

## Joint Return Operation by Air to Pakistan by Germany on 24/09/2018

### IMPLEMENTATION PLAN

This Joint Return Operation (JRO) is coordinated by Frontex (FX). Its purpose is to remove, from the territory of the Member States<sup>2</sup> (MS), third-country nationals who are subject of individual return decision issued by the participating countries to their country of return.

Members assigned for duty during this operation will ensure full compliance with the Charter of Fundamental Rights<sup>3</sup> ensuring respect and dignity for all persons encountered in the course of this operation and with the Frontex Code of Conduct for Return Operations and Return Intervention coordinated or organised by Frontex and Frontex's general Code of Conduct<sup>4</sup>. The common standardized procedures compiled in the Frontex Guide for JROs<sup>5</sup> should be considered during this JRO.

Any incident of a sensitive or public interest nature which occurs during the course of this operation will be immediately reported, in writing, by the member concerned, for the information of Frontex ([frontex.europa.eu](https://frontex.europa.eu)) and the organising Member State (OMS) (please see the email address in the Annex 2 - Contact List).

**Informing the country of return about JRO:** Both OMS and each participating Member State (PMS) are obliged to inform the relevant diplomatic representation of the country of return about the return of their citizens expelled from the Member States' national territories.

**Flight data, itinerary - route / schedule, carrier, aircraft:** See Annex 1 - Operational Overview

**Numbers of returnees and JRO participants:** See Annex 1- Operational Overview

**Returnees NOT allowed on board:** Please take notice of the information in the OMS offer of the JRO (also underlined in Annex 1).

**Update on JRO passengers:** It is the responsibility and task of the PMS escort leaders (EL) to report any changes regarding the number of returnees and JRO participants in the Annex 1 prior to the departure from their respective home country, by sending an SMS to the OMS EL and the Frontex operational manager - see the contact details in Annex 2.

**Contact details (OMS, PMS, Frontex, handling agents):** See Annex 2

and development of the Schengen acquis.

<sup>3</sup> Charter of Fundamental Rights of the European Union, 2007/C303/01

<sup>4</sup> Code of Conduct for Return Operations and Return Interventions coordinated or organized by Frontex; Code of Conduct for all persons participating in Frontex activities; both Codes are uploaded on Frontex website: <https://frontex.europa.eu/about-frontex/key-documents/?category=code-of-conduct>

<sup>5</sup> Guide for Joint Return Operations by Air coordinated by Frontex; uploaded in FOSS: <https://foss.frontex.europa.eu/ReturnActivities/Library/BestPractices/tabid/298/Default.aspx>

**Medical attention:**

1. Medical staff will be available in a waiting area at the OMS embarkation airport before the departure of the joint charter as well as on board.
2. PMS are requested to communicate any pre-existing medical conditions or requirements in timely fashion to the OMS (see the contact details of the OMS medical doctor in Annex 2).

**Travel and health documentation:**

Each MS (OMS/PMS) is responsible for obtaining appropriate travel documents for its returnees.

Each MS is also responsible for documentation of its JRO participants; they all must have the required travel and health documentation and be made aware of entry restrictions that may potentially affect them.

**Preparation of transport for returnees (at the airport):**

1. Respective national escorts will search each returnee thoroughly (in accordance with the national law) before leaving the MS of first departure and in any case before boarding.
2. National EL are in charge of the coercive measures concerning their returnees. The OMS EL has the final responsibility on the joint flight (see Annex 1 of the details of the authorised/forbidden restraints and equipment).
3. The use of coercive measures should take appropriate account of the individual circumstances of each person such as their vulnerable condition (e.g. children if present in a JRO with their families, persons with physical or mental disabilities, etc.).
4. The escort ratio on this flight is in line with a previous risk assessment carried out by the concerned MS.
5. Escorts will be designated to concrete returnees according to the instructions given by respective national escort leaders.
6. Valuable personal belongings like laptops, jewellery, money, etc. shall NOT be placed in the baggage hold of the aircraft. They should be stored in a sealed envelope or a plastic bag and marked with the name of the returnee. These items will be handled only by a designated escort, who will hand them back over to the returnee prior to disembarkation.
7. Baggage, which is transported in the hold of the aircraft, shall be properly labelled with the names of returnees, the name of the OMS or PMS, where they started from, so that it can be properly unloaded in the country of return. No fragile plastic bags or carton boxes shall be used. PMS are advised to monitor and confirm the transfer of luggage from the connecting transport to the main charter.
8. Maximum weight allowed per passenger is limited: see Annex 1.

