

Baseline Assessment Practices on Monitoring of Forced Return within the Western Balkan Partners

Yiannis Boutselis
Independent expert

May 2025

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List of abbreviations

CoO: Country of Origin

CRO: Collecting Return Operation

EC: European Commission

ECtHR: European Court of Human Rights

EU: European Union

FRA: Fundamental Rights Agency

Frontex: European Border and Coast Guard Agency

ICMPD: International Centre for Migration Policy Development

IOM: International Organization for Migration

JRO: Joint Return Operation

MoU: Memorandum of Understanding

NPM: National Preventive Mechanism

OG: Official Gazette

UNHCR: United Nations High Commissioner for Refugees

UNSCR: United Nations Security Council Resolution

WB: Western Balkans

WBRM: The Western Balkan Return Mechanism

Introduction

This assessment was conducted in the framework of the project Support to the Western Balkans on Targeted Operationalisation of Returns of Third-Country Nationals (The Western Balkan Return Mechanism - WBRM), a targeted initiative implemented by the International Centre for Migration Policy Development (ICMPD) from 1 December 2023 to 30 June 2025. Funded by the Netherlands' Ministry of Justice and Security's Repatriation and Departure Service (R&DS), the project is designed to enhance the capacity of Albania, Bosnia and Herzegovina, Kosovo*, Montenegro, North Macedonia, and Serbia (hereafter: Western Balkan partners) in the field of return and readmission. By enhancing operational capabilities and strengthening cooperation with countries of origin, the WBRM project aims to empower WB authorities to take direct ownership in the development and implementation of return activities for third-country nationals, thereby contributing to a more effective and sustainable return framework in the region.

FORCED RETURN

Compulsory return of an individual to the country of origin, transit, or third country (i.e., country of return) on the basis of an administrative or judicial act.

The Baseline Assessment: Practices on Monitoring of Forced Return within the Western Balkan Partners was developed as one of the key activities of the WBRM project in order to assess the existing structures and practices for monitoring forced returns within each WB partner. This assessment is particularly significant given that various capacity-building activities on this topic have been carried out in the Western Balkans in recent years by international actors, including Frontex.

***** This reference should be understood in the context of UNSCR 1244/99.

The aim of this assessment is to map the existing structures and practices for monitoring forced returns of third-country nationals with irregular stay in the Western Balkans partners¹ to their countries of origin, identify needs and gaps in these processes, and recommend actions to strengthen the monitoring systems in compliance with international and EU standards. The assessment is intended to serve in the design of future actions and developments to enhance efficiency, independence, and transparency in forced return monitoring within the returns management systems in the Western Balkans.

MONITORING (FORCED RETURN OPERATIONS)

“Monitoring” is a broad term describing the active collection, verification, and immediate use of information to address human rights issues. Human rights monitoring includes gathering information about incidents, observing events, visiting sites, discussions with authorities to obtain information and to pursue remedies, and other immediate follow-up. In the context of forced return, monitoring entails assessing whether the operation is conducted in compliance with fundamental rights as enshrined in the EU Charter of Fundamental Rights and applicable international human rights law.

Main research questions:

- What is the legal and institutional framework and current practices for forced returns?
- Are forced returns effectively monitored?
- What are the main standards/procedures applied?
- What are the main obstacles in implementing the monitoring mandate?
- What are the main gaps identified in forced return monitoring?
- What needs to be introduced/improved in the monitoring system?

¹ i.e., Albania, Bosnia and Herzegovina, Kosovo*, Montenegro, North Macedonia, and Serbia

- What would the monitoring body need to develop/improve its capacity?

The approach used to address these questions is presented in the opening part (1), followed by an overview of the main findings (2). The current practices of forced returns and forced return monitoring in each Western Balkan partner are detailed next (3), followed by a discussion (4) of certain issues and good practices highlighted by the stakeholders.

The last three parts focus on the way forward: a model for an EU-compliant system to monitor forced returns (5) is an example of what an Ombudsman/NPM or other independent body can do in this field and is intended to serve as a body of recommendations to the Western Balkan partners. The brief conclusions (6) are complemented by a roadmap to develop such a system proposed in the final part (7). It is a general step-by-step approach that can be tailor-made to fit the needs and the level of preparedness of each Western Balkan partner.

Methodological approach

This assessment was based on a literature review, desk research², and semi-structured interviews³ with the relevant stakeholders in the WB partners to better explore and understand both the structure and the implementation of the monitoring systems in place. The document aims to provide a comprehensive overview of forced return monitoring practices in the WB partners and to highlight common approaches and needs while considering the diversity of stakeholders, operational contexts, and challenges.

A phase of desk research preceded the interviews. As forced return monitoring is still at a very early stage across WB, related policy or legal documents focusing on the region are scarce and not always translated into English. Yet, a number of articles, essays, and papers originally drafted in or translated to English have provided valuable insight and raised important issues. Similarly, relevant papers broader in scope or focusing on what is applied within the European Union were consulted to provide an overview and analysis of the main elements that may feature in a future EU-compliant forced return monitoring mechanism⁴.

A total of 14 interviews were conducted, including two interviews that were held online. The stakeholders interviewed fall under three groups: ombudsman institutions, state bodies, and civil society organizations. The interviewees were guaranteed full protection of their data and were asked for their written consent to have their responses and the information they provided used for the purposes of this report.

Representatives from all six Ombudsman/NPM institutions across the Western Balkans that are entitled, through either their general or a special mandate, to monitor forced return operations described the level of implementation of their respective mandate and their needs. Similarly, representatives from the competent state bodies in four Western Balkan partners discussed the challenges they face to organize and implement forced return operations. The competent state bodies from Albania and Bosnia and Herzegovina were not available during the time set for the

² See “References” at the end

³ See “Interviewed stakeholders” at the end

⁴ See below, under part 5

interviews. Finally, four civil society organizations active in the field of migration management and human rights offered their insight regarding forced return operations in their respective jurisdictions, i.e., Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia.

Considering the project's tight schedules and travel constraints, as well as the overall workload of the interviewees, the number of institutions, state bodies, and organizations in the WB partners that kindly made themselves available for an interview has been particularly high. Interpretation has been used where necessary and has been provided mainly by the interviewees, while the project provided interpretation for the online interviews.

Main findings

a. Forced returns in the Western Balkans - state of play

A limited number of forced return operations of third-country nationals with irregular stay take place from the Western Balkans to third countries. They are carried out by law enforcement services, primarily by specialized units within the police or border police responsible for migration-related matters. The operations concern escorted returns of individuals by police van or car to neighbouring countries (handover at border crossings) based on bilateral readmission agreements. The returnees are usually escorted from special centres close to the borders where they have been detained, to the border crossings where they are handed over to the authorities of the neighbouring country.

Finally, an unidentified number of foreign nationals allegedly “disappear”, i.e., irregularly leave, once they are registered and given an order to leave the country by themselves or without having been registered at all.

b. Monitoring forced returns - state of play

Ombudsman institutions have been active in forced return monitoring in three Western Balkan partners, i.e., Albania, Montenegro, and Serbia. In Kosovo* and North Macedonia the Ombudsman institutions hold the mandate to monitor forced return operations but have thus far lacked the necessary capacity and resources to effectively carry out this role, while in Bosnia and Herzegovina, the Ombudsman institution is expected to receive the mandate in the near future.

Only a limited number of forced return operations from those three Western Balkan partners have been monitored, either randomly, i.e., based on availability of resources at the time, or indicatively, often based on risk assessment. Forced return monitoring usually includes visiting the detention centre, inspecting the facilities, interviewing the returnee, checking the returnee's administrative file and status, following the transfer by police van to the border crossing, and, sometimes, witnessing the handover.

Monitors are mainly dispatched from the Ombudsman's central office. Occasionally they are already deployed in the border region⁵. Monitors are Ombudsman/NPM staff or, less often, agents contracted by and operating under Ombudsman/NPM institutions on the basis of support agreements with organizations such as the UNHCR⁶.

Some Ombudsman institutions in WB partners also monitor forced return operations involving their respective nationals being returned from an EU member state⁷. The monitors are deployed at the airport of destination to observe the handover procedure and see that the needs of the returnees are addressed.

The tools and procedures used by the monitors to perform their duties are mainly those of the NPM. Particular attention is paid to identifying members of vulnerable groups who are generally exempted from forced return operations. Monitors report to their respective Ombudsman/NPM institutions; their findings are communicated to the competent state bodies and are then publicized, usually in annual reports.

***** This reference should be understood in the context of UNSCR 1244/99.

⁵ See below, 3(a) Albania

⁶ See below, 3(a) Albania

⁷ See below, 3(a) Albania, 3(d) Montenegro, 3(f) Serbia

c. Institutional and regulatory issues

In principle, all Ombudsman/NPM institutions confirmed their willingness to assume and implement the monitoring mandate. They all expressed great interest in getting to know why and how peer institutions in the Western Balkans and the EU monitor forced returns.

All Ombudsman/NPM institutions in the WB partners confirmed that they are entitled to monitor forced returns, with Bosnia and Herzegovina noting that the process to amend and implement the legislation has not been completed yet. They have assumed their mandate either in their capacity as National Preventive Mechanism (NPM) or through their general mandate as human rights bodies. There has not been any specific legislation or other related regulation to explicitly grant them the mandate.

As the NPM mandate focuses more on systemic issues rather than individual cases, they would consider having a more returns-specific regulatory framework developed and introduced to offer clear procedures and duties. In that respect, they asked to hear more about the specific regulatory framework, implementation rules, and practical aspects concerning the allocation and deployment of resources in those EU member states where the Ombudsman already monitors forced return operations.

d. Capacity (resources, experience, training)

A lack of law or regulation specific to monitoring forced returns has often meant that no additional resources have been offered to the Ombudsman institutions that wish to monitor operations, resulting in suboptimal capacities. In the majority of cases, the NPM team, already limited in numbers (from 2 up to a maximum of 3 members of staff)⁸, is asked to select and monitor a small number of forced return operations. Therefore, monitoring forced returns is not considered a priority, especially compared to the official NPM duties to inspect prisons, detention centres, and other similar facilities⁹.

