Annex 1: Guidelines for semi-structured interviews

The guidelines were developed by the FReM project team, covered both general questions on the daily work of each unit, as well as specific questions with regard to their responsibilities in the management of the Pool:

General questions (addressed to all units):

1. Please describe the current responsibilities of your unit. What does your daily work entail?
2. What is your unit's responsibilities regarding the Pool of forced return monitors? How many staff members from your unit are working in this specific area? What are their exact tasks/division of responsibilities?
3. According to Article 8(6) of the EU Return Directive, "MSs shall provide for an effective forced-return monitoring system". Article 34 of EBCG Regulation states that "the Agency shall draw up, further develop and implement a fundamental rights strategy including an effective mechanism to monitor the respect for fundamental rights in all the activities of the Agency". Based on your experience, what are the elements of an "effective mechanism to monitor the respect for fundamental rights" with regard to forced return? How can such a monitoring system be described?
4. Are there any other units/entities within Frontex involved in the Pool other than CAP, ECRet, FRO and TRU? What are their roles?
5. Could you describe the process of information flow and decision taking between the involved units, regarding the Pool of forced return monitors? Are there any SOPs in place?
6. How is the selection of monitors to be deployed to specific return operations (based on the pre-defined criteria) conducted? Specifically, based on which criteria do you select the monitors in case more than one monitor is nominated by their national monitoring body for the same operation?
7. What internal mechanisms for monitoring/evaluating the work of your department are you aware of?
   a. Were there any recommendations or suggestions for changing procedures in your department as a result of a monitoring/internal evaluation exercise? If so, please provide an example.
8. To whom do you report, particularly with regard to your unit's responsibilities on the Pool of forced return monitors? Could you describe the reporting lines?
9. According to your knowledge and experience, how are the recommendations provided in the forced return monitors' reports being processed?
   a. How are the conclusions of these reports considered by your unit?
   b. How do you follow-up with the Member States regarding – both with the monitoring bodies for further clarification and with the return enforcing institutions for "action"?
   c. Have these recommendations had an impact on your work?
   d. Analysis of the monitor reports from Pool monitors and national monitors, reports from ECRet, reports from the OMS escort leader, Serious Incident Reports, complaints, etc.
10. What would you change in your current work regarding the Pool of the monitors?

a. What do you consider as a major challenge in your current work regarding the Pool of forced return monitors?
b. Is there something that, if in place, would make your work more efficient or easier?
c. What is in your opinion the advantage of/for your unit in being involved in the Pool – both for the smooth running of the Pool and the positive impact on your work?

11. Are there any other issues relevant for the management of the Pool, which we did not cover in our discussion?

Questions for the Fundamental Rights Office:

1. The mandate of a national monitor (monitoring on behalf of the competent national body that carry out forced-return monitoring in the national context) is different from the mandate of a monitor deployed from the Pool. Depending on the national context regulating the mandate, a national monitor can e.g. have access to documentation about the returnee that a monitor from the Pool cannot; can be responsible for monitoring also the pre-return phase/detention centre monitoring etc. Is there any structural cooperation in place between monitors deployed from the Pool and national monitoring bodies in order to ensure coordination and information exchange from the very beginning to the end of a specific Return Operation?
   a. If yes, what does it look like?
   b. If not, what would be beneficial to address?
2. Currently, all monitoring reports from Frontex coordinated or organised return operations are submitted to the Frontex Executive Director, the Fundamental Rights Officer and the competent national authorities of all MSs involved in the given operation.
   a. How are these reports processed by your unit? How are recommendations/good practices registered in these reports being processed?
   b. What is the feedback mechanism for these reports? How do monitors receive feedback?
   c. In what ways have these reports had an impact on the way return operations are being organised and carried out?
   d. Is there a plan for publicising (at least parts of) the bi-annual report in the future?
   e. Do you receive all monitor reports from Frontex coordinated operations, i.e. also the one that are not submitted by Pool monitors?
3. What are the plans concerning the efficiency of the complaints mechanism available to returnees i.e. to ensure that returnees have access to it?
   a. How many complaints have you registered so far?
   b. What were the consequences of such complaints, if any?
   c. How is follow-up to the specific complaints handled?
4. What kind of policy reports does the FRO draft?

Questions for the European Centre for Return:

1. Currently, ECRet uploads the monitor reports on the Frontex Application for Returns (FAR) that Frontex and MSs use for coordinating return operations. The responsible escort leaders also have access to these reports via the FAR.
   a. According to your knowledge, are/how are MSs making use of these reports? Do the focal points in the MSs ensure that escort leaders have access to the reports via FAR?
   b. According to Article 28(6) of EBCG Regulation, "If necessary, appropriate follow-up shall be ensured by the Executive Director and competent national authorities respectively". In what way has such a follow-up been implemented so far?
   c. How do you interpret "competent national authorities", i.e. which institutions does it include?

Questions for the Training Unit:

1. Currently, there are countries in which monitoring is not institutionalised – gaps between monitoring activities can lead to lost knowledge. How can sustainability of monitoring capacity of MSs be better integrated into future training activities?
2. How is the Agency planning to cover the costs of trainers in future training sessions for monitors?

Questions for the Capability Programming Office (CAP):

1. Currently, there are 67 monitors from 21 MSs nominated to the Pool, with 12 countries that are operational (active), i.e. that nominate monitors for deployment in return operations.
   a. Where there cases in which the MSs' requests for monitors could not be met and what were the reason for this? What would be the mitigation strategy for such cases?
2. What does the workflow concerning monitors being nominated to the Pool look like?
   a. Is any follow-up to those Member States not nominating monitors to the Pool conducted?
   b. Is any follow-up conducted with those Member States that nominated monitors to the Pool, but not for deployment when a request for monitoring is being sent out?
   c. What do you do to encourage active participation in Pool activities?
   d. Does CAP have access to FAR?
   e. After the selection of a monitor and informing the monitoring body of the respective selection for an operation, how is CAP still involved in processing a request? For instance, in case a selected monitor cannot actually participate in a return operation (due to medical reasons or insufficient time for issuing a visa), what is then the role of CAP?
3. Currently, CAP is also involved in drafting of administrative reports related to the maintenance of the Pool.
   a. What do the reports cover/what information do the reports contain?
   b. How is CAP and the Agency making use of these reports?