

FRONT^{EX}

Twelfth Annual Report 2024

Frontex Consultative Forum
on Fundamental Rights

European Border and Coast Guard Agency – Frontex

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FPI-25.0123

Warsaw, May 2025

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Twelfth Annual Report 2024

**Frontex Consultative Forum
on Fundamental Rights**





IOM staff assisting a child and their family at the airport prior to their relocation.

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Gevgelija Camp in the Republic of North Macedonia.

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1. Executive summary

This report provides an overview of the Consultative Forum's activities in 2024. It outlines the main observations and recommendations raised throughout the year with Frontex and its Management Board to strengthen the protection of fundamental rights in the Agency's activities.

In 2024, the Consultative Forum conducted the following activities:

- Visited Frontex operations in Cyprus, Albania, Greece, the Republic of North Macedonia, Bulgaria and Serbia to observe the operational context, assess potential risks, review good practices and formulate specific observations;
- Advised on the identification of vulnerable persons in Frontex VEGA operations and on the revision of the related handbooks;
- Provided fundamental rights advice through the Fundamental Rights Guidance Board of the European Travel Information and Authorisation System (ETIAS);
- Advised on fundamental rights training;
- Provided input to Frontex policy documents and operational tools.

An overview of all Consultative Forum activities is provided in Annex I. Annex II lists formal requests for information submitted to Frontex. Annex III is the Consultative Forum's Programme of Work for 2025. Annex IV shows the budget expenditure for 2024 and Annex V is an overview of current proceedings regarding Frontex accountability.

Since 2023, the Consultative Forum has stepped up its hands-on technical advice within VEGA operations and has also conducted more on-the-spot visits. In parallel, the Consultative Forum offered Frontex its expertise to support the development of tools and materials. The challenges faced in this exercise are twofold:

- While the Frontex Academy and Return Units actively engaged the Consultative Forum in the review of their materials, other entities have been less forthcoming in seeking the Forum's expert advice;
- Following the submission of any input to the agency, there is usually little information about the next steps in the process and the degree to which the advice was considered or not by Frontex entities.

While the Consultative Forum appreciates the systematic use of a fundamental rights-friendly narrative by the

Frontex Executive Management, a gap remains in the full integration of fundamental rights-related and operation-specific measures as part of the operational plans and the monitoring and safeguarding of their implementation by Member States. According to the Frontex Fundamental Rights Officer's reports, fundamental rights concerns remained around Frontex operations in Greece, Bulgaria, Latvia, Serbia and Montenegro, as well as over debriefing activities.

Article 46 of the Frontex Regulation authorises the Executive Director to suspend activities, in whole or in part, and to not launch any activity, if he or she considers there to be serious or persistent violations of fundamental rights. At the end of 2024, Frontex dissolved its Article 46 Working Group, originally formed to closely monitor the Greek implementation plan, which outlined measures and timelines for the Greek authorities to put in place to mitigate risks of violations of fundamental rights. While Frontex announced the creation of another mechanism to examine the situation of fundamental rights in all Frontex operations, the operational plans – which are binding according to Article 38 of the EBCG Regulation – still lack operation-specific fundamental rights safeguards. With emerging court cases confirming fundamental rights violations,¹ the failure to consider the FRO's opinions on the introduction of conditionalities and safeguards means Frontex is associated with violations of fundamental rights, which may have serious legal and reputational implications.

In 2025, it will be important to observe to what extent Frontex follows the Fundamental Rights Officer's advice and what means it uses to monitor the implementation of safeguards, introduce thresholds and progressively condition its support to the Member States.

The entry into operation of the Entry-Exit System (EES), which will be followed by the implementation of ETIAS and of the new Eurodac Regulation, will mark a crucial step in the development and enhancement of multiple, interoperable large-scale IT systems supporting border management at EU level, through mandatory biometric identity registration, screening and management systems. While these emerging technologies can offer opportunities to streamline processes, the Consultative Forum highlighted to Frontex that their use also has wide-ranging human rights implications, including many related to data protection and privacy rights, which need to be thoroughly assessed and analysed before deployment and during implementation.

¹ See Court of Justice of the European Union. (2024). *Judgment of the Court in Case C-123/22, Commission v Hungary (Reception of applicants for international protection II)*. ECLI:EU:C:2024:493; European Court of Human Rights. (2024). *G.R.J. v. Greece* (Application No. 15067/21); European Court of Human Rights. (2024). *A.R.E. v. Greece* (Application No. 15783/21).

