

# FRONTEX EVALUATION REPORT

Return Operations 2<sup>nd</sup> Semester 2018  
Operational Response Division  
European Centre for Returns  
Return Operations Sector

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[signed]

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## Introduction

The purpose of this document is to evaluate return operations coordinated or supported by Frontex conducted between 1 July 2018 and 31 December 2018 (hereafter: the 2<sup>nd</sup> semester of 2018).

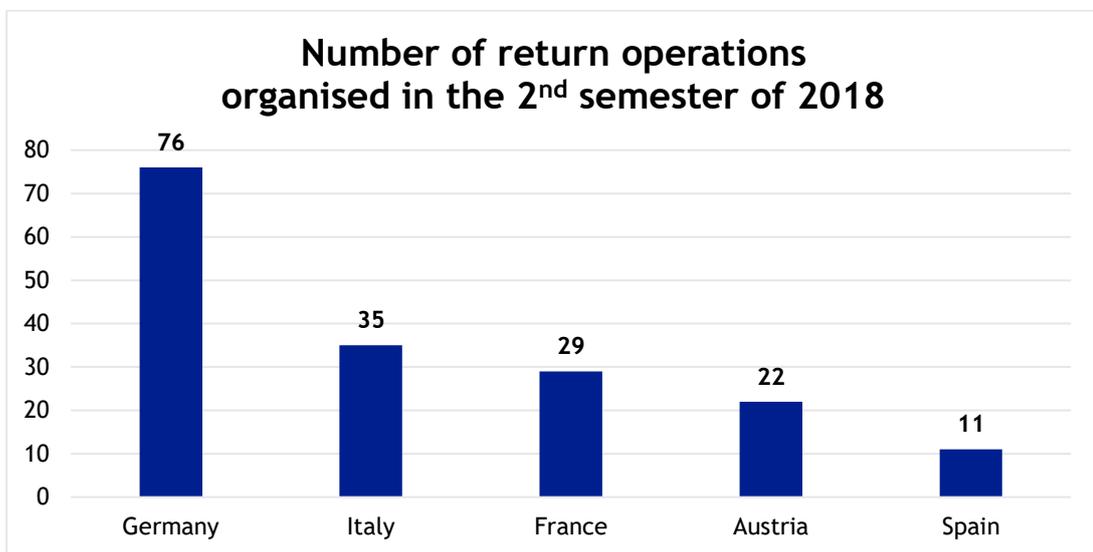
In the 2<sup>nd</sup> semester of 2018, **6103 returnees** were returned on **180 return operations by charter flights** coordinated by Frontex to **29 countries of return**. In the same period, **1187 third-country nationals were returned to 49 destinations** in the framework of the Frontex pilot project on returns by scheduled flights and **156 third-country nationals** were readmitted as a result of **20 readmission operations**.

## 1. Operational activities in the field of return

### 1.1. Return operations by charter flights

In the 2<sup>nd</sup> semester of 2018, Member States organised **180 return operations by charter flights** coordinated by Frontex, handing over **6103 returnees**. **29 countries of return** were reached. While the number of return operations increased by over 9% in comparison with the previous reporting period (1<sup>st</sup> semester of 2018), the figures show a slight decrease in the number of third-country nationals returned in the 2<sup>nd</sup> semester of 2018.

In the 2<sup>nd</sup> semester of 2018, **9 Member States** organised return operations coordinated by Frontex. The **top 5 organising Member States** in the 2<sup>nd</sup> semester of 2018 were:



In comparison with the 1<sup>st</sup> semester of 2018, Germany, France, Austria and Spain managed to increase the number of Frontex-supported return operations. The list of top 5 organising Member States did not change from the previous reporting period.

On its own initiative, in the 2<sup>nd</sup> semester of 2018 **the Agency organised 2 joint return operations with Hungary as a leading Member State** and Austria, Greece and Bulgaria as participating Member States. Moreover, for these 2 return operations Frontex chartered aircraft based on its Framework Contract (FWC).

Frontex is constantly working on full operational implementation of the FWC for chartering aircraft in order to ensure a better support to all requesting Member States and to encourage a more robust use of the service. In the 2<sup>nd</sup> semester of 2018, the Agency chartered **13 aircraft, 8 aircrafts were chartered for return operations and 5 more for readmission operations**.