⁸ In Serbia the NPM team consists of only 2 members of staff, in North Macedonia there are 3, in Montenegro 4, and in Albania there used to be 5, but after UNHCR could no longer support the 3 external experts, they were left also with 2 members.

⁹ See below, 3(c) Kosovo* and 3(e) North Macedonia

Forced return monitoring has not received sufficient or distinct funding, and the monitoring institutions will have to draw from their already scarce resources to develop their capacity and deploy staff in forced return operations. In certain cases, where it is foreseen, external agents have been contracted¹⁰, mainly from civil society organizations, to conduct forced return monitoring, usually on the basis of grants offered by international organizations, namely UNHCR.

Lack of experience in monitoring forced return operations (national, joint, or collecting operations) by airplane or bus has emerged as a major issue in the interviews conducted with the six Ombudsman institutions. Certain partners have not decided yet on the logistical and operational modalities of monitoring¹¹, others have not started to implement their monitoring mandate¹², and a few partner institutions have monitored some forced returns in the past and less so more recently¹³. As experience is difficult to rebuild once it's lost, that gap is perceived by all partners as a major drawback.

To address that concern, all Ombudsman institutions have had a limited number of staff members attend training courses organized by Frontex and IOM and expressed a strong interest in taking part in future training courses on forced return monitoring organized by international/European organizations with the participation of experienced peer institutions. Particular interest has been demonstrated in organizing common training courses for the staff of both the Ombudsman and the state body mandated to conduct forced return operations with the aim of addressing misunderstandings and building mutual trust.

e. Cooperation (local, cross-border) and support

All Ombudsman institutions are convinced that cooperation is the key to building and running an effective mechanism to monitor forced returns. Presently, the lack of a comprehensive, targeted system of synergies and interventions involving Ombudsman institutions, state bodies, European and international agencies, and civil society organizations appears to have adversely affected the ability of Ombudsman institutions in the Western Balkans to play their important part in the field of forced returns.

¹⁰ See below 3(a) Albania

¹¹ See below 3(b) Bosnia and Herzegovina

¹² See below 3(c) Kosovo* and 3(e) North Macedonia

¹³ See below 3(a) Albania and 3(d) Montenegro

At the national level, most Ombudsman institutions do not receive prior notice from the competent state body of a forced return operation unless they specifically request information about certain third-country nationals¹⁴. In one case (Serbia), a day's notice is given on the basis of an agreement between the Ombudsman and the competent state body. Consequently, most of the Ombudsman institutions cannot plan their monitoring work and make the preparations needed. Moreover, as there is limited potential of operational cooperation between state bodies and civil society organizations active in the area of human rights, Ombudsman institutions are not expected to easily opt for collaboration in the field with such civil society organizations¹⁵.

Furthermore, cross-border cooperation in the area of forced returns, with peer institutions or in the framework of Ombudsman/NPM networks, has not been developed sufficiently. Such cooperation would, among other things, address the risk of chain refoulement, referring to the consecutive forced returns of a third-country national from one country to another, ultimately resulting in their return to their country of origin¹⁶.

All partners have acknowledged the advantages of the support by international organizations such as UNHCR¹⁷ and IOM, and by EU institutions and agencies such as Frontex.

f. Gaps

The interviews demonstrated the following main gaps:

- A regulatory framework specific to forced return monitoring is not in place;
- No distinct, full-time team of specialists in forced return monitoring within Ombudsman institutions;

¹⁴ The monitoring bodies in Albania, Kosovo*, and North Macedonia complained that they are never informed in advance. In Montenegro, even though it is foreseen by the law that the police should inform the Ombudsman of their planned forced return operations, they have failed to do so in 2025.

¹⁵ Nevertheless, all Ombudsman institutions have established some cooperation with CSOs in various areas, e.g., interpretation, training, etc., while in North Macedonia and Serbia, the NPM has formal cooperation with selected CSOs.

¹⁶ The only case of good cross-border cooperation in the area of forced returns or readmissions, noted in the interviews, was between the Ombudsman institutions of Albania and Montenegro.

¹⁷ Support by the UNHCR was acknowledged by almost all Ombudsman institutions, while IOM and Frontex have supported training courses for forced return monitors.

- Budgetary constraints – the limited resources offered to Ombudsman/NPM institutions are barely sufficient for the general NPM work and are insufficient to cover forced return monitoring missions;
- No or limited prior information offered to Ombudsman institutions about pending forced return operations;
- Lack of cooperation and regular communication channels at the national and regional levels;
- Low prioritization of forced return monitoring due to lack of a significant number of (or even any) operations organized by state bodies at present.

g. Needs

The following main needs have emerged:

- Clear set of rules and specific procedures to be developed for the forced return monitoring team to follow;
- Strategic plan and annual implementation plans to be drafted regarding forced return monitoring;
- Sufficient resources to be made available to Ombudsman institutions, including staff, funding, and tools;
- Experience to be built or imported, especially in logistics and operational aspects of forced return operations;
- Training to be offered to forced return monitors, preferably together with escorts;
- Communication channels and synergies to be built among all parties involved, including, where possible, regional and European actors as well as the civil society.

Current practices of forced returns and forced return monitoring in the WB partners

In all Western Balkan partners, the implementation of forced returns of migrants falls under the responsibility of the police, i.e., specifically designated departments dealing with border management, migration, and foreigners. In all partner countries, the competent ministry overseeing forced returns is the Ministry of Interior/Security¹⁸. Across the Western Balkans, most of the third-country nationals who received a return decision opt to leave voluntarily. In the rest of the cases, they are escorted to the border crossings with neighbouring countries or to the embarkation gate of the respective airport, where they embark on commercial flights home.

In most partner countries, state bodies responsible for forced returns would use the option of charter flights returning migrants to their more distant home countries if all the necessary elements were on the ground. In particular, they would first need resources (officers, infrastructure, and funding), specific training for escorts and escort leaders, diplomatic and consular relations with the countries of return, and bilateral agreements related to the return of the nationals of those countries.

Table 1: Forced return and monitoring bodies in the Western Balkans

WB Partner	State Body	Monitoring Body	Status
ALBANIA	Ministry of Interior / State Police / Border and Migration Department	People's Advocate (Ombudsman)	Partially Active
BOSNIA & HERZEGOVINA	Ministry of Security / Service for Foreigners' Affairs	Ombudsman (<i>to be mandated</i>)	Not Active
KOSOVO*	Ministry of Internal Affairs / Border Police / Directorate for Migration and Foreigners	Ombudsman	Not Active

^{18****} This reference should be understood in the context of UNSCR 1244/99. The title of Ministry of Security is used only in Bosnia and Herzegovina.

MONTENEGRO	Ministry of Interior / Police / Department for Foreigners and Suppression of Illegal Migration	Ombudsman	Active
NORTH MACEDONIA	Ministry of Interior / Police / Department for Border Affairs and Migrations; Regional Border Centres	Ombudsman	Not Active
SERBIA	Ministry of Interior / Border Police / Department for Foreigners	Protector of Citizens (Ombudsman)	Active

a. Albania¹⁹

The Department for Border and Migration of the Albanian State Police, under the Ministry of Interior, is responsible for carrying out forced return operations from Albania, mainly to its neighbouring countries. Forced returns and the related procedures are foreseen in the Law on Foreigners No. 79/2021.²⁰ Administrative Instruction No. 174 of 12 September 2022²¹ provides for the specific procedures for handling foreigners irregularly staying in Albania.

The Albanian State Police has been active both in Collecting Return Operations (CROs) by charter flights, escorting Albanian citizens forcibly returning from an EU member state, as well as in forced returns and readmissions mainly to neighbouring countries, i.e., Montenegro, North Macedonia, and Greece. CROs are assisted by Frontex. The agency cooperates with Albanian authorities regarding border management and the protection of fundamental rights on the basis of an agreement and a memorandum of understanding, respectively.

The People's Advocate estimates that approximately 1,800 migrants entered Albania irregularly in 2024, with about 1% asking for international protection. A great number of third-country nationals are nationals of non-neighbouring countries such as Pakistan, Afghanistan, India, and Syria. As forced return operations have not been possible to distant countries, the third-country

¹⁹ Based on the interview with representatives of the People's Advocate and on sources available online.

²⁰ Albania: [Law No. 79/2021 on Foreigners](#), 79/2021, 14 October 2021,

²¹ Albania: Instruction No. 174 on [Procedures for Handling Foreigners Irregularly Staying in the Territory of the Republic of Albania](#), 12 September 2022

nationals in question leave Albania voluntarily or are readmitted to the neighbouring countries they entered from if there is a bilateral readmission agreement in place and on the basis of related evidence.

The People's Advocate (Ombudsman/NPM) had been actively involved in the past in monitoring mainly CROs. At the time of the interview, the NPM team of the People's Advocate, which also deals with forced return and readmission monitoring, consisted of only five members, barely enough to carry out basic NPM work, e.g., inspections of prisons and detention facilities, as well as border monitoring.

Monitoring forced returns to Albania: More than 100 CROs were monitored from 2018 until 2023. Each operation involved approximately 15 citizens of Albania with a maximum of 25 returnees. The monitors deployed had received forced return monitoring training mainly funded by the Instrument for Pre-accession Assistance.

The main findings included lack of interpretation at the EU member state detention centre where Albanian escorts went to pick up the returnees, lack of psychological support, and lack of medical support. The Albanian authorities responded positively to all the requests made by the People's Advocate.

In 2023, the People's Advocate had to stop monitoring operations due to lack of funding mainly caused by the extremely complex and burdensome reimbursement procedures.