Executive summary

The European Parliament Frontex Scrutiny Working Group (FSWG)² continued its regular exchange with Frontex within its oversight mandate. Frontex regularly reports to the FSWG and attends hearings; the Consultative Forum received these reports throughout 2024. In December 2024, the FSWG was incorporated into the LIBE Schengen and Borders Scrutiny Working Group, which is tasked with scrutinising the state of the Schengen free-travel area, internal border controls within it and Frontex's operations, particularly focusing on developments related to the standing corps. It also assesses the situation at Europe's external borders and other aspects of European Integrated Border Management.

Frontex was granted discharge of its 2022 budget on 11 April 2024,³ noting changes implemented following recommendations from the Frontex Scrutiny Working Group, as well as those reflected in *Frontex's individual follow-up report for the 2021 budgetary discharge*, corresponding to actionable points from the prior year's budget discharge.⁴

The Consultative Forum presented its 2025 Programme of Work (Annex III) in November 2024 to the Frontex Management Board. The Annual Report 2024 of the Consultative Forum will be presented to the European Parliament's LIBE Committee and the Council Working Party on Frontiers, upon request.

² See: The European Border and Coast Agency (Frontex), Frontex Accountability, <https://www.frontex.europa.eu/transparency/accountability/>.

³ European Parliament (2024), 'Discharge 2022: European Border and Coast Guard Agency', 11 April 2024, [https://www.europarl.europa.eu/RegData/seance_pleniere/textes_adoptes/definitif/2024/04-11/0255/P9_TA\(2024\)0255_EN.pdf](https://www.europarl.europa.eu/RegData/seance_pleniere/textes_adoptes/definitif/2024/04-11/0255/P9_TA(2024)0255_EN.pdf).

⁴ The European Border and Coast Agency (Frontex) (2023). 'Frontex's Individual Follow Up Report for the 2021 Budgetary Discharge', 19 September 2023, https://www.europarl.europa.eu/cmsdata/275019/Frontex%20individual%20follow%20up%20report%20_final.pdf.

1.1 Introduction

The Council of the European Union adopted on 14 May 2024⁵ the New Pact on Migration and Asylum, reforming the Common European Asylum System (CEAS) and introducing a set of new rules and procedures. Most of the reformed instruments are highly relevant for the context within which Frontex operates, presenting both challenges and opportunities for the fundamental rights framework within the European Union. For instance, there are new obligations for independent fundamental rights monitoring of Member States' screening and application of border procedures. In addition to the obligatory vulnerability (including statelessness) and health checks which will be required as part of screening, the New Pact could offer the opportunity to mainstream fundamental rights in migration management. Another important element is the requirement to inform persons undergoing screening about the purpose of the activity, the right to apply for asylum and the applicable procedures, as well as their rights and obligations, including the opportunity to receive legal advice and counselling.

Frontex will play the key role in screening, as well as the border and return procedures. From the fundamental rights monitoring perspective, the current imbalance between an established Frontex monitoring mechanism and Member States' less developed border monitoring systems should now be addressed by extending the mandates of existing monitoring mechanisms or by establishing effective, independent and well-resourced national monitoring mechanisms.⁶

Globally, the number of forcibly displaced persons continues to grow. In 2024, out of 122.6 million persons who had to flee their homes, 32 million were refugees (including Palestine refugees under the United Nations Relief and Works Agency for Palestine Refugees in the Near East) and 8 million were asylum seekers.⁷

According to EUAA's annual analysis of asylum trends,⁸ the number of asylum applications received in the EU+ decreased by 11% in 2024, with applications from Syrians, Afghans and Turks all decreasing significantly.

⁵ Council of the European Union (2024), 'The Council adopts the EU's Pact on Migration and Asylum'. Press release, May 14 2024, <https://www.consilium.europa.eu/en/press/press-releases/2024/05/14/the-council-adopts-the-eu-s-pact-on-migration-and-asylum/>.

⁶ European Union Agency for Fundamental Rights (2024), 'Monitoring fundamental rights during screening and the asylum border procedure – A guide on national independent mechanisms', 19 September 2024, <https://fra.europa.eu/en/publication/2024/border-rights-monitoring>.

⁷ UNHCR (2024), Refugee Data Finder, <https://www.unhcr.org/refugee-statistics/data-summaries>.

