coordination between national bodies regarding individual circumstances of persons subjected to return procedures (i.e., concerning their family status, travel documentation, health condition, etc.).</td>
<td>No</td>
<td>Organising and participating Member States</td>
</tr>
<tr>
<td>5</td>
<td>The Frontex Fundamental Rights Office, in cooperation with the Frontex Training Unit and Member States, to coordinate trainings for pool monitors and specific trainings for escorts relating to returnees with violent behaviour.</td>
<td>No</td>
<td>Fundamental Rights Office and Frontex Training Unit</td>
</tr>
</tbody>
</table>

The Fundamental Rights Officer