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Introduction

Article 10 (2) (h) of the Asylum and Migration Management Regulation (EU) 2024/1351 (AMMR) envisages that the European Commission takes FRA's quarterly bulletins on migration into account when assessing the overall migratory situation or evaluating whether a Member State is under migratory pressure. This bulletin covers developments between 1 April and 30 June 2026.

In the second quarter of 2026, across the Mediterranean, as well as at land borders, risks to life persisted, alongside allegations of violence, summary returns and restricted access to asylum procedures. Gaps in the investigation of rights violations at borders remain, leading to a perception of impunity, which risks undermining the rule of law. At the same time, judicial scrutiny in some Member States and increasing monitoring efforts at national and EU level show evolving accountability mechanisms.

After a six-month transitional period, the Entry/Exit System (EES) came into operation on 10 April 2026. Under the EES, Member States must record travel-document data, date and place of entry, exit or refusal of entry, as well as personal data, including facial images and fingerprints of all third-country nationals travelling for short stays.

As of 12 June 2026, the instruments adopted under the EU Pact on Migration and Asylum (Pact) apply. The reform brings new obligations for Member States with respect to fundamental rights of migrants, asylum applicants and refugees. The Pact requires Member States to set up independent national mechanisms to monitor compliance with fundamental rights during screening and asylum border procedures.

Whereas the European Commission proposed a further extension of temporary protection for displaced people from Ukraine, Member States have begun implementing transition schemes to national residence permits for displaced people from Ukraine. Ensuring access to residence permits for vulnerable groups remains sensitive.

At a time when increasing emphasis is placed on deterrence in migration policy, the Council of Europe's Committee of Ministers adopted the Council of Europe's Chișinău Declaration in May 2026, reaffirming their commitment to the European Convention on Human Rights (ECHR), and their support for the independence of the European Court of Human Rights (ECtHR). The declaration, which addresses challenges linked to migration, underlines the important contribution of the ECHR system in protecting and promoting human rights and the rule of law in Europe. It stresses that states have primary responsibility for implementing the ECHR and that the Court in Strasbourg ultimately acts as a safeguard in case people's rights and freedoms are not secured at the national level.

For this bulletin, FRA drew on its own data and expertise. It also drew on its multidisciplinary research network, Franet, for further desk research as well as interviews and written consultations with various stakeholders. Depending on the Member State, these included immigration and

asylum authorities, ombuds institutions or national human rights institutions, international organisations and relevant civil society actors. FRA also used findings from its own field missions to Member States.

Under Article 10 of the Screening Regulation, the Commission must also take into account the findings of the independent monitoring mechanisms when assessing the effective application of the Charter of Fundamental Rights of the EU. FRA draws on their input where relevant.

FRA shared the draft bulletins with national human rights institutions through their European Network ENNHRI, as well as with Member States, relevant EU agencies and the European Commission through the Migration Preparedness and Crisis Blueprint network and with the Frontex Fundamental Rights Officer, integrating the comments received as appropriate.

In addition, FRA used the general-purpose artificial intelligence tools Perplexity and Chat GPT to scan publicly available documents. FRA checked the information generated by these AI tools with respect to its correctness and sources, analysing it alongside more traditional sources of data and information. References to external sources are provided through embedded hyperlinks. Hyperlinks were accessed on 1 July 2026.

1. Rescue at sea and punishment of humanitarian rescuers

EU legal and policy framework

Under Article 3 (1) (b) of the European Border and Coast Guard Regulation, search and rescue (SAR) at sea is one of the components of European integrated border management. The 1982 United Nations (UN) Convention on the Law of the Sea and other maritime law conventions, require shipmasters to render assistance to all persons in distress at sea. In 2023, the EU proposed a new Facilitation Directive, with a recital indicating that assistance among family members, humanitarian assistance or support for basic human needs will usually not amount to migrant smuggling. This would be crucial to avoid tensions with the Charter of Fundamental Rights of the EU's right to life (Article 2) and prohibition of refoulement (Articles 18 and 19).

Loss of life at sea and pressure on humanitarian actors supporting migrants continue. Courts in some cases question the legality of restrictive measures against civil society organisations supporting migrants. Interceptions at sea and returns to Libya persist, exposing those brought back to a risk of serious harm.

1.1. Fatalities at sea

While fewer people arrive, the number of fatalities remains high, according to the International Organisation for Migration (IOM). Between April and June 2026, at least 559 people were reported dead or missing on sea routes to Europe in the Mediterranean or via Atlantic Ocean crossings to the Spanish Canary Islands, including at least 15 children, according to data communicated by IOM on 10 July 2026. For example, over 80 people died or went missing in a shipwreck in the Central Mediterranean after departing from Libya with some 120 people on board at the beginning of April, according to IOM. The organisation considers 2026 the deadliest start to a year since 2014.

The Italian Red Cross stated that they estimate between 100,000 and 200,000 migrants dead in the Mediterranean in the past 10 years.

1.2. Criminalisation of humanitarian support to migrants

In the Central Mediterranean, civil society organisations (CSOs) involved in search and rescue operations at sea play a key role in saving lives but continue to face legal and administrative challenges. In June 2026, leading academic researchers published a policy paper calling for a common European approach to search and rescue in the Mediterranean, arguing for a formula that is fully compliant with international and EU law obligations, anchored in multi-stakeholder collaboration and fair sharing of responsibility.

PICUM's 2025 report on Criminalisation of solidarity with migrants in the EU highlights the continued targeting of individuals and organisations providing humanitarian assistance. The report documents trends related to legal and administrative measures against those supporting migrants, confirming a pattern of criminalisation. According to the report, at least 110 individuals faced judicial proceedings, and 11 CSOs or similar entities faced administrative sanctions. PICUM also recorded 33 cases of non-judicial harassment. One group of targeted actors are CSOs involved in search and rescue operations at sea. These figures are likely an underestimation, due to limited official data and underreporting.

The Greek government responded to an analysis by the UN Special Rapporteur on Human Rights Defenders of the 'legal migration law' of February 2026, which expanded criminal liability of CSOs supporting migrants and increased pressure on them. While the UN Special Rapporteur sees a well-established pattern of stigmatisation and criminalisation of migrants' rights, the Greek government posits that the law improves transparency and aggravated liability targets only abuse of CSO status, not humanitarian or rescue work.

The CSO Aegean Boat Report states that a Norwegian court blocked Greece's extradition request for the CSO's founder Tommy Olsen, ruling that the alleged acts are not punishable in Norway and warning of risks to freedom of expression. He was released pending appeal.