Monitoring forced returns from Albania: The NPM team mainly monitors readmissions to Montenegro, Greece, and North Macedonia, as returns by airplane are generally assisted voluntary returns handled by IOM. The procedure stage for a readmission to Greece can take 3-6 months, while a readmission to Montenegro is a much faster process.

Members of the NPM team visit the detention centres close to the borders even on a weekly basis; they have established contacts and channels of communication there, and they keep track of the cases. External experts have been deployed to monitor the borders with North Macedonia and Greece, maintaining a consistent daily presence. The mandate of the People's Advocate gives them full access to the area. There is a good level of cooperation with the Ombudsman of Montenegro.

The People's Advocate is not informed in advance by Albanian authorities about readmission operations. There has been cooperation with Frontex on the basis of a memorandum of understanding, and the People's Advocate would welcome further cooperation.

The People's Advocate has also benefitted from funding by the UNHCR to hire three external experts from CSOs as agents to carry out border monitoring, including monitoring readmissions to neighbouring countries. Shortly after the interview, UNHCR suspended funding, and the external experts were no longer available to the People's Advocate.

b. Bosnia and Herzegovina²²

In Bosnia and Herzegovina, it's **the Service for Foreigners' Affairs of the Ministry of Security** that is responsible for forced return operations. Forced returns and the related procedures are foreseen in the Law on Foreigners No. 01,02-02-1-17/15 of 10 November 2015,²³ in particular under articles 105-116, as amended. The Bylaw of 2008²⁴ on the supervision and removal of foreigners from Bosnia and Herzegovina and the Bylaw of 2016²⁵ on entry and stay of foreigners in Bosnia and Herzegovina provide for procedures and standards regarding foreigners who do not have the right to stay in the country.

The current particularities in the structure and functioning of the administration in Bosnia and Herzegovina, as well as the limited migration flows to the country in the last years have resulted in a limited number of forced returns and readmissions, mainly to neighbouring countries such as Montenegro and Croatia.

Citizens of neighbouring countries with no right to stay return on the basis of an administrative order to leave the country within a deadline. A small number of forced returns refers to third-

²² Based on the interviews with representatives of the Ombudsman/NPM, civil society organisation "Vasa Prava", and on sources available online.

²³ Bosnia and Herzegovina: Law No. 88 of 2015, [Law on Aliens](#), OG 88-2015, 17 November 2015

²⁴ Bosnia and Herzegovina: [Bylaw of 2008](#) on supervision and removal of Aliens from Bosnia and Herzegovina, 22 September 2008

²⁵ Bosnia and Herzegovina: [Bylaw on entry and stay of foreigners](#), 8 April 2016

country nationals from non-neighbouring countries such as Turkey who are detained and then are escorted to embark on a commercial flight home. Especially those who are refused entry on national security grounds are either made to take the next flight back or have to stay in the detention centre until their departure. Migrants from more distant countries may leave Bosnia and Herzegovina voluntarily.

No mechanism for forced return monitoring has been established in Bosnia and Herzegovina. It is up to the **Institution of the Human Rights Ombudsman** of Bosnia and Herzegovina to decide whether to monitor forced returns, especially once they are given the NPM mandate, which was expected to happen shortly. Accordingly, the Ombudsman is not informed by the responsible state bodies about pending or planned forced return operations.

At the time of the interview, the role of the Ombudsman services in this field was to visit immigration and detention centres and investigate complaints. They have also noted that the staff of immigration centres claim that they have not received sufficient training to deal with such issues. The civil society organization interviewed also highlighted that the officers involved in forced returns need training. Most of the complaints the Ombudsman receives are about access to asylum, hygiene and food, unaccompanied and separated children, schooling, accommodation, and protection of women and members of vulnerable groups. The Ombudsman services cooperate with civil society organizations such as “Vasa Prava”, which is active in the field of migration management and human rights and provides legal aid and other support.

There have been cases, for example, of people arriving from Iran or Turkey who were detained at the airport or made to embark on the flights back. Other cases involved third-country nationals arriving from Turkey who originated from the Caucasus region, in particular Chechnya, where there were complaints about lack of information on e.g., asylum at the airport in the languages of the third-country nationals. Where return is not possible, the migrants are given a deadline within which they must leave Bosnia and Herzegovina. Most of the migrants leave voluntarily with the help of IOM.

c. Kosovo^{*26}

The Directorate for Migration and Foreigners of the Border Police in Kosovo* is responsible for forced returns of migrants. Border Police falls under the Ministry of Internal Affairs. Forced returns and the related procedures are foreseen in the Law on Foreigners No. 04/L-219 of 2013,²⁷ as amended, in particular in articles 97-115. Administrative Instruction (MAI) No. 03/2019 of 2019²⁸, Law on Foreigners, provides for the standards and procedures for the forced or voluntary return of third-country nationals.

There is a limited number of forced return decisions, e.g., less than a total of 70 in 2022-2024, and the total number of forced returns and readmissions is also small. According to the authorities in Kosovo*, in most cases the implementation of the forced return decision does not involve escorts at all, and the returnee leaves the country. In some cases, when necessary, the returnee is escorted to the border crossing with the country they entered from or to the gate of embarkation at Pristina airport. Readmissions are based on bilateral agreements Kosovo* has signed with 25 countries and on related evidence regarding the route the third-country national had taken to enter Kosovo*.

The greater number of third-country nationals, mainly from Morocco and Algeria, return voluntarily using the services of IOM. Forced returns from Kosovo* are further complicated by the lack of bilateral relations with a number of third countries. The overall number of persons entering Kosovo* irregularly is limited, e.g., around 800 cases in 2024.

Migrants who entered Kosovo* irregularly are sent to reception and identification centres where they stay for up to 15 days. Those who do not choose to leave voluntarily are placed in an administrative detention centre. A separate centre is available for asylum seekers. Basic services are available in the centres such as medication, access to doctors, information on their rights, telephone calls, interpretation services, legal assistance, etc. Special provisions are made for children.

***** This reference should be understood in the context of UNSCR 1244/99.

²⁶ Based on the interviews with representatives of the Ombudsman and the state body carrying out forced returns, and on sources available online.

²⁷ Kosovo*: Law No. 04/L-219 of 2013, [Law on Foreigners](#), 5 September 2013,

²⁸ Kosovo*: Administrative Instruction (MAI) No. 03/2019, [Law on Foreigners](#), 18 March 2019

***** This reference should be understood in the context of UNSCR 1244/99.

The Ombudsman also has the NPM mandate, and they can monitor forced return operations if they choose to. They have not yet had the capacity to carry out such activities. They do not receive prior information from the police regarding pending or planned forced return operations. The Ombudsman has maintained good cooperation with civil society organizations.

The members of the NPM team carry out visits and inspections to detention centres, including unannounced visits, at their discretion. They also carry out visits upon requests by detainees, and they generally monitor all phases after the arrival of a migrant to Kosovo*. In the detention centres there is information available to detainees about the role of the Ombudsman.

There have not been any serious issues reported besides occasional problems with the infrastructure. Back in 2016 there was an incident concerning the forced return of five Turkish citizens. The process was followed by the Ombudsman, but the police did not allow access to the returnees. The Ombudsman issued a report noting that the fundamental rights of the returnees were violated. A similar report was issued by international observers.

Monitoring forced returns to Kosovo*: There is a bilateral agreement only with Switzerland on the basis of which the Ombudsman can monitor Collecting Return Operations. In most cases of forced returns to Kosovo*, Ombudsman staff is present at the airport to monitor the arrival. They are informed accordingly, meet with the police at the airport, and are present during the handover. Together with the returnees, they go through the formalities; they are present when the returnees fill out the necessary documents, and they hand complaint forms to the returnees. Finally, they inspect the place where the returnees are temporarily housed, and they report on their findings.

The team of the Ombudsman carrying out those tasks has received training funded by the EU, and they are content with the level of their expertise.

***** This reference should be understood in the context of UNSCR 1244/99.

d. Montenegro²⁹

In Montenegro, it's the Ministry of Interior, in particular the **Department for Foreigners and Suppression of Illegal Migration of the Montenegrin Police**, that carries out forced returns of migrants. Forced returns and the related procedures are foreseen in the Foreign Nationals Law of 2018³⁰, as amended, in particular after article 114.

A great number of returnees are third-country nationals who have entered Montenegro through neighbouring Serbia, Albania, and Kosovo*, and they are readmitted on the basis of bilateral agreements. Citizens of neighbouring countries are also returned by being escorted to the respective border crossings. Currently, approximately 3-5 readmissions take place per month. In 2022 there were 64 people forcibly removed, 114 in 2021, and 138 in 2020. They were all readmitted to neighbouring countries, most frequently to Albania. The majority were third-country nationals readmitted for further return.

Third-country nationals may also be returned by plane, either voluntarily with the support of IOM or, less often, on the basis of a forced return decision issued by the Montenegrin authorities, by being escorted to the airport to embark on a flight home, if there is a flight connection to their home countries.

The Ombudsman of Montenegro is entitled to monitor forced return operations in the framework of their NPM mandate. They have been active in this area since 2018, and they cooperate with UNHCR and Frontex. They also have a memorandum of understanding with the civil society organisation "Legal centre", including training sessions for Ombudsman advisors. There is a legal obligation for the state body carrying out forced returns to give the Ombudsman prior information about the operations. That obligation, however, did not seem to work properly in the first months of 2025, as the Ombudsman received information about forced returns either late or on the date of the operation.

²⁹ Based on the interview with representatives of the Ombudsman/NPM, the Police, and representatives of the civil society organisation "Legal Centre"

³⁰ Montenegro: Act No. 01-205/2 of 2018, [Foreign Nationals Law](#), 14 February 2018,

***** This reference should be understood in the context of UNSCR 1244/99.

A deputy Ombudsman and three advisors form the NPM team of the Ombudsman, who regularly rely on advisors from other departments within the institution to effectively carry out their mandate.. Accordingly, forced return monitoring is not considered among their priorities, also because they consider that in the operations there is comparatively less risk for serious incidents.

