

## Annex: Operation of forced return monitoring in 2023, 27 Member States

Member State	Legal source for forced return monitoring	Organisation responsible for monitoring	Monitoring body = NPM*	Public reports	Number of monitored return operations from the Member State (excluding intra-EU and Dublin transfers)						Number of staff who worked as monitors	Number of staff trained as monitors	Phases monitored (pre-return; in-flight; handover)
					National return				Frontex operations**				
					Charter flight	Commercial flight	Land	Sea	Charter flight	Commercial flight			
AT	<a href="#">Aliens Police Act (Fremdenpolizeigesetz)</a> , §46, read together with <a href="#">Alien Police Act – Operative Act (Fremdenpolizei-gesetz-Durchführungsverordnung)</a> , §10	<a href="#">Federal Agency for Reception and Support Services (Bundesagentur für Betreuungs- und Unterstützungsleistungen)</a>	No	No	8	0	0	0	15	0	5	5	All phases
	Monitoring forced returns as part of the NPM mandate	<a href="#">Ombudsman (Volksanwaltschaft)</a>	Yes	<a href="#">2023 annual report</a>	0	0	0	0	0	0	—	—	
BE	<a href="#">Royal Decree of 19 June 2012 (Arrêté royal modifiant l'arrêté royal du 8 octobre 1981 et l'arrêté royal du 20 juillet 2001 / Koninklijk besluit tot wijziging van het koninklijk besluit van 8 oktober 1981 en het koninklijk besluit van 20 juli 2001)</a> , Art. 5	<a href="#">General Inspectorate of the Federal Police and the Local Police (AIG) (Inspection générale de la police fédérale et de la police locale / Algemene inspectie van de federale politie en van de lokale politie)</a>	No	Thematic <a href="#">2023 annual report</a> (in French)	5	55	0	0	2	0	7	7	All phases: 1 Pre-return: 6
BG	<a href="#">Foreigners in the Republic of Bulgaria Act (Закон за чужденците в Република България)</a> , Art. 39a(2)	<a href="#">Ombudsman of Republic of Bulgaria (Омбудсман на Република България)</a>	Yes	<a href="#">2023 annual report</a>	0	31	2	0	0	0	3	1	Pre-return
CY	<a href="#">Aliens and Immigration Law (Cap 105) (Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ 105))</a> , Art. 18B(6)	<a href="#">Office of the Commissioner for Administration and the Protection of Human Rights (Ombudsman)</a>	Yes	Not available yet	0	86	0	0	3	0	4	18	Pre-return
CZ	<a href="#">Act No 349/1999 Coll. on the Public Defender of Rights, Section 1, Art. 6 (and further amendments)</a>	<a href="#">Ombudsman, Public Defender of Rights (PDR) (Veřejný ochránce práv, VOP)</a>	Yes	<a href="#">2023 annual report</a> (in Czech)	0	1	0	0	0	0	1	1	Pre-return
DE	Decree of the Federal Ministry of the Interior, Building and Community, 15 February 2017 (Bundesministerium des Innern, für Bau und Heimat), not public	<a href="#">Federal Office for Migration and Refugees</a>	No	No	0	0	0	0	21	0	3	4	All phases
	Monitoring forced returns as part of the NPM mandate	<a href="#">Nationale Stelle zur Verhütung von Folter (National Agency for the Prevention of Torture)</a>	Yes	Not available yet	2	1	0	0	3	0	4	0	Pre-return: 5 In-flight and handover: 1
	Forums at various airports*** No legal basis at the federal level	BB: <a href="#">Forum Abschiebungsbeobachtung Berlin-Brandenburg</a>	No	<a href="#">2023 annual report</a> (in German)	0	19	0	0	21	0	1	1	Pre-return
		FR: <a href="#">Diakonie</a> and <a href="#">Caritasverband für die Diözese Limburg e.V.</a>	No	<a href="#">2023 annual report</a> (in German)	0	75	0	0	20	0	2	2	Pre-return
		HH: <a href="#">Diakonie</a>	No	<a href="#">2023 annual report</a> (in German)	4	0	0	0	4	0	1	1	Pre-return
		NRW: <a href="#">Diakonie</a>	No	Not available yet	1	0	0	0	18	13	2	2	Pre-return
	SA: <a href="#">Diakonie</a>	No	<a href="#">2023 annual report</a> (in German)	12	12	0	0	0	0	1	1	Pre-return	