In Italy, after rescuing 44 people stranded on the abandoned Didon oil platform in the Mediterranean, Italian authorities detained Sea-Watch's rescue vessel, *Aurora*, in Lampedusa for 45 days and imposed a fine of €7,500, SOS Humanity reported. According to Sea-Watch, Italy initiated a criminal investigation into the *Sea-Watch 5* captain after the ship disembarked 166 rescued people in Brindisi. A proposed new immigration law that temporarily prohibits vessels from crossing Italian territorial waters in cases of 'serious threat to public order or national security,' including 'exceptional migratory pressure' is pending parliamentary approval. Non-compliance by the captain of a vessel foresees administrative fines of €10,000 to €50,000, with seizure of the vessel for repeated violations with the same boat

At the same time, judicial scrutiny of sanctions against search and rescue CSOs is growing. The Court of Agrigento in Sicily issued an interim decision on how the so-called Piantedosi Law should be applied, as stated by Sea-Watch via LinkedIn. Since 2023, this law has imposed stringent obligations and sanctions on CSOs engaged in SAR activities, if they do not comply with the duty to perform only one rescue at a time and to disembark rescued people at the assigned ports, even if these are far away. The court found that Italian authorities cannot use earlier cases to justify escalating sanctions, though such cases are still under judicial review.

In another example, in May 2026, SOS Méditerannée reported that the Court o Chieti annulled the 20-day administrative detention, fine and related sanctions imposed on the vessel *Ocean Viking* in November 2023 under the same law. The court found that the rescue of 34 people in the Libyan SAR region was lawful and urgently necessary after ineffective rescue coordination by the Libyan authorities. The court reaffirmed that international maritime law obligations prevail where lives are at risk, and that CSOs cannot be sanctioned when state coordination is absent or inadequate. Similarly, the Tribunal of Trapani annulled the detention and fine imposed on Mediterranea's ship, *Mare Jonio*, finding the sanctions unlawful, as reported by ANSA, Italy's leading news agency, in April 2026. The court rejected the argument that the CSO should have followed Libyan coordination, noting that Libya cannot be considered a place of safety for disembarkation.

1.3. Rescue and disembarkations in Libya

Libyan authorities continue to pick up migrants and refugees at sea, bringing them back to Libya, where they are exposed to widespread abuse, as described in FRA's April 2026 Quarterly Migration and Fundamental Rights Bulletin. From 1 January to 13 June 2026, some 9,934 migrants were intercepted and returned to Libya, including 202 children, according to IOM's Libya Weekly Maritime Update 7 – 13 June 2026.

The Maltese authorities increasingly allow Libyan Coast Guard boats to enter the large Maltese search and rescue zone to intercept boats in distress and return them to Libya, as the transnational network of activists, journalists, academics and anti-racist organisations, 'Migration Control', reported in May 2026. The advocacy project 'Malta Migration Archive' reports that the Armed Forces of Malta rescued people from just three boats out of 565 distress cases recorded in the country's search and rescue zone in 2025. The project further reports that in April 2026, 48 people, including five children, were returned to Libya from within Malta's search and rescue zone.

2. Fundamental rights at the EU's external borders

EU legal and policy framework

The principle of *non-refoulement* protects people from being returned to a risk of persecution or serious harm. It is the cornerstone of refugee protection. It derives from Article 33 (1) of the 1951 Refugee Convention and is reflected in Article 78 (1) of the Treaty on the Functioning of the EU and Articles 18 and 19 of the Charter of Fundamental Rights of the EU. It is further defined in secondary EU law. Since 12 June 2026, the EU Pact on Migration and Asylum applies, introducing mandatory screening and border procedures, that must comply with fundamental rights and the principle of *non-refoulement*. FRA and the European Court of Human Rights' 2026 Handbook on European asylum, borders and immigration law provides an updated, practical overview of relevant EU legislation and case law by the two European courts in an accessible way. A new chapter in the handbook focuses on monitoring compliance with fundamental rights and investigations into rights violations.

Maintaining the security of Schengen external borders requires continuous vigilance against evolving geopolitical risks, while ensuring that fundamental rights are respected, as stated in the 2026 State of Schengen Report. Credible reports point to ongoing fundamental rights violations at borders, including allegations of summary returns, violence, and restricted access to asylum. Some courts and oversight bodies scrutinise these practices. Pressure on reception systems, restrictive border measures, and responses to the instrumentalisation of migrants by third countries continue to challenge compliance with fundamental rights. Legislative changes at the external borders, following the EU Pact on Migration and Asylum (Pact), offer an opportunity to address some of the existing fundamental rights challenges. Member States must investigate allegations of fundamental rights violations at borders.

2.1. Changes at the EU external borders following the Pact

Since 12 June 2026, the Pact applies in full, bringing new rules on screening, asylum border procedures, return border procedures, Eurodac, responsibility-sharing and solidarity. At the external borders, the Pact requires screening of certain third-country nationals, including those crossing the border irregularly and people disembarked after search and rescue operations. The screening aims at assessing security risks and establishing identity as well as health and vulnerability needs before referral to the appropriate asylum or return procedure. It also expands

the use of border procedures, including for applicants from countries with low recognition rates, while requiring safeguards, legal counselling and independent fundamental rights monitoring (see chapter 3).

According to the Commission's May 2026 Report on the state of play on the implementation of the Pact, Member States have made progress, but readiness varies. For example, most have advanced in terms of establishing independent monitoring mechanisms, expanding reception capacity, reducing asylum backlogs and preparing legal counselling. The Commission identified remaining gaps in Eurodac, screening and border-procedure facilities, measures to prevent absconding and secondary movements, responsibility transfers, solidarity arrangements, and fundamental rights safeguards. The Minister of Interior of Hungary stated that the country continues to reject the Pact and does not plan to submit a national implementation plan.

In its April 2026 report, Operationalising the Pact on Migration and Asylum: Experiences from the hotspot approach, FRA presents selected lessons learnt from its permanent field presence in Greece over several years, and its visits to Greece, Italy and Cyprus in 2025 and 2026. The report suggests ways to overcome recurring fundamental rights challenges at borders, such as the pressure on reception conditions, leading to overcrowding and unlawful or arbitrary detention. These lessons intend to support the implementation of the Pact in a way that safeguards fundamental rights at external borders.

In Greece, for example, ongoing arrivals to Crete and Gavdos from Libya may provide an early test of how the new framework under the Pact is applied in practice. It will show whether people with stronger protection profiles, such as Sudanese nationals, will continue to be transferred to a registration facility on the mainland. In addition, key questions include whether detention decisions for applicants from countries with lower recognition rates, such as Pakistan, Bangladesh or Egypt, will be based on an individual necessity and proportionality assessment. The Greek Ministry of Migration and Asylum confirmed to FRA that movement restrictions and detention require a legal basis, individual assessment, necessity, proportionality, and appropriate safeguards and remedies.

2.2. Alleged summary returns and violence

Allegations of summary returns and violence persist on the different routes migrants use to reach the EU.