In 2024, they monitored two forced returns land operations to border crossings involving one returnee and one escort each. In 2022-2023 they focused on border monitoring, where they did not observe any human rights violations but noted that the border police needed support. In 2023 they observed how Frontex officers were deployed at the borders to assist the police on the basis of a bilateral agreement. They are concerned whether Frontex officers fall within the Ombudsman's mandate. In 2020, they monitored forced return operations to the border with Albania involving the readmission of four Turkish nationals.

They have monitored in particular the implementation of the readmissions agreement with Albania. In their findings, they highlighted the lack of interpretation, and they have questioned whether the medical condition of the returnees was properly assessed. Furthermore, they noted that there was no indication that the returnees were informed about their rights or that there was a comprehensive assessment regarding non-refoulement.

The Ombudsman/NPM considers the legislative framework to be sufficient, and they have not reissued any recommendation for amendments. They are keen to continue and intensify forced return monitoring provided they are given the necessary resources, both in terms of advisors and funding, and training opportunities for their staff.

e. North Macedonia³¹

The Department for Border Affairs and Migrations, as well as the Regional Centres for Border Affairs of the Ministry of Interior, are the competent state bodies in North Macedonia for forced returns of migrants. Forced returns and the related procedures are foreseen in the Law on

³¹ Based on the interviews with representatives of the Ombudsman, the state body carrying out forced returns, and the civil society organization "Macedonian Young Lawyers Association", as well as on sources available online.

Foreigners of 28 May 2018,³² as amended, in particular under articles 154-164, and in the Rulebook on Foreigners of 1 September 2019.³³

Forced returns/readmissions mainly take place to Serbia, Kosovo*, Albania, Turkey, and Greece, on the basis of bilateral agreements or agreements with the EU. The number is limited, e.g., a total of 15 forced returns during the first four months of 2025. There are readmission agreements with 13 countries but not with countries where many migrants originate from, like, for example, Pakistan. In those cases where there is no readmission agreement, the forced return decision is implemented by escorting the third-country national to the airport to embark on a commercial flight home via Turkey.

Regional inspectors carry out the returns and readmissions of migrants from North Macedonia to the neighbouring countries. The returnees are escorted to the respective border crossing and handed over to the authorities of the neighbouring country. Citizens of Turkey are escorted to the airport until embarkation on the commercial flights home.

The Ombudsman of North Macedonia is entitled to monitor forced return operations in the framework of their NPM mandate, but they have not done so yet, mainly due to lack of resources. They have not received any information from the competent state bodies regarding pending or planned forced return monitoring operations.

The NPM section of the Ombudsman consists of only three members of staff, and it is also supported by UNHCR. They have introduced a system whereby the NPM would cooperate with three selected civil society organizations in dealing with complaints. The NPM's work concentrates on visits to pre-removal and reception facilities. Since 2011 they have carried out 152 such visits.

They investigate complaints by detainees and have occasionally noted that potential asylum seekers who have been apprehended after entering irregularly in North Macedonia have not been

³² North Macedonia: [Law on Foreigners](#), 28 May 2018,

³³ North Macedonia: [Rulebook on Foreigners](#), 1 September 2019,

***** This reference should be understood in the context of UNSCR 1244/99.

informed of their rights. The Ombudsman/NPM cooperates with the Macedonian Young Lawyers Association, which is present in detention centres providing legal aid, assisting asylum seekers in getting access to services, and helping vulnerable persons.

The NPM staff have received training supported by the EU; they would nevertheless need more training and experience before embarking on other kinds of activities such as forced return monitoring. However, prior to undertaking such activities, they emphasize the need for a comprehensive and explicit legal framework to govern their operations.

f. Serbia³⁴

In Serbia, the Ministry of Interior has assigned forced returns of migrants to the **Border Police Directorate**, in particular to its Department for Foreigners. Forced returns and the related procedures are foreseen in the Law of 2018³⁵ on Foreigners, as amended, in particular under articles 81-94.

Forced return operations from Serbia take place mainly to Bulgaria and North Macedonia. They are land operations whereby returnees are escorted to the border crossings and are handed over to the authorities of the country of return or, if they are third-country nationals, readmission. Before removal they are accommodated in pre-departure centres. In rare cases, the forced return decision is implemented by having third-country nationals escorted to Belgrade airport, where they embark on a commercial flight home.

In 2018, the **Protector of Citizens (Ombudsman)** assumed the mandate to monitor forced returns in the framework of its NPM function, and they have been active since 2019. The Ministry of Interior provides the Ombudsman with information about pending or planned forced return operations at least 24 hours in advance, usually by telephone call, on the basis of a bilateral agreement. They have annual meetings with the police to address issues that have emerged and

³⁴ Based on the interviews with representatives of the Ombudsman, the state body carrying out forced returns, and the civil society organization “Group 484”, as well as on sources available online.

³⁵ Serbia: [Law of 2018 on Foreigners](#), 22 March 2018

have also built an extensive network with civil society organizations, while UNHCR supports the NPM work with interpreters.

Seven civil society organizations cooperate within the NPM, but they are not entitled to be present in the forced return operations. That leaves them with just two members of staff to try and cover all the engagements of the NPM, including forced return monitoring. They would need another two members of staff to be able to cope with the current workload. They would need a few more, as the Protector of the Citizen has already been indicated as the border monitoring mechanism, a role expected to be formalized in the near future.

They do not have the capacity or the resources to monitor all operations. A target number is set for every year, and they select the operations to monitor on the basis of risk assessment, i.e., destination country (usually they do not monitor readmissions to Montenegro or Bosnia and Herzegovina, whether the operation involves families with children, women) and their availability at the moment. In 2022-2024 the NPM monitored 14 forced return operations involving a total of 65 returnees. They were all land operations, most of them in the framework of readmission agreements with EU neighbouring countries, mainly Bulgaria and Romania, involving also third-country nationals.

Approximately 90% of those returned had been detained in the two foreigners' shelters near the border to Bulgaria and Romania, respectively, for a period of up to six months. Travel time from the shelter to the border crossing where the returnee is handed over is around 5 minutes, and the monitor follows the procedure. Occasionally they also monitor voluntary returns supported by IOM as the returnees are escorted to the airport gate.

The monitoring activities and their findings are reflected in an annual report, as they do not draft a report after every single operation they monitor. During the five years of their implementation of the forced return monitoring mandate, they have observed that fundamental rights are generally respected. No use of force was needed, and no means of restraints were used even in cases where there were reactions or indications of resistance. The escorts de-escalated the tension by using persuasion. Nevertheless, they have occasionally raised issues such as lack of interpretation and absence of psychological support for the returnees.

The NPM considers it very important to have monitors during the whole operation. Having into consideration the current situation, they would not know what may happen to a returnee when and until they finally get home. They would welcome close cooperation through a network with Ombudsman or human rights organizations in the countries of return to ensure there is no actual harm to the returnees just because they were returned.

They are also concerned about the administrative procedure of the forced return operations, in particular, whether the returnee can in practice exercise their right to challenge a return decision. The issue emerged in the cases of readmissions of third-country nationals to a neighbouring country where the return decision does not mention the specific country the returnee is handed over to, thus making the assessment of non-refoulement difficult.

The NPM carries out inspections to all foreigners' shelters. They talk with detainees, inspect the place, and talk to the officers. Among their findings are the lack of medical staff to provide health care and administer medicines and the lack of free legal aid. Once they decide to open an investigation, they might assign it to another department within the Ombudsman. Civil society organisation "Grupa 484" has participated once in a visit to a reception centre.

The NPM function of the Protector of the Citizens is keen to continue its work in the field of forced return monitoring. To achieve this, they will need resources and training. They have had two training sessions in the last years. They would like to attend more training sessions and have more members trained.

Reflections/Discussion

The stakeholders interviewed in the Western Balkans partners took the opportunity to raise several issues that affected their respective work. The issues that were considered by the stakeholders to be most important, more recurrent, and possibly contributing to a more efficient monitoring mandate are discussed below. A number of issues raised are seen as good practices and are referred to accordingly.

a. State bodies

State bodies mandated to implement forced returns in most Western Balkan partners highlighted the **importance of the cooperation with the countries of origin (CoO) on return**.³⁶ In particular, it was noted that the absence of bilateral readmission agreements with third countries or the absence of consular offices of migration countries prevent them from considering the forced return option for migrants who have lost or never had the right to reside in the respective Western Balkan partners. Those third-country nationals, eventually, were either readmitted to neighbouring countries or Turkey. If that was not possible, in most WB partners, returnees left voluntarily.

Readmission agreements between Western Balkan partners, with neighbouring EU³⁷ member states, and with Turkey³⁸ have been particularly useful and currently provide the only real option for the forced removal of a third-country national who refuses to leave. That, nevertheless, is conditional on proper identification of the migrants in question and to the establishment of the route they had taken to enter the said Western Balkan partner.

Current **migration flows** are considered manageable; nevertheless, state bodies have been concerned about the capacity of their infrastructure and resources to handle a rapid increase of irregular arrivals, as was the case in 2015 and 2016. The **support by EU agencies** like Frontex and organizations like IOM and UNHCR is already appreciated and considered significant in case of increased migration flows.

b. Forced return monitoring bodies

Institutional/legislative issues

The interviews with representatives of the Ombudsman/NPM institutions in all Western Balkan partners have shown that the **monitoring mandate has not been supported by the necessary**

³⁶ See also above, under 3(c)

³⁷ For example, see above under 3(f) Serbia, the readmission agreements with Romania and Bulgaria

³⁸ For examples of readmission to Turkey of either Turkish nationals or of third-country nationals, see above under 3(b) Bosnia and Herzegovina, 3(c) Kosovo*, and 3(e) North Macedonia

additional resources, infrastructure, regulations, and procedures that would help the monitoring body perform its duty.