#### 1.1.1. Implementation Plans

Implementation Plans for joint return operations and national return operations were updated in the 2<sup>nd</sup> semester of 2018. The Implementation Plans set the rules guiding the conduct of return operations and ensure the respect for fundamental rights. More specifically, they provide brief description of responsibilities of all participants of a return operation and information on operational procedures. Information on the Codes of Conduct, the Complaints Mechanism and the process of reporting serious incidents is also provided.

As a result of the update a number of changes were introduced, i.a.: the structure of the documents was amended to describe the procedures in a more detailed manner; the annexes were restructured; changes were introduced

regarding passengers and goods allowed on board, forced-return escorts and the list of allowed restraints, fundamental rights and media coverage.

### 1.1.2. Frontex vests

In October 2018 a Standard Operating Procedure was adopted in order to provide clear guidelines with respect to the requesting, use and management of the Frontex vests. Since 15 November 2018 the vests have been regarded official vests for all return operations by charter flights either coordinated or organised by Frontex. These include national, joint and collecting return operations, as well as connecting flights (to get to the embarkation point of the main charter flight). The vests can also be used in readmission operations from Greece to Turkey organised by Frontex under the EU-Turkey statement.

## 1.2. Pilot project on returns by scheduled flights

In the 2<sup>nd</sup> semester of 2018, a total of **1187 third-country nationals were returned by 16 Member States participating in the pilot project**. Out of the 1187 third-country nationals returned, **283 were escorted returnees (DEPA) and 904 unescorted returnees (DEPU)**.

During the reporting period, the pilot project allowed Member States to carry out returns to **49 destinations**. 42 of these destinations were made available to Member States in the 2<sup>nd</sup> semester of 2018.

Comparing the figures with data from the 1<sup>st</sup> semester of 2018, an increase is evident in all categories: **328% in the number of returns, 309% in the number of returnees, 600% in the number of destinations reached and 46% in the number of organising Member States**. The trend suggests that the mechanism developed by Frontex is successful and bolsters the decision to make it a stable activity of the Agency offered in support to Member States' needs.

## 1.3. Overview of readmission operations

In the 2<sup>nd</sup> semester of 2018, **20 readmission operations** were carried out: **15 by sea and 5 by air**. **156 third-country nationals** were readmitted in total: 109 by sea and 47 by air.

In the whole year of 2018, 44 readmission operations (31 by sea and 13 by air) took place and 322 third-country nationals were readmitted: 213 by sea and 109 by air. During the year, 345 national experts (forced-return escorts and multi-profile experts) from the Frontex pool were deployed to Lesvos to support readmission operations. Compared to 2017 and 2016 (since the beginning of readmission operations in April), a downward trend can be observed in the number of third-country nationals readmitted (687 in 2017 and 908 in 2016). The reason for such a drop is primarily twofold: firstly, the number of arrivals through the Eastern Mediterranean route decreased significantly; secondly, many operations could not be carried out due to last minute asylum requests or appeals from return decisions.

## 1.4. Monitoring

### 1.4.1. Forced-return monitoring

During the 2<sup>nd</sup> semester of 2018, **150 monitors** were deployed to monitor return operations by charter flights. At least one monitor was present on board of **119 out of all 180** Frontex-coordinated return operations by charter flights (over 66%), in particular:

- 100% of collecting return operations (31 out of 31);
- 93% of joint return operations (67 out of 72);
- 27% of national return operations (21 out of 77).

The reason behind the low number of monitored national return operations:

- a return operation with returnees from only 1 Member State supported by another Member State (with human resources - monitors in this case) is considered as a joint return operation,
- some Member States lack a system in which national monitors are available to be deployed to monitor a return operation in person from the pre-return phase all the way to the handover of the returnees.

### 1.4.2. Frontex return pools

Out of all 150 monitors deployed in the 2<sup>nd</sup> semester of 2018, **83 were deployed from the Frontex pool** upon Member States' request. Compared with the previous semester, the Agency observed a decrease of 12% in the deployment of monitors from the Frontex pool (from 94 in the 1<sup>st</sup> semester of 2018 to 83 in the 2<sup>nd</sup> semester of

2018). Member States are continually encouraged to use the Frontex pool to deploy more monitors to return operations.