Eastern Mediterranean route

Legal Centre Lesvos reports that arrivals to Lesvos and across the Northern Aegean decline while 'reports of pushbacks, violent interceptions, disappearances, and deaths at sea continued to increase'. Allegations that Greek police used masked migrants to forcibly push asylum seekers

back across the Evros border to Türkiye, were reported by the media, amid claims of violence and abuse. The Greek authorities denied wrongdoing. A 2025 Frontex Fundamental Rights Office Serious Incident Report found similar allegations of collective expulsion and inhuman or degrading treatment to be substantiated, prompting related written questions (Question E-001603/2026/rev.1 and Question E-001563/2026) to the Commission by Members of the European Parliament.

The CSO, Aegean Boat Report, posted on social media that in April 2026, some 485 people arrived on the Greek islands on 18 boats, while 39 boats carrying 783 people were stopped or rescued by the Turkish Coast Guard before reaching Greek territory or after being turned back at sea by Greek authorities.

The media reported on the sinking of a boat near Lesbos,with 43 people being rescued and one person dying. Survivors alleged the Greek Coast Guard damaged the vessel.

Concerning Cyprus, since July 2025 FRA has not received reports about excessive use of force or violations of the principle of *non-refoulement* during maritime border surveillance.

Balkan route

Between April and June 2026, at least 12 people were reported dead or missing on the Western Balkan route, according to data communicated by IOM on 10 July 2026. Data includes also fatalities which occurred outside the EU.

The 2025 annual report of the Croatian independent monitoring mechanism, published in March 2026 (page 66), identified gaps in accessing asylum at crossing points at the land border. Although the mechanism generally observed during its visits that the police respected fundamental rights, it also refers to an incident of excessive use of force during the apprehension of migrants on their way to the Slovenian border. The authorities opened investigations on the incident.

The Minister of the Interior reported in the media on 14 deaths from accidents at Croatia's border with Bosnia and Herzegovina in 2025, and two cases of drowning in 2026. Karlovac police administration reported that in May 2026 four dead bodies and two injured people were found in the border area of Croatia with Bosnia and Herzegovina (Netretić, Donje Prilišće).

Data communicated by Save the Children to the Centre for Peace Studies in April 2026 recorded 1,155 reported summary returns from Croatia in Una-Sana Canton between January 2025 and March 2026 and more than 200 in April 2026. The Border Violence Monitoring Network's March 2026 report (published in June) described continued summary returns at the Bosnia-Croatia border, including cases involving unaccompanied children, pregnant women, a pregnant 15-year-old girl, and children with medical needs. The 2025 report of the Croatian Ombudsman for Persons with Disabilities described irregularities in police conduct in the case of a deaf Japanese tourist who alleged violent and discriminatory treatment when traveling through Croatia. Foreign

media published testimonies of more than a dozen people who reported that they had been physically assaulted and robbed by Croatian authorities.

Human Rights Watch reports that Hungary still requires asylum seekers to submit a 'statement of intent' at Hungarian embassies in Belgrade or Kyiv before they are allowed to enter Hungary to apply for asylum. In practice, this procedure effectively prevents them from lodging asylum in Hungary. The report also states that Hungarian authorities continue to escort people entering from Serbia back to the border fence, without examining their protection needs. Police data confirm that summary border-control practices continued in Hungary. Between April and June 2026, the police reported more than 500 prevented irregular border crossings, more than 350 persons 'apprehended and escorted through the temporary security border barrier gate' and around 50 persons charged with the criminal offence of unlawful border crossing.

Border with Belarus

In Lithuania, Latvia and Poland human rights CSOs issued media appeals calling on their respective governments to review practices at the Belarusian border as they may violate EU and international law. They urged that migration policy should prioritise human dignity and the rule of law rather than security-driven approaches.

Poland's temporary restriction of the right to apply for international protection at the border with Belarus, with exceptions for vulnerable groups, was extended until at least 21 July 2026. Vulnerable groups include unaccompanied children, pregnant women or the elderly. According to the Border Guard Services, the identification of such groups is based on established assessment mechanisms. In a complaint to the European Commission, the Association for Legal Intervention states that in practice the identification of such vulnerabilities is ineffective. In a letter addressed to the Minister of Interior of Poland, published April 2026, the Council of Europe's Commissioner for Human Rights acknowledges migration pressures at the Poland–Belarus border but expresses concern that Poland's blanket suspension of access to asylum and reported summary returns—without individual assessment or effective remedies—risk violating obligations under the ECHR, including *non-refoulement* and the right to an effective remedy. The Polish Ombudsman asked the Interior Ministry to justify the year-long 'temporary' suspension of the right to apply for international protection at the Belarus border, arguing that such a severe rights restriction should be reconsidered or replaced with a less harmful measure.

Latvia extended its reinforced border-guarding regime at its border with Belarus until 31 December 2026, allowing continued heightened border surveillance and controls.

The Council of Europe's Committee of Ministers' Chişinău Declaration of May 2026 stresses (point 38) that migrants involved in instrumentalised migratory movements are entitled to respect for and protection of their rights under the European Convention on Human Rights and other European and international law, subject to permitted limitations.

2.3. Investigations into rights violations

Some Member States increasingly see the importance of initiating investigations into reported rights violations at borders.

Concerning incidents at sea, for example, after a collision of a Hellenic Coast Guard patrol vessel with an inflatable boat carrying migrants near the island of Chios in February 2026 that resulted in 15 fatalities, the Greek authorities opened an inquiry, the according to the Hellenic Coast Guard. In France, the Dunkerque public prosecutor opened an investigation into allegations of racist behaviour involving civilian sailors aboard a private vessel chartered by the French authorities for migrant rescue operations in the English Channel, French media reported. This investigation – ongoing as of June 2026 – concerns charges of public insult on grounds of origin, ethnicity, nationality, race or religion, as well as endangering the lives of the rescued people by deliberately violating obligations of care and safety.

In Poland, in March 2026, the Siedlce District Prosecutor's Office dissolved the special team of prosecutors established by the Lublin Regional Prosecutor through Order No. 33/2024 of 17 April 2024. The team's purpose had been to conduct investigations into alleged rights violations reported between September 2021 and March 2024 near the Polish-Belarusian border. Some 34 cases were discontinued due to lack of conclusive evidence. Criminal charges have been pressed in four cases against border guard officers before local courts, the Public Prosecutor's Office informed the public. These criminal proceedings were still pending at the end of June 2026.

Criminal proceedings over the 2023 Pylos shipwreck, initiated in May 2025, as reported by Refugee Support Aegean, with felony prosecutions brought against 17 Hellenic Coast Guard officials, according to media reports. At the same time, disciplinary proceedings have still not been initiated as of the end of April 2026. This is 15 months after the Greek Ombudsman conducted its own preliminary investigations into possible wrongful conduct of the 17 Hellenic Coast Guard officials and the authorities' announcement, in May 2025, that they would do so.