Regarding the legislative framework, three issues have been pointed out: (a) the NPM mandate has a different approach from that needed to implement forced return monitoring on a regular basis, (b) there is a need for clear rules and procedures specific to forced return monitoring, and (c) there are mandates already granted to the Ombudsman that are particularly helpful and complement their forced return monitoring work.

Forced return monitoring **rules and procedures** may be introduced by means of a law, bylaw, or ministerial decision, depending on the legal system of the Western Balkan partners. They would complement rules and procedures already foreseen in the respective legislative instruments, such as the law on foreigners or the Ombudsman law, while providing for the specific modalities of forced return monitoring.

They would include provisions regarding the implementation of the mandate, such as the geographical area, phases of the operation, access to documents and facilities, interaction with the other actors during an operation, obligations of the state body monitored, independence, transparency and reporting, consequences of the monitoring report, funding and resources, relations with the civil society, etc. Such a legislative initiative would strengthen the monitoring body while adding to the transparency of their interventions.

Good practice

Complementary mandates

Special human rights-related mandates add value to the work of the Ombudsman in forced return monitoring.

Most Ombudsman institutions across Western Balkan partners have assumed several special mandates in the area of fundamental rights. Those mandates, such as border monitoring, health ombudsman, and children ombudsman, give Ombudsman institutions a better insight into

operations and already complement or will complement their work as forced return monitoring bodies.

Operational capacity and cooperation

Good practice

External experts

External experts from the civil society hired by the Ombudsman and deployed as forced return monitors add to the experience and operational capacity of the monitoring mechanism without jeopardizing its independence.

Certain monitoring bodies have already explored alternative ways to exercise their mandate, such as hiring civil society professionals as external experts/monitors³⁹. That has proved to be particularly helpful for monitoring institutions that would not have immediately available members of their staff to implement the monitoring mandate. That has not affected the independence of the monitoring mechanism or the reporting lines since the external experts in question are hired by and are accountable to the Ombudsman.

Monitoring capacity depends heavily on **funding**. Monitoring bodies have expressed their concern about the lack of sufficient and timely funding, which would have enabled them to implement the mandate effectively. Further to the funds they would need to see reserved and allocated to forced return monitoring, it has to be guaranteed that efficient procedures are in place to ensure the timely absorption and spending of the sums allocated⁴⁰.

³⁹ See under 3(a)

⁴⁰ See under 3(a) how the Albanian Ombudsman had to stop monitoring CROs because of the complicated financial procedures related to the funding of their participation.

Good practice

Presence at the border

*A particular good practice has been the **deployment of monitoring experts at the WB border regions**. That facilitates the access of the monitoring mechanism to the detention facilities and the forced return operation and helps establish contacts and solid communication lines with the state agents in the field.*

While forced return monitoring does not generally cover **voluntary returns**, it has been suggested as a good idea to expand the scope of the Ombudsman's mandate to cover the phase of voluntary returns, usually run by IOM, whereby the returnees are escorted to the airport where they will take the flight home.⁴¹ That has been based on the fact that, in the returns in question, until arrival at the airport, the returnees had been effectively under the control of the state bodies carrying out the forced returns mandate.

Good practice

Timely information

In Serbia and Montenegro, it is foreseen that the police will inform the monitoring body in advance of a forced return operation, making possible the deployment of forced return monitors.

Cooperation features highly among the priorities of the monitoring bodies, and lack of it has reportedly adversely affected their efficiency. Only in two Western Balkan partners, Serbia and Montenegro, **monitoring bodies are informed in advance** about a forced return operation, as is

⁴¹ See under 3(f) Serbia

foreseen either by law⁴² or by a bilateral agreement.⁴³ That guarantees that the monitoring body is effectively given the opportunity to perform its mandate, which otherwise would have been based only on complaints.

Good practice

Cross-border cooperation

Networking and close cooperation between human rights/monitoring bodies across borders is key to guaranteeing non-refoulement.

Bilateral relations and networks with **peer institutions and human rights bodies in neighbouring countries** would be considered significantly good practice by the monitoring bodies in Western Balkan partners. The issue was raised in particular regarding the principle of non-refoulement in cases of readmissions of third-country nationals who would potentially be further returned forcibly to other countries or their home country.

Good practice

Training and support

Monitoring bodies have benefitted from international and EU support, especially in having their forced return monitors trained.

A number of monitoring bodies pointed out the positive impact of cooperation with EU agencies and international organizations. The signing of a **memorandum of understanding between monitoring bodies and Frontex** has been suggested as good practice, as has been cooperation

⁴² See under 3(d) Montenegro

⁴³ See under 3(f) Serbia

with UNHCR (e.g., funding, which enabled them to hire experts) and IOM. Such cooperation and support has also taken the form of organizing, with the support of IOM, Frontex, and ICMPD, **training** sessions for forced return monitors, which have been considered as particularly positive in terms of capacity building. Monitoring bodies have been open to the possibility of having their staff participate in training sessions jointly with staff from state bodies carrying out forced returns as, is the case with some EU member states.

c. Civil society organizations

Most of the civil society organizations interviewed have a long history of active service in the field, in the area of **migration management**⁴⁴. They have been supporting asylum seekers, migrants and returnees, by providing legal aid, access to services and rights, litigation before national and European courts, information, counselling, etc. They have experience in **cooperating** with UNHCR and Ombudsman/NPM institutions on the basis of bilateral agreements or MoU^{45,46}. Some civil society organizations have been, at least nominally, members of a network within their respective NPM institution in some Western Balkan partners, where that is foreseen. Others have entered into MoU agreements with state bodies too. They are confident that they can contribute significantly in the area of human rights, some of them noting that they have the capacity to assume the role of the monitoring body⁴⁷.

Their concerns, based on their fieldwork, involve the competencies of both the state bodies carrying out forced returns and the monitoring bodies. Among the issues noted is that of the **“invisibility” of great numbers of migrants**. That is reportedly the case particularly with nationals of distant third countries who, for one reason or another, cannot be forcibly returned and

⁴⁴ For the names of the CSOs interviewed, see the list at the end of the report.

⁴⁵ For example, the CSO interviewed in Montenegro had been for years the executive partner of UNHCR and had signed a MoU with the Ombudsman where it is foreseen, among other forms of cooperation, that they provide training for the Ombudsman staff.

⁴⁶ The CSO interviewed in North Macedonia has also signed numerous MoUs with the Ombudsman and state agencies and has been particularly active in providing legal aid. It has also noted that it has the capacity and the expertise to assume monitoring of detention centres and forced returns as well as border monitoring.

⁴⁷ The CSO interviewed in Bosnia and Herzegovina in particular claimed that it has the capacity and expertise to monitor forced returns if asked.

are either never registered or left to return by themselves. For example, it was reported that a simple comparison between the number of people entering the country irregularly as accounted for by international organizations and the number of people registered or issued with permits or return orders shows that the former is far bigger than the latter⁴⁸. Such cases may need legal aid, social and health care, food, and shelter but due to their status are not entitled to any.

Language issues, such as the absence of interpreters and lack of documentation in languages migrants can comprehend, have been pointed out by the interviewed civil society organizations⁴⁹. Moreover, it has been reported that the removal procedures do not include in practice **medical checks**, while **detention** is extensively applied instead of being used as a last resort when other ways of control are not available⁵⁰.

The backbone of an EU-compliant forced return monitoring system

Table 2: Seven Pillars of Forced Return Monitoring

<i>Seven Pillars of Forced Return Monitoring</i>	
i. The forced return monitoring mechanism is independent	<ul style="list-style-type: none"> - Specific provisions and regulations clarify the mandate and distinguish it from the general Ombudsman/NPM roles. - All necessary resources are made available to the independent stakeholder. - Monitoring is carried out by specially trained Ombudsman staff or external agents, organised as a separate team.
ii. Forced return monitoring is focused on the returnees and their fundamental rights	<ul style="list-style-type: none"> - Ensures full compliance with the principle of non-refoulement. - Observes national, European, and international legal obligations. - Applies principles of legality, proportionality, and necessity, especially concerning coercive measures. - Ensures adherence to guidelines and standards set by EU and international organisations.

⁴⁸ That was noted for example in Serbia and in Bosnia and Herzegovina

⁴⁹ The CSO interviewed in Serbia, for example

⁵⁰ That was noted for Bosnia and Herzegovina

iii. The scope of forced return monitoring covers every aspect of state bodies' control over returnees	<ul style="list-style-type: none"> - Includes all types of operations regardless of title, number, or means of transportation. - Covers all actions and documentation, including health certificates. - Encompasses all phases of the operation until handover to the destination country.
iv. The forced return monitoring mechanism enjoys specific powers and discretion	<ul style="list-style-type: none"> - May choose to monitor any return, readmission, or deportation operation. - Can request information from any involved state body or agency. - Has access to relevant documents and locations. - Can cooperate with EU and international institutions and civil society.
v. State bodies and agencies have a duty to cooperate with the monitoring mechanism	<ul style="list-style-type: none"> - Must not obstruct the monitoring mechanism. - Provide early and detailed information about return operations. - Ensure access to locations and transportation means. - Respond comprehensively and promptly to the mechanism's findings and recommendations.
vi. Monitors stay close to returnees, do not intervene, take notes, and report	<ul style="list-style-type: none"> - Communicate freely with all stakeholders, including returnees and enforcement agents. - Raise concerns with escort leaders during the operation. - Participate in briefings and debriefings. - Have unannounced access to all documents, facilities, and transport. - Observe and document without intervening.
vii. The forced return monitoring mechanism regularly presents its findings and recommendations	<ul style="list-style-type: none"> - Reports are shared with involved public bodies and services. - Presented to Parliament or relevant Parliamentary Committee. - Communicated with regional and international human rights organisations. - Publicised on the website and shared with the general public.