⁸ European Union Agency for Asylum (2025), 'Latest Asylum Trends - Annual Analysis', 3 March 2025, <https://euaa.europa.eu/latest-asylum-trends-annual-analysis>.



Kids playing at Pournara Reception Centre in Cyprus.

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2. Role and composition

The Frontex Consultative Forum was established in October 2012 and has been operational since January 2013. Pursuant to Article 108 of Regulation 2019/1896, the Consultative Forum provides independent advice to the Agency on the respect, protection and promotion of fundamental rights in its activities.

Regulation 2019/1896 highlights specific areas⁹ where the Agency should seek the Consultative Forum's views and enable it to work on any matter related to fundamental rights, upon request by the Agency, the Management Board or the Fundamental Rights Officer, or on its own initiative.¹⁰

However, the Consultative Forum does not have a mandate to monitor Frontex activities, this being the role of the Fundamental Rights Officer and the Fundamental Rights Monitors, who have the responsibility 'to constantly assess the fundamental rights compliance of Frontex operational activities.'¹¹

In 2024, the Consultative Forum convened two meetings in Warsaw and one in Brussels, in addition to an online meeting. The Frontex Management Board invited the Consultative Forum chairs to the parts of its 2024 meetings related to fundamental rights.

In 2024, the Consultative Forum comprised 13 organisations, which contributed their expertise and resources on a voluntary basis:

Two European Union agencies:

- [European Union Agency for Asylum \(EUAA\)](#); and
- [European Union Agency for Fundamental Rights \(FRA\)](#).

Five international organisations:

- [Council of Europe \(CoE\)](#);
- [International Organization for Migration \(IOM\)](#);
- [Organization for Security and Co-operation in Europe – Office for Democratic Institutions and Human Rights \(OSCE/ODIHR\)](#);
- [UN Human Rights Office \(OHCHR\)](#);
- [United Nations High Commissioner for Refugees \(UNHCR\)](#).

Seven civil society organisations:

- [Churches' Commission for Migrants in Europe \(CCME\)](#);
- [Council of Bars and Law Societies of Europe \(CCBE\)](#);
- [Global Campus of Human Rights](#);
- [Jesuit Refugee Service Europe \(JRS\)](#);
- [Rule of Law Institute Foundation](#);
- [Save the Children](#).

UNHCR, EUAA and FRA are statutory members of the Consultative Forum as per Regulation 2019/1896. CoE, IOM, OSCE/ODIHR and the Office of the UN High Commissioner for Human Rights (UN Human Rights), represented by its Regional Office for Europe, are members of the Consultative Forum invited by Frontex.¹²

UNHCR and FRA co-chaired the Consultative Forum in 2024 with the support of the Consultative Forum Secretariat, facilitated by the Frontex Fundamental Rights Office.¹³

You can contact us at: consultative.forum@frontex.europa.eu.¹⁵

Since May 2022, OSCE/ODIHR has been representing the Consultative Forum in the ETIAS Fundamental Rights Guidance Board.¹⁴

⁹ See the analysis in the Seventh Annual Report, Frontex Consultative Forum on Fundamental Rights 2019, available at: https://frontex.europa.eu/assets/Partners/Consultative_Forum_files/Frontex_Consultative_Forum_annual_report_2019.pdf.

¹⁰ Article 108 (1) and Article 108 (3) of Regulation (EU) 2019/1896, <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1573722151667&uri=CELEX:32019R1896>.

¹¹ Article 110 of Regulation (EU) 2019/1896, <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1573722151667&uri=CELEX:32019R1896>.

¹² [Management Board Decision 4/2020 of 29 January 2020 amending Management Board Decision 29/2019 of 2 December 2019 on the composition of the Consultative Forum on Fundamental Rights](#).

¹³ Frontex Consultative Forum on Fundamental Rights (2024), Working Methods 2024, [Working Methods - Frontex Consultative Forum on Fundamental Rights.pdf](#).

¹⁴ Ibid.

¹⁵ Personal data is processed by the Consultative Forum Secretariat for the purpose of providing administrative support for the preparation, implementation and management of the work of the Consultative Forum. See: The European Border and Coast Guard Agency (Frontex) (2023), Record of Processing Activity on Personal Data for Data Controllers - Consultative Forum, 28 September 2023, https://www.frontex.europa.eu/assets/Data_Protection/Records/184_Consultative_Forum.pdf.



Border Crossing Point Kakavijë - Joint Operation Albania.