**Operational briefing:**

The PMS EL and other relevant JRO participants will attend an operational briefing organised by the OMS EL before the embarkation of the joint flight. The briefing point and time will be determined by the OMS EL in due time. The OMS EL discusses the latest updates (e.g. the pax lists, seating plan, embarkation process, procedures during the in-flight and arrival phases) and the security, including the use of coercive measures. Each PMS ELs provides the OMS EL with the information on the current mental and physical state of the returnees. PMS ELs should subsequently brief their escorts with this latest information.

A separate briefing will be conducted by the organizer with the cockpit and the cabin crew.

**Boarding / In-flight procedures:**

1. The cabin of the aircraft will be searched thoroughly for any dangerous items prior to embarkation by a team of designated escorts.
2. Boarding will take place in a secure area. Escorts and returnees will be seated as directed by the OMS escorts. Pregnant women (single or with families) and families with children will be enabled to board the aircraft separately and will be seated separately from other returnees. The seating plan will be distributed during the operational briefing before the departure.
3. Emergency exit rows will not be utilised for seating returnees.

4. Once on board, all passengers will take their seats and remain seated.
5. No member will leave his/her designated returnee unless relieved.
6. Any movement of a returnee from a seat will be granted according to the rules set during the operational briefing.
7. Toilet(s) for the sole use by returnees will be designated and clearly labelled. Only one escorted returnee at the time will be permitted the movement on board in order to access the toilet. The escorts are advised to jam the toilet door open and observe a returnee.
8. A security back-up team will operate in the aircraft. This team will isolate and deal with any trouble makers as well as securing the exit doors.
9. Physical force will only be used as a last resort. Restraint will be used appropriate to the level of resistance faced. All such restraints are subject to the authority of the flight captain, who is in charge of the aircraft in connection with all safety and security measures. Weapons are prohibited.
10. All relevant incidents have to be brought to the attention of the OMS EL.
11. On the outward flight the returnees and JRO participants will be provided with the same catering.
12. Consumption of alcoholic beverages is not allowed. This joint flight is a non-smoking flight.

#### **Procedure at the destination airport:**

1. When the aircraft comes to a stop and a complete standstill at the final parking position any restraint will be removed from the returnees and they will be brought to the door of the aircraft. At this time they will be handed their personal belongings, which were transported in the cabin.
2. The OMS EL will make the first contact with the representative of the country of return in order to prepare the hand-over.
3. The OMS EL and the EL of each PMS will meet relevant representatives of the country of return and hand over the travel documents and other relevant documentation, while presenting the returnees.
4. Baggage in the hold will be unloaded.
5. The OMS EL will inform PMS EL about the necessity to disembark the aircraft or not, would it be for a planned overnight stay or for administrative or technical reasons.

#### **Operational debriefing**

A debriefing will be organised during the return flight from the country of return with all the relevant JRO participants, in particular the escort leaders, the back-up team leader, the monitor and the Frontex representative. All PMS EL and OMS EL will be respectfully asked to complete a "JRO Debriefing Form", distributed by the Frontex representative on board, and return it before the debriefing. The feedback provided in the forms will be utilized during the debriefing.

#### **After-operation phase:**

OMS as a leading country will provide Frontex with the Final Return Operation Report in a standard form.

#### **Media coverage:**

All media activities related to Frontex supported return operations, including media briefings, press conferences in the organising or destination countries, photo shoots, filming and interviews, need to be coordinated and authorised in advance by the Frontex press office<sup>6</sup>.

As a general rule, in order not to jeopardise the outcome of the operation, no information about the operational activity should be released to the public prior to its beginning. National authorities deploying officers should also limit their public statements to the general objectives of the activity, numbers and profiles of experts.

---

<sup>6</sup> According to Article 13 of the CoC for Return Operations and Return Interventions "Any form of recording during a RO or RI is possible only when specifically agreed between the relevant MS, Frontex and/or the company operating the means of transport, and in compliance with applicable legislation on protection of personal data. Recording for private use is prohibited."

Press lines regarding operational issues and actions as well as on specific incidents that might occur must be agreed by Frontex and all involved parties before they are released.

For specific questions Frontex press office shall be contacted at [press@frontex.europa.eu](mailto:press@frontex.europa.eu).

The OMS and all PMS escort leaders are responsible to inform each JRO participant of his/her contingent about the content of the Implementation Plan as well as the annexes and to ensure that they comply with the plan.

For Frontex

 frontex.europa.eu



Done in Warsaw, 20/09/2018

Annexes:

- Annex 1 - Operational Overview
- Annex 2 - Contact List
- Annex 3 - Code of Conduct for Return Operations and Return Interventions Coordinated or Organised by Frontex
- Annex 4 - Serious Incident Report template
- Annex 5 - The Agency's rule on the Complaint Mechanism
- Annex 6 - Complaint form
- Appendix 1 - List of potential Fundamental Rights violations during operations