Part of the process, which will see Western Balkans partners fulfilling the requirements for accession to the EU, involves further establishing a return system, the introduction of a forced return monitoring mechanism compliant with the EU legislation on standards and procedures for returning third-country nationals. The backbone of the EU framework currently in force is

Directive 2008/115/EC (Return Directive), part of Chapter 24 of the acquis. The obligation to establish a forced return monitoring system is foreseen in article 8 paragraph 6 of the Directive⁵¹ and features highly in the European Commission proposal for an EU Return Regulation.⁵²

The only requirement explicitly mentioned in the Return Directive is that the system needs to be effective. Nevertheless, the characteristics and requirements of an effective monitoring system are further explained in the Commission Recommendation (EU) 2017/2338 of 16 November 2017, “establishing a common ‘Return Handbook’ to be used by Member States’ competent authorities when carrying out return-related tasks”, and in particular in its annex titled “Return Handbook”.⁵³ Further guidance specifically on forced return monitoring by Ombudsman/NPM institutions can be found in publications by Ombudsmen/NPM⁵⁴ or Ombudsman associations⁵⁵. More general guidance on forced return monitoring has been made available in publications by international projects⁵⁶.

The following description of a fully-fledged, EU-compliant forced return monitoring mechanism⁵⁷ is an example of what an Ombudsman/NPM or other independent body can do in this field and is intended to serve as a body providing recommendations.

⁵¹ “Member States shall provide for an effective forced-return monitoring system” [Directive 2008/115/EC](#)

⁵² Article 15 of the [Proposal for a Regulation of the European Parliament and of the Council establishing a common system for the return of third-country nationals staying illegally in the Union](#)

⁵³ Under [chapter 8, Forced-return Monitoring](#)

⁵⁴ See for example [“Monitoring of forced return in Europe. Strategies, critical issues and best practices”](#), published in 2019 by the Italian NPM,

⁵⁵ See the IOI study [“The Ombudsman as human rights monitor in forced return operations”](#), published by the Greek Ombudsman in 2020

⁵⁶ The FReM projects (I, II and III) by ICMPD produced several guides and background readers until the end of the project in 2021, while a more recent [“Improved Return Monitoring Guidelines”](#) was published by FAiR in November 2024

⁵⁷ The model is based on forced return monitoring implemented by Ombudsman/NPM institutions in certain EU member states such as Greece

i. Independence of the monitoring body

According to the Return Handbook, the monitoring mechanism may not be the same as -or part of- the state bodies enforcing return.⁵⁸ One may not monitor oneself, adds the handbook, which goes on to suggest opting for independent bodies instead, such as the Ombudsman⁵⁹ or a general inspection body. Besides the clear legal framework, the mandated authority needs resources specifically designated for building and maintaining its capacity to carry out forced return monitoring. National authorities are not under an obligation to finance all costs of the monitoring mechanism. Funding may also be drawn from different sources, internationally and domestically, as long as the independence of the mechanism is not jeopardised. The national authorities, nevertheless, are obliged to ensure that, overall, a forced return monitoring system has been established and is operational⁶⁰.

Forced return monitors can be staff members of the Ombudsman/NPM or external agents contracted by and reporting to the Ombudsman/NPM. They may be full- or part-time monitors, depending on the number of forced return operations to be monitored and the needs of the mandated institution. In any case, the forced return monitors may be organised as a distinct team observing a clear set of internal and operational procedures.

ii. Focus: the returnees and their fundamental rights

The aim of forced return monitoring is to establish whether the return operation monitored was carried out in conformity with the principle of non-refoulement and with full respect to the human

⁵⁸ "Monitoring systems should include involvement of organisations/bodies different and independent from the authorities enforcing return ('nemo monitor in res sua')", [Return Handbook](#), Chapter 8 item 2

⁵⁹ "Public bodies, such as a national Ombudsman or an independent general inspection body, may act as a monitor. However, it seems problematic to assign a monitoring role to a subsection of the same administration which also carries out return/removals;", [Return Handbook](#), Chapter 8 item 3.

⁶⁰ "... there is no automatic obligation on the Member States to finance all costs incurred by the monitor (such as staff costs), but Member States are obliged that — overall — a forced return monitoring system is up and running (effet utile)", [Return Handbook](#), Chapter 8, item 5.

rights of the returnees according to national⁶¹, European⁶², and international law⁶³ and the jurisprudence⁶⁴ of the European Court of Human Rights. Monitors also observe whether the agents enforcing the return comply with the common guidelines, specific conditions, and specifications issued by EU institutions (e.g., European Commission) and agencies (e.g., Frontex, FRA) and by international organisations (e.g., United Nations, Council of Europe).

The monitor pays particular attention to the application by the escorts of coercive measures, the use of restraints, and, in general, the use of force, noting especially whether the escorts constantly assessed and demonstrated full compliance with the principles of legality, proportionality, and necessity.

The monitoring mechanism checks, in particular, whether the returnees enjoy humane and dignified treatment at all phases of the return; if they have received, in every stage of the procedure, appropriate and timely information about the phase they are in, their rights and how to claim them; and if they have undergone the appropriate medical tests and have received, where required, medical care, medicinal products, and support by psychosocial care specialists. Particular emphasis is put on the rights of vulnerable people, especially children, where all decisions and actions are always checked to see whether they serve their best interest. As for unaccompanied children, in particular, the monitoring mechanism checks whether they have undergone the necessary psychosocial examination, their families have been located, or an appropriate children's care facility has been found in the country of destination.

⁶¹ The respective Constitutional/legislative framework of each country.

⁶² [The European Convention on Human Rights](#)

⁶³ e.g., [the UN Convention on the Rights of the Child; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#)

⁶⁴ Available [online](#)

iii. Scope: all aspects of state body's control over the returnee

The forced return monitoring mechanism is present in all phases⁶⁵ of the operation, from the administrative phase of issuing the return and removal decisions to the implementation of the removal and the arrival of the returnee to their country of destination⁶⁶. The monitors observe all actions, including possible negligence, and have full access to all administrative decisions and procedural steps related to the forced return procedure.

In particular, the human rights monitors check whether a return decision has been issued according to the law, whether justification is offered for a detention decision, if administrative decisions have been properly served and their content explained to the returnees in a language they understand, and whether those decisions have been challenged within their respective deadlines. Should the administrative file contain applications for international protection, the human rights monitor makes sure decisions declining asylum have been issued and properly served to the returnees in a language they understand. Finally, monitors check that the administrative file contains no indication of health issues that may postpone or cancel the return or that a “fit to return” certificate has been issued.

The mandate of the monitoring mechanism is not limited to specific means of transportation, e.g., forced returns by charter flight. It covers all forms of returns, be it by plane, train, boat, or car, irrespective of the number of returnees, e.g., a monitor may be deployed in an operation involving a single returnee by car/scheduled flight, a group of returnees by chartered vehicle/boat/plane, etc. Any type of lawful removal of returnees is subject to monitoring, such as national or joint return operations, collecting operations, or operations where the returnee is escorted to the point of departure to make sure they will embark and travel to the country of destination.

Forced return monitoring focuses solely on the impact of the operation on the human rights of the returnees and does not cover issues and concerns of the other parties, such as the working

⁶⁵ Pre-return, pre-departure, in-flight, arrival phases, see Council Decision 2004/573/EC, Annex “[Common guidelines on security provisions for joint removals by air](#)”,

⁶⁶ “Forced-return monitoring should be understood as covering all activities undertaken by Member States in the respect of removal — from the preparation of departure, until reception in the country of return or in the case of failed removal until return to the point of departure. It does not cover post-return monitoring, i.e. the period following reception of the returnee in a third country”, [Return handbook](#), Chapter 8 item 1.

conditions of the escorts or the monitors, or even operational aspects that do not influence the condition of the returnees and the level of protection of their rights. Similarly, forced return monitoring focuses on the actions or negligence of the agents of the enforcing state body and not of other parties. For example, if an agent from a different state body or from a different country attacks a returnee, the forced return monitor will have to report exactly what the escort specific to the returnee took or failed to take to prevent/intercept that attack.

iv. Powers and procedures

Forced return operations may be monitored upon selection based on certain criteria or randomly. The forced return monitoring mechanism is not under an obligation⁶⁷ and, in certain cases, does not have the resources to monitor all operations or even all phases of a selected operation.

The mechanism decides on the criteria applicable for the selection of operations where monitors will be deployed. Methods, procedures, and standards used in the implementation of the monitoring mandate are also decided by the mechanism, considering the relevant national, regional, or international experience and ensuring an appropriate level of transparency.

The forced return monitoring mechanism may ask state bodies or agencies for information and assistance within their competence. Cooperation is also foreseen internally with civil society organisations and migrants' communities, whereby the monitoring mechanism may develop networks to receive information on possible problems and hear proposals for their effective resolution.

Externally, the mechanism cooperates with peer institutions in other countries, in particular countries of destination, to ensure non-refoulement of third-country nationals after their return. Cooperation with EU institutions and agencies as well as regional and international organisations

⁶⁷ "Article 8(6) of the Return Directive does not imply an obligation to monitor each single removal operation. A monitoring system based on spot checks and monitoring of random samples may be considered sufficient as long as the monitoring intensity is sufficiently close to guarantee overall efficiency of monitoring", [Return Handbook](#), Chapter 8, item 6.

active in the field of migration management and human rights protection helps further develop capacity and increase awareness.

v. Obligation of enforcing authorities to cooperate

The monitoring mechanism will need to be informed in advance⁶⁸ of all the forced return operations in order to be able to decide whether and how to monitor them. Consequently, authorities enforcing return are under an obligation to systematically communicate without exception or delay to the monitoring body their medium- and long-term planning of forced return operations, all upcoming forced return operations, and all extraordinary operations at the latest as soon as they start planning their implementation. Failure to communicate such information in advance must be considered as an obstacle to effective human rights monitoring of an operation.