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3. Fundamental rights advice to Frontex

3.1 On-the spot-visits

According to Article 108(5) of Regulation 2019/1896, the Consultative Forum may ‘without prejudice to the tasks of the Fundamental Rights Officer, carry out on-the-spot visits to joint operations or rapid border interventions subject to the agreement of the host Member State or the third country, as applicable, to hotspot areas and to return operations and return interventions, including in third countries.’ Observation missions allow the Consultative Forum to tailor its recommendations to Frontex’s operational context.

The locations for on-the-spot visits are proposed by Consultative Forum members, in consultation with the Fundamental Rights Officer, based on emerging challenges related to the protection of fundamental rights.

Following the visits, the Consultative Forum shares its observations in writing with the Executive Director of Frontex, the Chair of the Management Board, the Management Board members concerned and the authorities of the Member State, as well as the Fundamental Rights Officer. Frontex responds to explain specific points and provide clarifications or its own position in relation to the issues raised. The Consultative Forum also offers the opportunity to hold a focus group meeting with the Member States’ authorities and Frontex for in-depth exchange and a joint reflection on the observations, potential risks and possible solutions.

Following the on-the-spot missions in 2024, Frontex responded through letters to the Consultative Forum’s observations.

General observations

In 2024, the Consultative Forum conducted three on-the-spot visits to:

- Cyprus;
- Albania, Greece (North) and the Republic of North Macedonia;
- Bulgaria and Serbia.

In each country, the delegation met authorities, border guards, Frontex and EU personnel, national human rights or ombuds institutions, as well as representatives of civil society and international organisations. The Consultative Forum observed common, recurring issues in the following areas:

i. Screening and debriefing activities

Screening and debriefing activities were defined and included in all of the Operational Plans. In practice, Frontex staff appear to be less involved in screening, registration and identification; but are predominantly engaged in debriefing (with the purpose of gathering intelligence), fingerprinting, and document checks. The Consultative Forum therefore proposed that:

- Frontex consider introducing a clearer differentiation of screening and debriefing activities and consider being more involved in screening and initial registration. When not present in screening, Frontex is not able to help identify protection needs, vulnerable persons including children, and their referral.
- Debriefing should only take place after the completion of the screening process. Furthermore, interviewees should be informed about the nature of the interviews – which is intelligence gathering – and their consent should be sought and recorded.

ii. Interpretation and cultural mediators

Interpretation services seem to be predominantly available for intelligence gathering and for return counselling, but not for fingerprinting. Additionally, there are substantial gaps in the use of cultural mediation support. In this regard, the Consultative Forum suggested that Frontex consider ensuring the availability of interpretation equally for all activities which entail interaction with migrants or travellers, so that the identification of protection needs and vulnerabilities and the referral to the respective procedures can be ensured at any time during the processes. In addition to interpretation, Frontex should increase the deployment of cultural mediators.

iii. Practical tools for frontline officers

The Consultative Forum identified the need for more practical and hands-on tools for Frontex officers. Available training materials (such as handbooks and guidelines) are often overly theoretical. The Agency could consider issuing more practical, operational instructions, including standard operating procedures and clearer guidelines on how to react in various situations, such as lists of DOs and DON'Ts.

3.1.1 Cyprus

The Consultative Forum visit to Cyprus on 15-17 April coincided with the suspension of the processing of asylum requests of Syrian nationals, decided by the Government on 19 April 2024.¹⁶ The Consultative Forum's delegation observed procedures in Pournara (including reception, fingerprinting and examination of documents) and voluntary returns at Larnaca airport, interacting with Frontex Debriefing Officers, Fingerprinting Experts, Return Counsellors and Return Specialists.

Within the context of initial screening, the Consultative Forum indicated that information on vulnerabilities should be collected and passed on at all stages of the process. Vulnerabilities may be spotted at any time and should be passed on to the next step in the procedure to avoid the need for re-identification at subsequent stages. The identification of vulnerabilities and their indicators should be noted on an integrated form during the pre-registration and identification stages.

More specifically, in the context of children, while formally a guardian for all unaccompanied children seems to be present during fingerprinting, the Consultative Forum recommended that Frontex consider requesting a more individualised approach in the appointment of guardians for unaccompanied children, to guarantee that primary consideration is given to the best interests of the child at all stages of the procedures.

As for return procedures, the Consultative Forum observed a high number of Return Counsellors, an indication of the priority given to return-related activities in the operation. At the same time, the Consultative Forum noted with concern

how access to legal aid appeared problematic, in particular for people in detention due to obstacles such as the requirement for a court decision and the payment of an application fee.