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					National return				Frontex operations**				
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DK	Act on Return ( <a href="#">Hjemrejseloven</a> ), No 982, 25 May 2021, Art. 19	<a href="#">Parliamentary Ombudsman (Folketingets Ombudsmand)</a>	Yes	<a href="#">2023 annual Report</a> (in Danish)	0	10	0	0	2	0	2	2	All phases
EE	<a href="#">Obligation to Leave and Prohibition on Entry Act (Väljasõidukohustuse ja sissesõidukeelu seadus)</a> , RT I, 15 March 2014, 98, 21 October 1998, Art. 6(4)	<a href="#">Estonian Red Cross (Eesti Punane Rist)</a>	No	No. Only <a href="#">activity report for 2023</a> (in Estonian)	0	50	3	0	0	0	3	6	All phases: 25 Pre-return only: 28
EL	<a href="#">Law 3907/2011</a> , Art. 23 (6); <a href="#">Joint Ministerial Decision 4000/4/57-ia'/2014</a> , Art. 3	<a href="#">Greek Ombudsman (Συνήγορος του Πολίτη)</a>	Yes	<a href="#">2023 annual report</a> at 4.2 (in Greek); thematic report (forthcoming)	0	0	4	0	8	0	8	13	All phases
ES	<a href="#">Organic Act 3/1981</a> , of 6 April regarding the Defensor del Pueblo, as amended, and Rules of the Organisation and Functions of the Defensor del Pueblo	<a href="#">Ombudsman (Defensor del Pueblo)</a>	Yes	Report for 2023 not available yet	1	0	0	0	1	0	2	2	In-flight: 2
FI	<a href="#">Aliens Act (ulkomaalaislaki/utlänningsl ag)</a> , No 301/2004, Section 152(b)	<a href="#">Non-discrimination Ombudsman (Yhdenvertaisuusvaltu utettu)</a>	No	Summary in <a href="#">2023 annual report</a> at 6.1 (in Swedish); every 4 years report to parliament	3	67	0	0	2	0	4	4	All phases: 5 Pre-return: 67
FR	<a href="#">Law 2007-1545 of 30 October 2007</a> establishing a General inspector of all places of deprivation of liberty, Art. 1 ( <i>Loi n° 2007-1545 du 30 octobre 2007 instituant un Contrôleur général des lieux de privation de liberté</i> )	<a href="#">General Inspector of All Places of Deprivation of Liberty (Contrôleur general des lieux de privation de liberté)</a>	Yes	<a href="#">2023 annual report</a> at 3.4 (in French)	0	2	0	1	0	0	4	0	Pre-return
HR	<a href="#">Foreigners Act (Zakon o strancima)</a> (OG 133/20), Art. 204; and <a href="#">Ordinance on the Treatment of Third Country Nationals (Pravilnik o postupanju prema državljanima trećih zemalja)</a> , 136/2021, Arts 40–45	None (monitoring gap since 2021)	—	—	0	0	0	0	0	0	0	0	
HU	<a href="#">Act No II of 2007 on the Entry and Stay of Third-Country Nationals (2007. évi II. törvény a harmadik országbeli állampolgárok beutazásáról és tartózkodásáról)</a> , Art. 65(9); <a href="#">20/2014. (XII.23.) Chief Prosecutor's Instruction about the judicial supervisory competence of the penal supervisory and legal protection prosecutor</a> , Arts 2(i) and 13	<a href="#">Prosecution Service of Hungary (Magyarország Ügyészsége)</a>	No	No	3	0	0	0	1	0	2	2	All phases
IE	No monitoring system in law	—	—	—	—	—	—	—	—	—	—	—	—
IT	<a href="#">Law 10/2014</a> of 21 February 2014, Art. 7 ( <i>Legge di conversione 21 febbraio 2014, n. 10 recante: «Misure urgenti in tema di tutela dei diritti fondamentali dei detenuti e di riduzione controllata della popolazione carceraria»</i> )	<a href="#">National Guarantor for the Rights of Persons Deprived of Liberty (Garante nazionale dei diritti delle persone private della libertà personale)</a>	Yes	<a href="#">Thematic report</a> (period up to 15 September 2023) (in Italian)	4	4	0	0	13	0	34	34	Pre-return: 2 All phases: 19
LT	<a href="#">Law on the Legal Status of Aliens (Istatymas Dėl užsieniečių teisinės padėties)</a> , No IX-2206, 29 April 2004 and further amendments, Art. 126(2); Order No 1V-279/A1-196 of the Minister of the Interior and Minister of Social Security and Labour of the Republic of Lithuania 'On approving the description of the monitoring's execution of removal of foreigners from the Republic of Lithuania' of 10 April 2015	<a href="#">Diversity Development Group</a>	No	<a href="#">Monitoring report for 2022–2023</a> (in Lithuanian)	0	3	21	0	1	0	2	2	All phases
LU	<a href="#">Immigration Law 8 August 2024</a> , Arts 109–116, and <a href="#">Grand-ducal decree of 26 September 2008</a> (coordinated text of 22 August 2011), Art. 6(2) ( <i>Loi sur la libre circulation des personnes et l'immigration</i> )	<a href="#">Luxembourg Red Cross (Croix-Rouge luxembourgeoise)</a>	No	No	1	1	1	0	5	0	5	9	All phases