Furthermore, the competent state bodies communicate regularly to the monitoring mechanism the number and nationalities of returnees of all forced return operations implemented, the number of returnees (total/by nationality) placed under detention, and the number of return decisions regarding, where applicable, unaccompanied children and other members of vulnerable groups (age/nationality).

All state bodies and agencies involved in a forced return operation have a duty to fully assist and facilitate the monitoring mechanism in the implementation of its mandate, to communicate all relevant information about the returnees at any phase of the return/removal procedure, and to provide comprehensive and timely replies to the questions, findings, and recommendations of the monitoring mechanism. Access of the monitors shall be ensured to all related documents and locations⁶⁹ as well as the means of transportation used in the course of the forced return.

⁶⁸ Effective monitoring depends on the monitoring body receiving prior information regarding a planned operation. This is explicitly foreseen in the [Proposal for a new Return Regulation : “Member States shall inform the monitoring body in advance about upcoming removal operations ...” article 15 paragraph 2](#)

⁶⁹ “Forced return monitoring should be understood as covering all activities undertaken by Member States in the respect of removal – from the preparation of departure until reception in the country of return ...”, [Return Handbook, chapter 8, item 1](#)

In any case, the obligation of enforcing authorities to cooperate also derives from the general obligation of all state bodies to cooperate with the Ombudsman/NPM. Failure to comply with their obligation has consequences for the negligent agents or agencies and may result in the launching of disciplinary action. Similarly, comprehensive follow-up shall be ensured by the competent national authorities regarding reported allegations of violations of human rights in forced return operations⁷⁰.

vi. Forced return monitors' duties and powers

The human rights monitors deployed in a forced return operation are accountable and report only to their appointing authority, i.e., the monitoring mechanism. They are personally bound by the same rules of confidentiality as their appointing authority. Their task is to see and report whether the rights of the returnees are fully respected. They monitor closely all parts of the operation, observing the rules set by the enforcing authority and refraining from any kind of intervention. Nevertheless, at any instant of the operation, they may address their concerns to the escort leader and note down possible reactions.

Monitors communicate freely with everyone involved in an operation with the aim of acquiring all the information they need for their report. They may address the detainees, returnees, the return enforcement agents, the detention facility personnel, doctors and interpreters, the escort leader, and other officials present, and they may discreetly call or text their headquarters to report extraordinary incidents and ask for instructions.

To carry out their duties, they have full, unhindered, and unannounced access to all places where the returnees are detained, searched, examined, or kept in waiting, i.e., detention centres, hospitals, and waiting or transit areas. They also have full access to any vehicle or general means of transportation used (e.g., bus, car, train, boat, airplane, etc.). Both before and after the return operation, human rights monitors have full access to all related administrative files in any form

⁷⁰ Council of Europe, "[Twenty Guidelines on Forced Returns](#)" Guideline 20.4.

(paper, electronic, etc.) and all related documents of the returnees, including, where appropriate, those detailing personal and health data⁷¹.

Monitors take and cross-check notes, distinguishing facts from opinion or hearsay, and they ask for clarifications when in doubt. They participate in the briefing and debriefing meetings before and after the operation; they offer their overview of the operation and may discuss, with the other main actors, issues that emerged. As a general rule, monitors ask questions and do not pass judgements. Their final assessment can be found only in the monitoring report.

The monitors in their report detail the rules, logistics, and facts of the operation, constantly noting the position of the monitors and the main actors and referring to the exact date and time. They list the main incidents and potential violations of human rights that may have occurred, the assessments offered, and the reaction of the enforcing agents. They clearly acknowledge incidents where the monitors were not present themselves and were informed about at a later stage. They name their sources of information and attribute to them what they have not witnessed themselves. Finally, they list the positive and negative aspects and offer recommendations.

To perform their duties properly, members of the monitoring team need to demonstrate an advanced level of understanding of the law and the situation on the ground regarding migration and asylum. They also need to have successfully completed special training courses on human rights monitoring and operational aspects of forced returns before being deployed as monitors.

vii. Accountability - reporting and follow-up

The forced return monitoring mechanism regularly addresses its findings and recommendations to the state bodies and services involved and reports on specific inspections, operations, or issues, asking for specific actions where needed to tackle deficiencies. In specific cases of incidents involving serious violations of human rights of the returnees, the forced return mechanism may

⁷¹ A special mandate, i.e., a health Ombudsman, or a specific provision in the law may be required in particular to have access to health data.

send its reports to the competent state bodies⁷² for launching disciplinary or criminal proceedings, and the monitors in question may be asked to testify.

The monitoring mechanism reports annually to the National Parliament or competent Parliamentary Committee on its general findings and recommendations regarding the functioning and possible systemic failures of the forced return system. That annual report on the implementation of the forced return monitoring mandate is then publicised on the website of the monitoring mechanism and is further communicated nationally and internationally to all parties involved or interested and to the general public⁷³.

The monitoring mechanism proactively engages with the competent state bodies and agencies in formulating and reviewing codes of good practices and training manuals for all categories of agents involved (escort leaders, escorts, guards, monitors, etc.). Special workshops and seminars may be organised to address and discuss findings and recommendations featured in the reports.

Reports may be presented or otherwise communicated to the competent services of regional and international organisations/institutions such as the European Parliament, the Council of Europe, or the European Court of Human Rights, where the monitoring mechanism may also be asked to offer its findings or testify regarding specific operations and incidents.

⁷² The proposed EU framework makes specific reference to that aspect of reporting: “Substantiated allegations of failure to respect fundamental rights during removal operations shall be communicated to the competent national authority by the monitoring mechanism” article 15 paragraph 3 of the [Proposal for a new Return Regulation](#)

⁷³ See diverse practices on publicising reports and findings in the IOI study [“The Ombudsman as human rights monitor in forced return operations”](#), page 17, published by the Greek Ombudsman in 2020

6. Conclusions

Across the Western Balkans, there is an advanced level of harmonization regarding the framework for forced return monitoring and the mechanisms already in place. The three elements common to all Western Balkans partners are as follows: (a) an Ombudsman institution has been established and is functioning as an independent authority accountable to the Parliament; (b) the Ombudsman has been designated as the National Preventive Mechanism (NPM); and (c) when forced return operations are monitored by the Ombudsman, that takes place under the NPM capacity.

That common pattern, with occasional diverse practices, has produced similar experiences among peer institutions that also face similar problems and have similar needs, notwithstanding their differences in the level of implementation.

By having already designated⁷⁴ their Ombudsman/NPM institutions, without exception, as the respective forced return monitoring mechanism, Western Balkan partners have already taken a significant step towards the establishment of an effective external control mechanism. Introducing specific regulations to define the mandate and detail its implementation may further empower the forced return monitoring institutions in at least two ways: firstly, by distinguishing forced return monitoring, which is focused on individual operations, from the NPM work, which follows a rather more systemic approach, and secondly, by putting in place a comprehensive and transparent set of rules.

While the basic regulatory issues seem to have been largely addressed, the situation on the ground appears more complicated. In three WB partners only a few forced returns and readmissions are monitored, while in the remaining three WB partners there is no forced return monitoring at all. Scarce resources, limited capacity, and lack of experience appear to be the main causes of concern for the monitoring bodies.

The understaffed monitoring teams are already too overwhelmed by their main NPM work to even consider engaging in systematic forced return monitoring. The support by UN and EU agencies

⁷⁴ Some Ombudsmen/NPM have been explicitly mandated to carry out forced return monitoring, while others have assumed the task through their general mandate as Ombudsman/NPM.

has been proved useful in covering, for example, some of their training needs; it may not nevertheless, substitute what the WB partners have to provide their respective monitoring bodies with, i.e., sufficient funding and resources.

Taking into account that there is still considerable work to be done, across the WB partners, in the area of producing consistent data regarding forced returns and the lack of effective channels of communication between the monitoring bodies and the state bodies implementing forced returns, the former will face serious challenges in fully developing their forced return monitoring capacity, all the more so considering the difficulties in engaging civil society organisations with experience and expertise. Even if an EU-compliant forced return monitoring system, such as the one described under section 5, is put into place at the regulatory level, the monitoring bodies are not likely to be in the position to fully and consistently implement it unless they receive the information and resources required to develop their capacity.

The roadmap that follows is built on identifying and addressing specific, practical needs through enhanced cooperation with the various stakeholders. It is meant to serve as a dynamic and customizable set of recommendations to help state bodies, human rights institutions, and civil society organisations across the Western Balkans develop forced return monitoring mechanisms through strong and fruitful synergies.

Recommendations: Towards a comprehensive system of forced return monitoring

The proposed standards and procedures of forced return monitoring are intended to represent a comprehensive body of recommendations. Their design may be tailored to the needs of each Western Balkan partner, and they can be implemented gradually on the basis of a strategy/roadmap agreed upon by each partner. Phases are linked, where appropriate, to the respective pillar of forced return monitoring⁷⁵.

⁷⁵ See “Seven pillars of forced return monitoring” under 5

The proposed strategic roadmap consists of five phases, which are distinct in content but may nevertheless overlap as for the time of implementation. The first three phases are sequential, starting from identifying potential monitoring bodies and ending with the designated body becoming fully operational. The last two are underlying the whole process. The roadmap has been designed to accommodate diversity in terms of content, level of preparedness, and implementation stage of the mandate by the different WB partners.