Despite developments, gaps remain in many EU Member States leading to a perception of impunity, which risks undermining the rule of law.

FRA offered Member States its guidance to improve transparency and accountability in investigations – see Guidance on investigating alleged ill-treatment at borders (2024). Following a 2025 update, FRA continues to monitor the situation with regard to official investigations into alleged rights violations at EU external borders.

The Pact requires Member States to adopt relevant provisions to investigate allegations of non-respect for fundamental rights in relation to the screening and the asylum border procedure (see Article 10 of the Screening Regulation, in combination with Article 43 (4) of the Asylum Procedure Regulation). Earlier Schengen evaluation recommendations had already flagged the insufficient nature of investigations, for example in Greece in 2021 and in Croatia in 2024.

The ECtHR continues to play an important role in providing victims with access to justice. In Y.F.C. and Others v. the Netherlands, the ECtHR found a violation of Article 3 of the ECHR, holding that the national authorities had failed to conduct adequate investigations into the use of force and the injuries suffered by Venezuelan asylum seekers in Curaçao, a Caribbean island and constituent entity of the Kingdom of the Netherlands.

The Council of Europe's Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) conducted a baseline evaluation of the EU and its institutions in June 2026 to assess compliance with the Istanbul Convention on violence against women. FRA contributed to the input with meetings with the GREVIO delegation with respect to the area of migration and asylum.

3. Fundamental rights monitoring

EU legal and policy framework

Monitoring compliance with fundamental rights is one of the promising aspects of the EU Pact on Migration and Asylum. New rules under the Screening Regulation (Article 10) and the Asylum Procedure Regulation (Article 43 (4)) require Member States to have an independent mechanism by June 2026 to monitor compliance with fundamental rights during the screening of new arrivals and when assessing asylum claims at borders. Member States must ensure that monitoring bodies are independent, have unfettered access to locations and documents, and are allocated adequate resources. Such rules complement effective forced return monitoring under Article 8 (6) of the Return Directive (2008/115/EC) and the internal monitoring mechanisms in Frontex and the EU Agency for Asylum.

Effective and independent mechanisms to monitor compliance with fundamental rights – be it in the context of screening, border procedures, forced returns and beyond – play a key role in preventing rights violations, strengthening the protection of victims through existing safeguards and expert guidance, and supporting official investigations through objective, evidence-based reporting. By enhancing transparency, accountability and oversight, they also contribute to greater public trust in national authorities.

Since the EU Pact on Migration and Asylum (Pact) became applicable in mid-June 2026, Member States are required to operate independent monitoring mechanisms. However, such mechanisms are not yet fully operational in all countries.

Monitoring activities more broadly have expanded at both national and EU levels.

3.1. Monitoring mechanisms under the Pact

Most EU Member States have completed – or are close to the completion of – the legal arrangements for the designation of independent national mechanisms to monitor compliance with fundamental rights during screening and border procedures. In many cases, this function has been or is most likely to be entrusted to existing statutory human rights bodies, such as Ombuds institutions, National Human Rights Institutions, equality bodies or combined multi-mandate bodies (e.g. in Austria, Belgium, Bulgaria, Cyprus, Czechia, Denmark, Estonia, Finland, France, Latvia, Lithuania, Luxembourg, Poland, Portugal, Romania, Slovakia). In some Member States, such as Lithuania, the monitoring activities will be carried out in cooperation with civil society

organisations.

In view of operationalising its 2024 guidance on how to set up independent national monitoring mechanisms, FRA has developed a practical manual setting out a common monitoring methodology to support the work of the future mechanisms. FRA has begun piloting the methodology in selected Member States in cooperation with the independent monitoring mechanisms under the Pact. The first pilot to test the common methodology, together with the national Ombuds institution, took place in Romania in April 2026 during a screening simulation exercise at the external border with Moldova. In April 2026, FRA, together with the Frontex Fundamental Rights Officer, provided awareness raising workshops to monitoring staff in Estonia, Finland, Latvia, Lithuania, Poland and Romania. At an online meeting convened by FRA on 11 June 2026 in partnership with the Frontex Fundamental Rights Officer, the Council of Europe and the European Network of National Human Rights Institutions, FRA's common monitoring methodology was shared. Most of the independent monitoring mechanisms are in the phase of establishing their modus operandi for monitoring. While a few have announced they will initiate monitoring right away, others have indicated they will only start monitoring in 2027 due to lack of resources and staff. Most independent monitoring mechanisms reported challenges regarding resources, access to information and locations, the need for standards and for a sound monitoring methodology and expressed the need for training and skills' enhancement.

The work of the pre-Pact monitoring mechanism in Croatia, which has been in place since summer 2021, came to an end in June 2026. Amendments to the Croatian Act on Foreigners (Article 180b (4)) assign this task to the Office of Human Rights and the Rights of National Minorities who will cooperate with external partners. The five-year experience of the Croatian pilot monitoring mechanism offers lessons learnt on what challenges emerge in ensuring independent and effective fundamental rights monitoring under the Pact. As the final recommendations adopted by the Advisory Board to the monitoring mechanism point out, the Croatian experience underlines the importance of ensuring sustainable funding, closely cooperating with national statutory human rights bodies and giving proper and visible follow up to monitoring findings.

In its May 2026 Report on the state of play on the implementation of the Pact, the European Commission urged those Member States that have not yet defined arrangements for providing for a monitoring mechanism to do so 'as soon as possible' (page 21). The Commission stressed: all Member States 'should address any outstanding issues relating to […] adequate financing, staffing and training, and define clear lines of responsibility and accountability' where the monitoring role is divided among multiple actors – with a clear lead entity to be designated accordingly.

3.2. Forced return monitoring

New rules under the Return Regulation, adopted by the co-legislators in June 2026, further reinforce Member States' obligations to have effective and independent forced return monitoring mechanisms in place. According to its Article 15, forced return monitoring may rely on the independent national monitoring mechanisms under the Pact. At the same time, gaps remain in

the monitoring of forced returns, as FRA will describe in a forthcoming report.

According to the Frontex Fundamental Rights Officer's observations on return operations, conducted in the second half of 2025, the Frontex pool of forced-return monitors comprised 67 monitors nominated by 23 Member States. In addition, six Frontex fundamental rights monitors were regularly engaged in forced-return monitoring. Within Frontex, national return operations financed by Frontex are the least monitored. According to the 2025 Annual Report of the Frontex Consultative Forum on Fundamental Rights published in May 2026, the Frontex pool of forced return monitors should be detached from Frontex and expanded to monitor forced return operations across the EU, including those carried out by Member States and Frontex.