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LV	<a href="#">Immigration Law</a> ( <i>Imigrācijas likums</i> ), Art. 50 (7)	<a href="#">Ombudsman's Office</a> ( <i>Tiesībsarga birojs</i> )	Yes	<a href="#">2023 annual report</a> (in Latvian)	0	2	1	0	0	0	3	12	All phases: 1 Pre-return: 2
MT	<a href="#">Board of Visitors for Detained Persons Regulations</a> , Legal Notice 266 of 2007, Subsidiary Legislation 217.08, Art. 3(g)	Monitoring Board for Detained Persons	Yes	No (only at the request of parliament)	0	4	0	0	1	0	3	4	All phases
NL	<a href="#">Aliens Return Monitoring Regulation</a> ( <i>Regeling toezicht terugkeer vreemdelingen</i> ) Law Gazette ( <i>Staatscourant</i> ) of 23 December 2013, No 35638	<a href="#">Inspectorate of Justice and Security</a> ( <i>Inspectie Justitie en Veiligheid</i> )	Yes	<a href="#">2023 annual report</a> (in Dutch)	0	28	0	0	0	0	8	8	All phases: 1 Pre-return: 27
PL	<a href="#">Act on foreigners</a> ( <i>Ustawa z dnia 12 grudnia 2013 r. o cudzoziemcach</i> , Dz.U. z 2023, poz. 519, 185.547.), 12 December 2013, Art. 333; <a href="#">Ordinance of Ministry of Internal Affairs of 18 April 2014 on the presence of NGO representatives during activities concerning the return of foreigners to the border or to an airport or seaport of the state to which he/she is to be brought</a>	Various NGOs: <a href="#">Helsinki Foundation for Human Rights</a> , <a href="#">Rule of Law Institute</a> , <a href="#">Halina Nieć Legal Aid Centre</a> , <a href="#">MultiOcalenie Foundation</a> (information in the table relates to the Rule of Law Institute)	No	No	0	0	1	0	0	0	1	8	All phases: 1
PT	<a href="#">Decree-Law No 22/2021, 15 March</a> ( <i>Decreto-Lei n.º 22/2021, de 15 março</i> ); <a href="#">Law 23/2007, 4 July</a> (Foreign Nationals Act) ( <i>Lei n.º 23/2007, de 4 de julho (Lei de Estrangeiros)</i> , Article 180-A, para. 4(c); <a href="#">Ministerial Order No 11102/2014, 25 August</a> ( <i>Despacho do Ministério da Administração Interna n.º 11102/2014, de 25 de Agosto</i> ); <a href="#">Ministerial Regulation No 10728/2015, 16 September</a> ( <i>Despacho do Ministério da Administração Interna n.º 10728/2015, de 16 de Setembro</i> )	<a href="#">General Inspectorate of Home Affairs</a> ( <i>Inspecção-geral da Administração Interna</i> , IGAI)	No	<a href="#">2023 thematic report</a> (in Portuguese) <a href="#">Individual monitoring reports</a> for 2023	0	45	0	0	0	0	11	11	All phases: 7 Pre-return: 38
RO	<a href="#">Government Ordinance No 25/2014</a> ( <i>Ordonanța Guvernului nr. 25/2014 privind încadrarea în muncă și detașarea străinilor pe teritoriul României</i> ), Official Gazette No 640 of 30 August 2014, Art. 98	<a href="#">Romanian National Council for Refugees</a> ( <i>Consiliul Național Român pentru Refugiați</i> , CNRR) (NGO)	No	No	0	63	3	0	1	0	3	3	All phases: 16 Pre-return: 51
SE	<a href="#">Regulation (2007: 996)</a> with instructions for the Swedish Migration Board, Section 3(21)	<a href="#">Swedish Migration Agency</a> ( <i>Migrationsverket</i> )	No	No (only upon request)	5	17	0	0	9	0	7	4	All phases: 26 Pre-return only: 3
SI	<a href="#">Foreigners Act</a> ( <i>Zakon o tujcih</i> ), 15 June 2011 (Official Gazette No 50/2011, 27 June 2011), Art. 69(5)–(7)	<a href="#">Caritas Slovenia</a>	No	No (only upon request)	1	2	1	0	1	0	2	2	Mainly pre-return phase
SK	<a href="#">Act No 404/2011 Coll. on residence of aliens</a> ( <i>Zákon č. 404/2011 o pobyte cudzincov a zmene a doplnení niektorých zákonov</i> ), Art. 84(8)	<a href="#">Slovenská humanitná rada</a> (NGO)	No	<a href="#">Individual monitoring reports</a>	0	9	0	0	0	0	1 (2 according to authorities)	0	All phases

NB:

Data up to date at 16 October 2024. Ireland is not bound by the return directive (Directive 2008/115/EC).

— = not applicable.

\* NPM = national preventive mechanism established under the Optional Protocol to the UN Convention against Torture. They may monitor forced return operations under their mandate flowing from the Optional Protocol.

\*\* Includes joint return operations, national return operations and collecting return operations, coordinated/organised by Frontex. Frontex-coordinated national return operations and Frontex-supported returns by commercial flights may for some Member States be reported under national returns, as the monitoring body may not know whether a specific operation is funded by Frontex or by the national authorities.

\*\*\* BB = Berlin/Brandenburg; FR = Frankfurt; HH = Hamburg; NRW = North Rhine-Westphalia; SA = Saxony.

Source: FRA, 2024.