Table 3: Strategic roadmap

<i>Category</i>	<i>Associated Pillars</i>	<i>Key Actions</i>
A. INSTITUTIONAL	PILLAR I	<ul style="list-style-type: none"> · Consulting with stakeholders · Identifying the independent body to implement the mandate · Consulting the designated body
B. LEGISLATIVE	PILLAR II	<ul style="list-style-type: none"> · Consulting with stakeholders · Identifying regulatory content for establishing a forced return monitoring system · Broader stakeholder consultation
C. PROCEDURAL	PILLARS II, III, IV	<ul style="list-style-type: none"> · Finalizing the regulatory framework · Developing internal structure · Becoming operational
D. CAPACITY BUILDING	PILLARS IV, V, VI	<ul style="list-style-type: none"> · Translating needs and requirements into specific actions · Consulting with stakeholders · Implementing actions
E. COOPERATION	PILLARS V, VII	<ul style="list-style-type: none"> · Consulting with stakeholders · Identifying actions · Implementing actions

a. Institutional

Identifying and designating the monitoring body is at the centre of this first phase. This is relevant to the Western Balkan partners that have not yet decided on the forced return monitoring body or would wish to amend their initial decision. This phase will determine which bodies best serve the requirement of independence detailed under **pillar I**.



- *Consulting with stakeholders*

The **parties involved** in migration-related issues and management, at both the national and European levels, may be consulted at this step. Those may include the competent Parliamentary Committee(s); state ministries and agencies, e.g., the Ministry of Interior, Police, etc.; EU agencies, such as Frontex and FRA; the Ombudsman; human rights bodies; and civil society organizations with experience in the field. The aim would be to examine and map competences related to human rights already in place, identify potential bodies to implement forced return monitoring, and identify gaps and needs, synergies, potential conflicts and overlaps.

- *Identifying the independent body to implement the mandate*

The next step, based on the findings of the consultation, would be to decide on the forced return monitoring body to be proposed to the stakeholders. That fundamentally political decision would be for the competent state ministries and the Parliament.

- *Consulting the designated body*

This first phase ends with the competent state ministries and the designated monitoring body working together to identify the specific needs and requirements to enable the latter to perform the new mandate effectively. The consultation may cover all aspects, from the scope of the mandate to organisational requirements and logistics.

b. Legislative

Developing and putting in place the necessary legislative framework is a phase closely related to the outcome of the first phase. Depending on what is already in place and considering the needs of the designated monitoring body and the general requirements, the three steps of this phase will produce a set of rules that will equip the designated body with all the tools needed to perform the mandate. This phase will ideally end in identifying a legislative framework that satisfies the requirements under **pillar II**.



- ***Consulting with stakeholders***

The first step will involve EU agencies, the competent state bodies including the legal service, the designated monitoring body, and possibly civil society organizations with experience on the ground. The consultation will focus on identifying related EU and national regulations already in force, mapping the requirements, and will conclude with the competent state bodies identifying the appropriate legal instrument to be used, e.g., law, by-law, ministerial decree, decision, etc.

- ***Identifying regulatory content for establishing a forced return monitoring system***

Having concluded on the legal instrument to be used, the next step will focus on the content. The designated monitoring body, the competent state ministry, the legal service, and, if applicable, the Parliament will work together to codify the monitoring mandate into draft legislation and assess its potential impact while taking into account the interrelations of stakeholders involved in the implementation and the specific needs and requirements that have emerged in the previous phase.

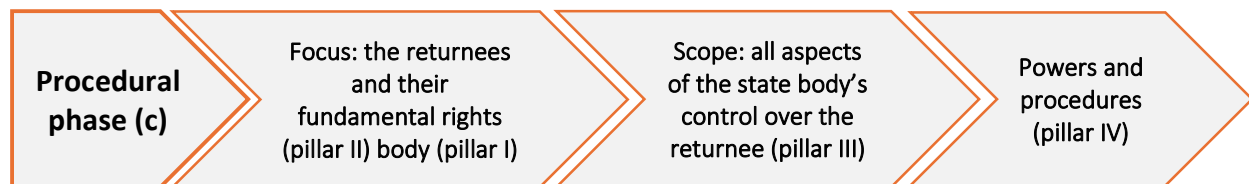
- ***Consulting with broader group of stakeholders***

The final step of this phase will put to test the outcome of the first two steps before implementation starts. All stakeholders, including the designated monitoring body, EU agencies, the competent

state ministries, the Parliament, human rights bodies, and civil society organizations, will be asked to review the proposed legal instrument and content and offer their feedback. Depending on the outcome of this consultation, steps one and two may be repeated until step three concludes with an outcome that satisfies all requirements.

c. Procedural

As the main preparatory phases have been concluded, it is now time to act on what has been decided. The overlying and implementing legislation will have to be enacted, and, on the basis of the rules and procedures foreseen, the designated monitoring body will need to make all necessary arrangements to become operational. The third phase will finalise work on **pillar II** regarding the regulatory framework and will also address the more practical and operational requirements of **pillars III and IV**.



The first step will involve exclusively the competent state ministries and, where applicable, the Parliament. On the basis of their respective competencies, they will draft and enact the legislative instrument (laws, bylaws, decisions, etc.) and define competencies and obligations, as well as ensure transparency (external reporting) and independence.

- ***Developing internal structure***

Once this system of law and regulations is in place, the designated monitoring mechanism will need to draft and issue internal regulations and procedures, assign roles and responsibilities, and establish internal lines of reporting/communication/information and support mechanisms

(operational, financial, IT, etc.). In that effort, the designated monitoring body may seek advice and assistance from EU agencies, state bodies, civil society organizations, etc.

- ***Becoming operational***

The last step will build on the foundations established by the regulatory work of the previous two steps. The designated monitoring body may hire/assign members of staff needed to implement the forced return monitoring mandate, develop a monitoring toolkit (e.g., reporting template, checklists, IT applications, manuals, etc.), train the team of monitors, and establish clear external lines of communication and reporting. The assistance of civil society organizations, state bodies, EU agencies, peer institutions, and related networks may be sought to successfully conclude this step, at the end of which the monitoring body will be fully operational.

d. Capacity building

This phase is an ongoing process and underlies all the stages of development and deployment of the forced return monitoring mechanism, which may consider capacity building from an early stage of its development. This phase of the roadmap underlies all aspects of the implementation of the monitoring mandate and best serves the requirements detailed under **pillars IV, V, and VI**.



- ***Translating needs and requirements into specific actions***

Once a need or requirement is identified, the designated monitoring body may decide on and prioritize the actions (hiring, funding, training, etc.) to be taken and identify possible actors and resources that will be needed to deliver them.

- ***Consulting with stakeholders***

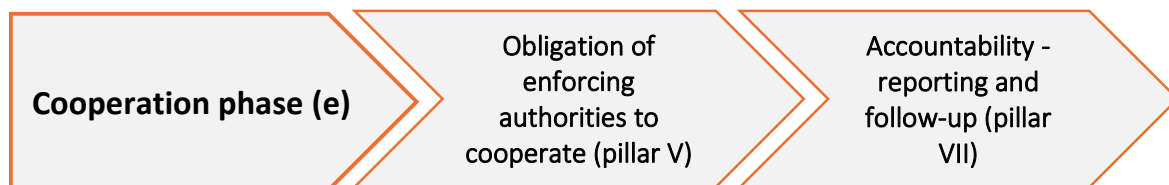
In the second step, stakeholders/potential actors or collaborators may be consulted, e.g., EU agencies, competent state agencies, human rights bodies, civil society organizations, etc., to explore possible sharing of resources to address the identified needs. An action plan would be the desired outcome of steps one and two.

- ***Implementing actions***

The final step is dedicated to the implementation of the action plan primarily by the designated monitoring body. The aim is to translate the action plan into measurable outcomes (operational readiness, reporting capacity, funding availability, etc.) and assess against planned outcomes.

e. Cooperation

The last underlying phase aiming at building synergies, networks, and communication channels involves potentially all stakeholders further to the designated monitoring body, such as EU agencies, the competent state agencies, human rights bodies, civil society organizations, etc. This phase, like the previous one, may well serve all pillars, as cooperation is key to the successful development and operation of a forced return monitoring mechanism. There is particular relevance nevertheless to the requirements set under **pillars V and VII** dealing explicitly with cooperation and reporting/communication.



- ***Consulting with stakeholders***

The consultation step aims at mapping areas of activity, identifying needs and complementarities, and drawing possible synergies based on availability and resources.

- ***Identifying actions***

Once the potential ground for cooperation has been established, the stakeholders may decide on specific forms of cooperation (e.g., MoU, etc.) and set contingencies. That step may conclude with developing an action plan.

- ***Implementing actions***

The last step is dedicated to taking the actions and assessing the outcomes against what was planned. The phase would conclude by having various levels of cooperation established, information and communication flows enhanced, and networks built and operating.

Interviewed stakeholders

Interviews were conducted with designated officials from all six Ombudsman institutions, four state bodies, and four civil society organisations. Most of the interviews (12) were conducted through visits to the respective WB partners. Two interviews were conducted remotely as indicated below.

Ombudsman institutions

- Ombudsman of Albania, 10 February 2025, Tirana
- Ombudsman of Bosnia and Herzegovina, 20 February 2025, Sarajevo
- Ombudsperson of Kosovo*, 30 January 2025, Pristina
- Ombudsman of Montenegro, 11 February 2025, Podgorica
- Ombudsman of North Macedonia, 31 January 2025, Skopje
- Ombudsman of Serbia, 18 February 2025, Belgrade

State bodies

- Department for Border Affairs and Migration, North Macedonia, 7 April 2025, remotely
- Ministry of Interior, Serbia, 19 February 2025, Belgrade
- Police, Kosovo*, 1 April 2025, remotely
- Police, Montenegro, 11 February 2025, Knuz

Civil society organisations

- Legal Centre, Montenegro, 11 February 2025, Podgorica
- Macedonian Young Lawyers Association, North Macedonia, 31 January 2025, Skopje
- Grupa 484, Serbia, 18 February 2025, Belgrade
- Vasa Prava, Bosnia and Herzegovina, 20 February 2025, Sarajevo

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