3.3. Monitoring by Frontex and the EU Agency for Asylum

As of July 2026, 52 fundamental rights monitors continuously cover Frontex activities in the field of border management and returns, collecting findings, including best practices, and providing Frontex with recommendations for mitigating measures or, in cases where the Fundamental Rights Officer observes that rights violations persist, suggestions to suspend parts of the operations as per Article 46 of the European Border and Coast Guard Regulation (EU) 2019/1896 due to high risk of fundamental rights violations. Fundamental rights monitors also provide training and advice. The Frontex Fundamental Rights Officer who oversees the monitors' work devotes significant resources to investigate incidents and liaises with national authorities, encouraging them to take needed action. For such investigations, the Fundamental Rights Officer needs to rely on effective investigations at national level – as noted by the Frontex Consultative Forum's 2025 Annual Report, which recommends that Member States should better support him.

The EUAA Fundamental Rights Officer Annual Report for 2025 provides an overview of the Office's work to ensure compliance with fundamental rights across the Agency's activities and to promote respect for fundamental rights in its work.

Building on the EUAA pilot monitoring exercises carried out in Estonia and the Netherlands in 2025 to prepare for the implementation of the new mechanism for monitoring the technical and operational application of the EU asylum *acquis* across all EU Member States, a revised EUAA monitoring methodology was finalised in June 2026. The first monitoring exercises under the new mechanism will take place in the second half of 2026, with Bulgaria, Malta, and Slovakia as the first three Member States to be assessed, the Commission's May 2026 Report on the state of play on the implementation of the Pact pointed out. The mechanism will also assess contingency planning on reception and asylum.

The EUAA Fundamental Rights Officer informed FRA that in the first half of 2026, he visited the Agency's operation in Belgium and handled 17 complaints.

4. Protecting people fleeing Ukraine

EU legal and policy framework

The Temporary Protection Directive 2001/55/EC, activated through Council Implementing Decision 2022/382 in March 2022 in response to Russia's full-scale invasion of Ukraine, grants displaced persons immediate protection and access to key services. In 2025, the Council of the EU extended temporary protection again to March 2027. A Council Recommendation (2025) on coordinated transition encourages Member States to support transitions to national residence permits, and improve information on return options, while a Commission Communication (2025) outlines principles for these transitions and proposes Unity Hubs for guidance. On 26 June 2026, the Commission published a proposal for another extension of the Temporary Protection Directive until March 2028, with the general exemption of persons with military obligations. Under Article 18 of the Charter of Fundamental Rights of the EU, everyone retains the right to apply for asylum, once temporary protection ends.

On 30 April 2026, 4.37 million non-EU citizens who fled Ukraine as a result of Russia's war of aggression were under temporary protection in the EU, according to Eurostat.Adult women made up 43 % of the people under temporary protection, 54 % of them were aged 35 to 64 years. Children represented almost one third (30 %), while adult men accounted for slightly more than a quarter (27 %). Member States have begun implementing transition schemes into national residence permits, while ensuring access for vulnerable groups to residence permits remains a sensitive and important issue. Data indicate continued improvements in employment, as well as in education enrolment and access to private accommodation.

4.1. Transitioning into national residence permits

Member States continued to implement different national residence solutions for people with temporary protection in the EU in the absence of an adopted EU-wide approach. Civil society has expressed criticism of some of the proposals. The question of whether vulnerable people will be able to effectively access residence permits after March 2027 was discussed by the European Council. The Council of Europe Commissioner for Human Rights has highlighted growing concerns over the transition from EU temporary protection to national residence permits, warning that without adequate safeguards this shift could leave many displaced Ukrainians in legal uncertainty with reduced access to rights. In parallel, he stressed that current conditions in

Ukraine do not allow for safe and dignified return. He further cautions that policies indirectly encouraging return, risk leading to unsafe or involuntary departures.

In Poland, from 4 May 2026 until 4 March 2027, it is possible to apply for a CUKR permit — a three-year residence card for Ukrainians with PESEL UKR who previously held temporary protection status. Applications must be submitted in electronic form, and applicants must fulfil several criteria related to their stay under temporary protection. At the same time, access to temporary protection has been tied to rigid registration requirements and tight deadlines. According to the Council of Europe, this raises concerns for certain people, such as stateless persons, who might not be able to comply with the one-month registration deadline. As of 30 June 2026, more than 30,000 applications have been lodged and 212 residence permits issued, as the Polish Ministry of the Interior and Administration informed FRA.

During April 2026, persons with temporary protection in Czechia were able to apply for the special five-year residence permit through an online platform. According to the Ministry of the Interior, by the end of April, a total of 56,500 expressions of interest had been submitted. In a similar exercise last year, only one fifth of applicants met the strict eligibility criteria. These criteria, introduced in 2024 under Lex Ukrajina VI, remained unchanged in 2025 and 2026. They include a minimum of two years of residence in Czechia, a gross annual income of at least CZK 440,000 (approximately €17,600) plus CZK 110,000 per dependent person, continuous health insurance, proof of adequate housing, a clean criminal record, and, for families, children enrolled in Czech schools. The Council of Europe has highlighted the exclusion of vulnerable groups from access to this residence permit, following its mission to Czechia in April 2026. A consortium of CSOs has also reported on the difficulties of persons with disabilities displaced from Ukraine to access social support.

In Croatia, amendments to the Foreigners' Act in force since 4 June 2026 remove the possibility to count temporary protection towards long-term residence. On 2 June 2026, Slovakia amended its Act on the residence of Foreigners, introducing a one-year automatic transitional protection period after temporary protection ends. During this year, displaced persons can apply for standard residence permits, provided they have worked, studied or carried out another activity for at least six months. In May 2026, the Irish Department of Justice announced plans to introduce a Temporary Protection Transition Scheme, initially valid for two years with renewable two-year extensions and future naturalisation eligibility for Ukraine refugees. Eligibility requires one year under temporary protection, six months of work, a €29,432 salary and no dependence on state accommodation. The Ukraine Civil Society Forum, consisting of 122 Irish organisations,criticised the plan as harmful to displaced people from Ukraine. Latvia is considering amendments allowing eligible Ukrainians with at least five years of lawful residence to apply for permanent residence, which could improve legal clarity and support long-term integration. However, in a public consultation NGOs warn that the criteria may be hard to meet and leave uncertainty for those who do not qualify after temporary protection ends in 2027.

According to a UNHCR survey with persons displaced from Ukraine staying in the EU, 59 % of respondents with temporary protection reported, when asked about their future plans, that they intended to change their legal status within the next 12 months. The survey interviewed 4,389

people between December 2025 and January 2026. People in more stable, economically anchored households, especially where at least one member works, are most likely to seek work-based residence permits. More vulnerable groups, such as older people, single adult carers, and those originally from frontline or occupied areas in Ukraine are more likely to rely on asylum. Some 41 %, said they do not plan any status change in the coming year. This group is mostly made up of vulnerable people and non-working households, and their hesitation is linked to expectations that temporary protection may be extended, limited awareness of other options, reluctance to switch status or the need for support to do so.