During the 2<sup>nd</sup> semester of 2018, **138 national experts** (forced-return escorts and multi-profile experts) **from the Frontex pool** were deployed to Lesvos to support readmission operations.

### 1.5. Serious incident reporting

In the 2<sup>nd</sup> semester of 2018 **no serious incidents** during return operations by charter flights were reported, neither by the return escorts, nor by the monitors present during the flights.

As for scheduled flights, **one serious incident** was reported in September 2018 at the Frankfurt Airport during a return operation by scheduled flight supported by the Agency. The incident took place before the departure of a flight and two officers from the Federal Police of Germany were slightly injured by a returnee.

### 1.6. Frontex Application for Return (FAR)

Acknowledging the operational needs and building on feedback of its users, the Agency continues to develop FAR modules to provide Member States with an accessible and effective platform for communicating their needs, requesting, organising and coordinating return operations by charter and scheduled flights. In the 2<sup>nd</sup> semester of 2018 the **latest version of FAR modules** was released. The different modules of the application currently incorporate a variety of useful features and functionalities. Moreover, the **FAR module on scheduled flights** has become an integrated part of FAR accessible for all Member States.

### 1.7. Meetings

Frontex regularly meets the Member States **Direct Contact Points in return matters (DCP)** and members of the **Pre-Return Assistance Network (PRAN)** in order to better plan return-related activities, present achievements and challenges and exchange best practices. On a strategic level, Frontex organises the **High Level Round Table on Returns**, bringing together the key decision-makers of the Member States' return authorities with a view to discussing crucial developments in the field of return.

In the 2<sup>nd</sup> semester of 2018 two DCP meetings combined with PRAN meetings were organised. No High Level Round Table on Returns was organised during the reporting period.

In October 2018 the Agency organised an awareness session for Direct Contact Points. In November 2018 the second meeting of the Working Group on Return Data for Analysis was organised. The same month, a workshop on harmonisation of procedures related to medical assistance in return operations took place in the premises of the Agency.

### 1.8. Training

Through a wide variety of training sessions, Frontex contributes to a high level of professionalism of participants of return operations and ensures the execution of all activities in line with the Frontex guidelines and the relevant Codes of Conduct.

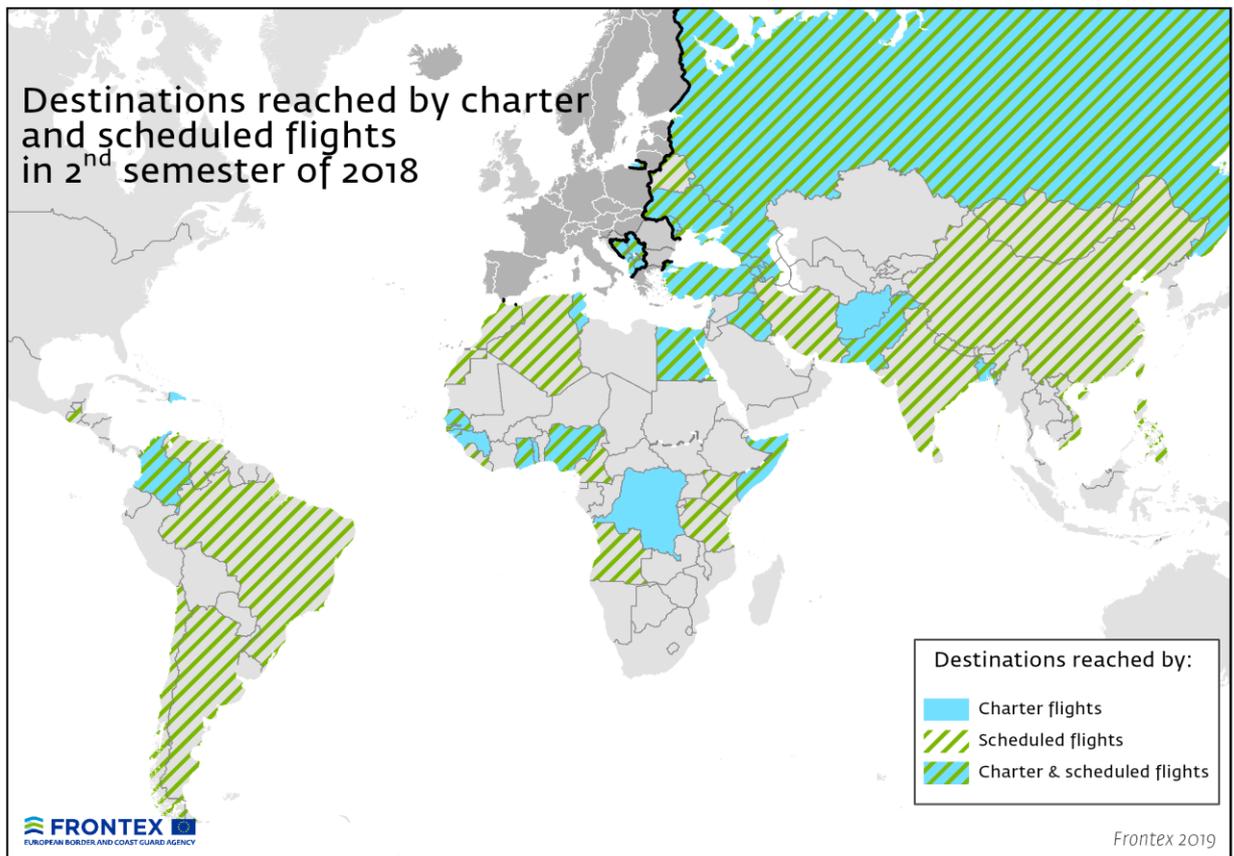
In the 2<sup>nd</sup> semester of 2018 Frontex carried out the following types of training:

- **2 escort leader** training sessions;
- **3 return specialist** training sessions;
- **5 FAR** training sessions for charter flights and **11 FAR** training sessions for scheduled flights;
- **5 readmission** training sessions.

Training provided to non-EU countries is another significant return-related activity of the Agency. After successful training sessions organised in the 1<sup>st</sup> semester of 2018 in Albania, Kosovo\*<sup>1</sup>, the Republic of North Macedonia and Bosnia-Herzegovina, the follow-ups are planned. Additionally, in the 2<sup>nd</sup> semester of 2018 a training of national escort officers was delivered in Georgia by trainers from the Frontex pool. These activities give an added value to ensuring efficiency and security of collecting return operations through sharing best practices developed by the Agency in cooperation with Member States.

<sup>1</sup> \* Throughout the report, references to Kosovo\* are marked with an asterisk to indicate that this designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo\* declaration of Independence.

## 2. Developments



### 1. A significant increase in the number of destinations reached

In the 2<sup>nd</sup> semester of 2018 a total of **55 destinations** were reached by return operations by charter and scheduled flights. Among these, 6 destinations were reached by only charter flights and 24 destinations were reached by only scheduled flights. There were 25 destinations reached both by charter and scheduled flights in the 2<sup>nd</sup> semester of 2018.

### 2. An increase in the number of return operations organised by Frontex

In order to better support Member States, Frontex is ready to organise return operations on its own initiative. In the 2<sup>nd</sup> semester of 2018 the Agency organised two joint return operations. The initiative is likely to be continued in the future.

### 3. An increase in the number of operations by charter flights with low numbers of returnees on board (fewer than 15 returnees)

The number of return operations with 15 or fewer returnees increased from 27 in the 1<sup>st</sup> semester of 2018 to **45 in the 2<sup>nd</sup> semester of 2018 (increase of almost 67%)**.

The **average number of return operations per month in the 2<sup>nd</sup> semester of 2018 increased to 30** (in comparison with 27 return operations in the previous semester). However, the average number of returnees per month did not increase, on the contrary: a slight decrease was observed.

The tendency described above was mainly caused by:

- high number of last minute cancellations;
- using remedies of last resort, such as last minute asylum requests submitted by returnees;
- returnees absconding when Member States do not use detention;
- insufficient cooperation with some countries of return in documenting returnees;
- reluctance in accepting higher numbers of returnees by some countries of return, accepting only a limited number of returnees on board of return operations.

### 3. Conclusions

The Agency continues to assist Member States in the implementation of return operations by both charter and scheduled flights by offering a broad and constantly developing list of supporting facilities. In 2018 Member States were provided with a wide range of services, including the possibility to implement return operations to more countries of return than the year before. Besides providing human resources to requesting Member States, the Agency expanded its technical support offered to Member States by chartering aircraft for return operations.