In Germany, according to an answer to a parliamentary question, 23,462 people who at some point since March 2022 had a residence permit for temporary protection switched to a different residence permit by 30 April 2026. In most cases it was to one for work or family reasons.

4.2. Socio-economic situation

According to UNHCR data from a socio-economic survey in May 2026 covering eight Member States and Moldova, 67 % of displaced people from Ukraine are employed, with an unemployment rate of 10 % and a labour force participation rate of 74 %. The labour force participation rate shows what share of people aged 15–64 is either working or actively looking for work. All three indicators show improvement compared to a 2023 survey, showing the increased integration in the local labour markets. The 2025 survey was conducted in 8 Member States (Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, and Slovakia) and Moldova.

FRA's Fundamental Rights Report - Challenges and achievements in 2025 raises concerns, however, regarding informal employment and vulnerabilities to labour exploitation for women. According to a FRA survey among 1,200 women carried out in 2024 (whose findings the agency published in 2026) overall, 36 % of women who had carried out paid work since arriving in the three Member States covered by the survey, namely Czechia, Germany and Poland indicated that they had to work without a contract or that the contract did not cover all their working hours. Some 29 % had to work very long hours, and 24 % were underpaid or not paid at all for work they were doing.

UNHCR data refer to severe material and social deprivation among 19 % of Ukrainian households, in comparison to 8 % for host population households, despite social protection benefits provided by national authorities.

UNHCR data also shows that 92 % of households were paying rent in a private accommodation in 2025, compared to 81 % in 2024, with the lowest portion in Hungary with 46 % and the highest in Estonia at 91 %. In Estonia, the share of households living in independent accommodations rose from 81 to 91 %.Estonian authorities informed FRA that Ukrainian holders of temporary protection continue to be entitled to one-off support for signing a rental agreement in order to facilitate their move to a local municipality and then access mainstream social services. Additionally, 44 % of households received Estonian social protection benefits.

The Bulgarian Foundation Refugees International Women Empowerment informed FRA of a growing climate of anti-Ukrainian hate speech, online threats, and risks of violence in Varna, Bulgaria, particularly affecting Ukrainian women and children under temporary protection.

4.3. Access to education

Enrolment of Ukrainian children in local schools has continued to rise, increasing from 78 % in 2024 to 84 % in 2025 according to UNHCR data from May 2026 covering eight Member States and Moldova. Over the same period, the share of children following only Ukrainian online education dropped from 14 % in 2024 to 10 % in 2025, indicating progressively stronger integration into host-country education systems. However, 28 % of students reported experiencing bullying, with particularly high rates among children with disabilities.

5. Rolling out the Entry/Exit System

EU legal and policy framework

The Entry/Exit System (EES), as established by Regulation (EU) 2017/2226, entered into full operation at external border crossing points of the Schengen area on 10 April 2026, after a progressive start on 12 October 2025. Regulation (EU) 2025/1534 establishes the rules for the progressive start of EES operation.

The Entry/Exit System (EES) is a new EU border-management IT system that electronically registers third-country nationals entering and leaving the Schengen area for short stays. It replaces manual passport stamping by recording data, such as the person's name, travel document details, date and place of entry and exit as well as biometric data, including fingerprints and a facial image. The European Commission states that by 10 April 2026 the system had registered more than 52 million entries and exits, over 27,000 refusals of entry and identified over 700 persons as posing a security risk. Annually, an estimated 1.3 billion travellers enter or leave the Schengen area. In the implementation of the EES, national authorities must pay particular attention to several fundamental rights enshrined in the Charter of Fundamental Rights of the EU. FRA's 2025 Entry/Exit System: Fundamental rights guidance for managers and for border guards provides suggestions on how to achieve this.

The below chapter is based on information collected through desk research and FRA's research network Franet, which consulted national stakeholders working with the EES. In addition, with the help of Frontex and their National Points of Contact, FRA gathered initial evidence on the implementation of the EES through means of a small-scale survey with 121 border guards and staff working with the EES at border crossing points and at national ministries in several Schengen countries. The survey was anonymous allowing respondents to openly report on their experiences. Given the nature of the survey and its small scale, its results should be read cautiously and as non-representative.

5.1. Fundamental rights implications of the progressive start

The EES started progressively on 12 October 2025, according to Regulation (EU) 2025/1534. While a few Member States, such as Sweden, Latvia and Malta operated the EES on all border crossing points (BCPs) from the beginning, others, such as Austria, Belgium, Bulgaria, Denmark, France, Germany, the Netherlands, Poland and Slovakia, initially deployed the system only at selected BCPs for the first 60 days while passport stamping continued at other BCPs.

Prior to the progressive start, in March 2025, the European Data Protection Supervisor (EDPS) raised data-protection concerns because data recorded during the progressive start could be incomplete, and that such incomplete data may cause negative consequences for third-country nationals. Regulation (EU) 2025/1534 established safeguards for this transitional period. For example, according to Article 5 (3) authorities should not take adverse decisions on the basis of there being no registration of the alleged entry or exit in the EES. Nevertheless, border guards in the survey and in the Franet consultation reported divergent national practices to deal with low quality and incomplete data in the EES as well as concerning the acceptable quality threshold for fingerprints and facial images. This shows that, despite the existence of legal safeguards, their effective application in practice remains crucial. The handling of vast volumes of data under time pressure increases the risk of errors and potentially flawed conclusions.

5.2. Technical issues and waiting times

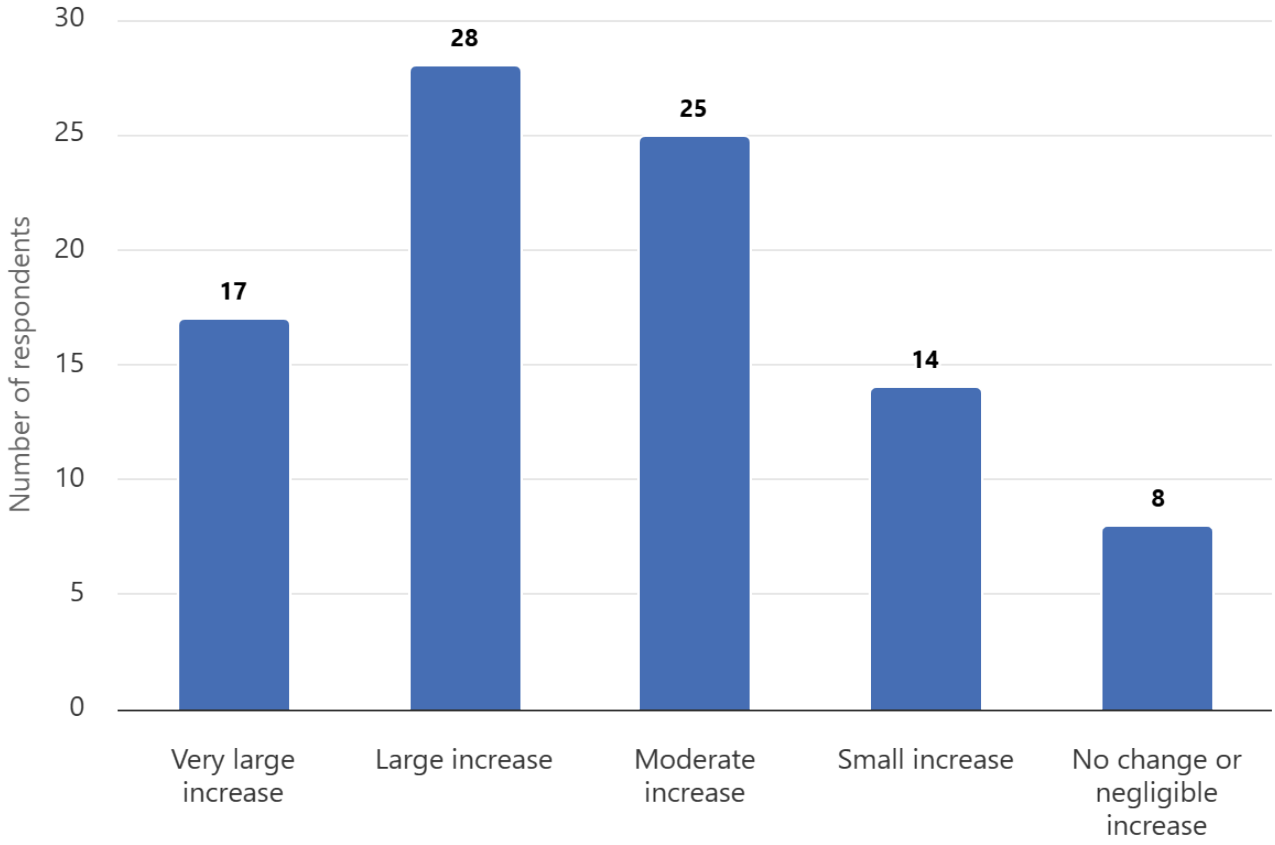
Before the EES was fully rolled out on 10 April 2026, the Airport Council International (ACI) reported about up to two hours of waiting times at peak periods at BCPs, referring to staff shortages, and technical problems with self-service terminals at border crossing points and the central system. Also, the International Air Transport Association (IATA) warned that the EES roll-out was causing major delays. On the first day of full operation, disruptions and missed flights were reported. Border guards told FRA of malfunctioning or unused kiosks, rejected fingerprints, unreliable facial images, and little staff guidance.

To assess perceptions of the impact of the EES on waiting times at BCPs, FRA's survey asked respondents at the beginning of June 2026 of their experience with increased waiting times. Out of 121 respondents, 50 were employed at land BCPs, 49 at air BCPs, two at sea BCPs and 11 at the central/ministerial level. Nine respondents did not provide information on their workplace. The results presented below are based exclusively on respondents who reported working at a land, air or sea BCPs; respondents with missing workplace information were excluded from the analysis of this question.

The perceived increase in waiting times was similar between land and air BCPs according to the survey. Overall, more than a third of respondents (45 out of 121) reported a large or very large increase in waiting times, indicating that the EES had increased waiting times by more than 50 % on average at their BCP. About one-fifth (25 out of 121) reported a moderate increase in waiting times of between 30 % and 50 %, while around one-sixth reported a small (between 10 % and 30 %) or negligible increase in waiting times. These findings suggest that a substantial proportion of respondents perceived the implementation of the EES as having led to a significant increase in average waiting times at their BCP.

Figure 1 summarises the respondents' views on waiting time increase at land and air BCPs.

Figure 1 – Waiting time increase at land and air BCPs



Alternative text: The chart shows different reported levels of increase in waiting times at land and air BCPs. Most respondents indicated a large increase (28) or a moderate increase (25), followed by a very large increase (17). Fewer respondents reported a small increase (14), while the smallest number reported no change or a negligible increase (8).

Source: FRA, 2026.

Note: n = 121. Question: ' 'Thinking of the past four weeks, how would you estimate the EES has increased the waiting time on average at your BCP? ' Response options were: (a) very large increase (>70 %); (b) large increase (>50 %–70 %); (c) moderate increase (>30 %–50 %); (d) small increase (>10 %–30 %); and (e) no change or negligible increase (≤10 %).' Responses 'I do not know' or 'Not applicable' are not included in the figure.

These findings were confirmed by media reports. Queues at airports in France, Greece, Italy, the Netherlands, Portugal and Spain were typically averaging two to three hours during peak periods, according to media reports. A Belgian media source reported on four-hour long queues at the Brussels airport. In Italy, for example, a flight from Milan Linate to Manchester departed with only 34 of 156 passengers on board, leaving 122 passengers stranded in border control queues caused by EES processing, as media reported in April. In France, at the end of May, the Port of Dover confirmed that border authorities stopped gathering the additional biometric data after people had waited for up to six hours in hot weather, the media reported. By mid-April, according to media reports, Greece had stopped collecting biometric data for British nationals. At the end of May, this practice was reversed again, as the British government announced.

Respondents to FRA's survey were asked which factors contributed to the delays. The most commonly cited factors were biometric data collection, system delays or reduced processing capacity and high volumes of travellers.

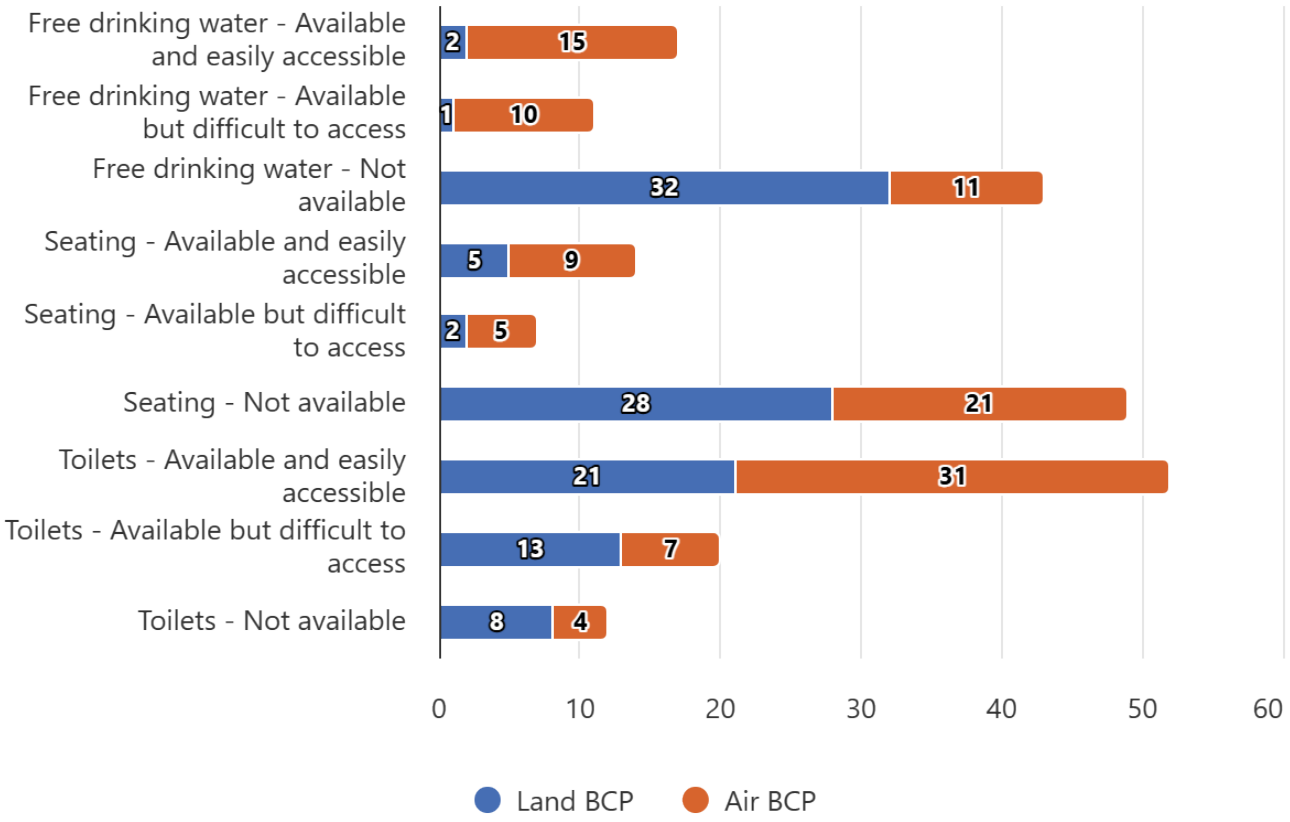
A few countries, such as Austria or Bulgaria, did not see a significant increase in waiting times at airports following the EES start. According to an interview with the Bulgarian Border Police, recruiting 240 additional border guards before the EES launch helped increase border-check capacity. In Austria, as reported to FRA by the Federal Ministry of the Interior, on-site staff and dedicated services support travellers at the border, including assistance for persons with reduced mobility and active queue management to prevent delays or family separation.

Long waiting times disproportionately affect vulnerable groups, including children, elderly people, pregnant women, and persons with disabilities. Inadequate infrastructure and staffing forced some passengers, sometimes with infants or reduced mobility, to wait for hours in overcrowded, poorly ventilated spaces with limited access to toilets, drinking water and places to sit.

Respondents to FRA's survey working at land and air BCPs indicate that basic passenger facilities in areas where EES data collection takes place are often limited. The survey asked respondents whether seating, drinking water, and accessing toilets were available for passengers waiting to complete EES data collection at their BCPs. For each facility, respondents could indicate whether it was available and easily accessible, available but difficult to access or not available. Out of 50 respondents working in land BCPs, more than half (28) reported that seating was not sufficiently available. Similarly, among the 49 respondents working in air BCPs, 21 reported that seating was unavailable. Accessing toilets in land BCPs was reported as 'not available' or 'available but difficult to access' by 21 out of 50 respondents working in land BCPs. Access to free drinking water was reported as not available by 32 out of 50 respondents working in land BCPs.

Figure 2 summarises reported access to basic facilities across land and air BCPs, including free drinking water, seating, and toilets.

Figure 2 – Available facilities at land and air BCPs



Alternative text: The chart shows different levels of availability of facilities, that is: free drinking water, seating and toilets, at land and air Border Crossing Points (BCP). For each response, bars on the chart are colour-coded, showing the different responses given by border guards working at land BCPs and air BCPs. Most respondents from land and air BCPs indicated that free drinking water (43) and seating (49) are not available. As for toilets, most respondents in land and air BCPs said that they are available and easily accessible (52).

Source: FRA, 2026.

Note: n = 121. Question: 'For passengers waiting to complete EES data collection at your BCP, how available are the following facilities within the immediate queueing area or within a short walking distance (≤2 minutes)? Please select one option for each item: Toilets; Seating (e.g. benches, chairs); free drinking water; land/sea borders only: Sheltered areas providing protection from sun, rain, or other adverse weather conditions.' Responses from sea BCPs are excluded from the analysis owing to the low number of respondents. Responses 'I do not know' or 'Not applicable' are also not included in the figure.

FRA's Entry/Exit System: Fundamental rights guidance for border guards stresses that border authorities should actively identify and support travellers with specific needs—including children, families, older persons and people with disabilities—through tailored assistance, accessible procedures and priority handling where necessary.

5.3. Implications for data protection

The EES processes sensitive personal data. Next to travellers' names, travel-document data, the date and place of entry and exit – the system also records fingerprints and facial images. While children under the age of 12 are exempt from the requirement to give fingerprints, there is no age limit for facial images (Article 17 of the EES Regulation 2017/2226). Member States may access

the data for border management, immigration and law-enforcement purposes. Europol may also access the data for law-enforcement purposes and under strict conditions the data may be transferred to another Member State, a third country or an international organisation for return or law-enforcement purposes.

FRA's Entry/Exit System: Fundamental rights guidance for border guards emphasizes that data in the EES must be processed lawfully, securely and transparently, with clear information provided to travellers, strict limits on what is collected as well as safeguards to ensure accuracy and protection of sensitive biometric data. Authorities must also enable individuals to access and correct their data, prevent discrimination and ensure strong oversight and accountability.

Conclusions

The developments observed between April and June 2026 show continued challenges to fundamental rights at the external borders and for people fleeing Ukraine.

Persistent risks to life, as well as allegations of violence, summary returns and restricted access to asylum remain a concern. While investigations launched in some cases reflect increased attention to accountability, ensuring their effectiveness and follow-up remains essential.

The implementation of the Pact on Migration and Asylum (Pact) brings fundamental rights challenges but can also be an opportunity to strengthen safeguards. Independent monitoring mechanisms can support transparency, accountability and prevention of violations.

At the same time, the transition from temporary protection to national residence permits for people displaced from Ukraine raises questions of legal certainty and access to rights, particularly for vulnerable groups.

The rollout of the Entry/Exit System highlights both the opportunities and challenges of digitalised border management, including risks linked to data accuracy, divergent practices and the impact on vulnerable travellers.

Looking ahead, consistent and rights-compliant implementation of the Pact across Member States will be critical. Strengthening investigations, addressing operational gaps and ensuring continuity of protection during transitions will be essential to ensure that the Pact is implemented in full respect of fundamental rights.

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