Against this backdrop, the Consultative Forum found that the 'voluntary' nature of the decisions to return was difficult to assess. In the absence of proper safeguards and understanding of alternatives, decisions to return may not be based on free individual choice. An active 'campaign' for the provision of information on the voluntary return scheme, including financial incentives from the state, could be observed. Safeguards to ensure genuine voluntariness of returns should be strengthened. The possibility of withdrawal at any step of the voluntary return procedure needs to be better communicated. The Consultative Forum therefore recommended that Frontex consider introducing safeguards for voluntary returns. In particular, support to Member States should be conditional upon a comprehensive vulnerability assessment, the possibility to withdraw from the voluntary return scheme at any time, the possibility to apply for asylum, and effective access to legal aid. In the absence of a monitoring requirement for voluntary returns, these safeguards could ensure their voluntary nature.

As for the roll-out of voluntary return procedures at the airport, the Consultative Forum observed that operations were well-organised and handled professionally. Frontex demonstrated preparedness on de-escalatory behaviour, if needed, as well as the respectful treatment of returnees. Information on the Frontex complaints mechanism was duly displayed.

3.1.2 Albania, Greece, and the Republic of North Macedonia

The Consultative Forum's delegation was pleased to observe the high level of openness during the exchanges on 3-7 June with national authorities of Albania, Greece, the Republic of North Macedonia as well as Frontex staff. Authorities see Frontex's presence in border areas as supportive and valuable. Specifically, Frontex enhances the professionalism of national border guards and facilitates cooperation between immigration and border police forces, civil society organisations and EU and international bodies.

In particular, Frontex operations in Albania and in the Republic of North Macedonia play an important role in aligning these countries with EU standards for border and migration management as part of the pre-accession process. Frontex's presence is an opportunity to promote fundamental rights standards in third countries, including

by strengthening mechanisms for referring persons with vulnerabilities and special needs to national systems. Below is a summary of the main findings and observations for each country.

Albania

The Consultative Forum found that unaccompanied children are not directed to the national child protection unit, and in reception centres, they share accommodation with adults, which is not in line with child protection standards. National-level discussions are under way to establish a centre for receiving unaccompanied children near border areas; however, this would not be in their best interests and could expose them to heightened protection risks, including violence and trafficking in human beings. Additionally, the

¹⁶ Al Jazeera (2024), 'Cyprus suspends asylum applications for Syrians as arrivals rise', 13 April 2024, <https://www.aljazeera.com/news/2024/4/14/cyprus-suspends-asylum-applications-for-syrians-as-arrivals-rise>.

national age-assessment mechanism for unaccompanied and separated children relies on self-declarations, which may undermine the children's access to appropriate care and support in line with their best interests. In this regard, the Consultative Forum observed that Joint Operations must ensure protection of children (and other vulnerable persons) and introduce safeguards in line with EU and international standards.

Similarly, several factors hamper the identification and referral of persons with vulnerabilities, namely language barriers, lack of interpreters and gender imbalance within the staff conducting screening. These issues complicate communication and hinder accurate identification, referral and support. Additionally, the referral system from the local to the national level does not allow effective tracking of vulnerabilities throughout the process, which may result in the loss of important information about specific needs. Consequently, Frontex could consider supporting national authorities with additional training to strengthen their capacity and update Frontex staff's knowledge on the identification of victims of trafficking in human beings. In this regard, the Albanian National Preventive Mechanism, *Avokati i Popullit*, proposed a joint training on fundamental rights at the borders, which Frontex could consider.

Various reports indicated instances in which people were returned to Greece without removal orders. These movements did not seem to be coordinated with the Greek authorities and occurred outside of readmission agreements. To address the situation, Frontex should ensure the introduction of safeguards to prevent irregular returns when assisting the Albanian authorities in screening and other border processes.

Greece

The visit concerned only the northern borders with Albania and the Republic of North Macedonia. As a result, the Consultative Forum's observations were limited to those specific contexts, without reference to other operational situations, which had been the subject of a mission at the end of 2021.

The Consultative Forum acknowledged Frontex's efforts in the fight against human trafficking and exhorted Frontex to increase the expertise and capacity among its personnel and national authorities in dealing with victims of trafficking. This could ensure that their protection needs are promptly addressed, including in relation to access to international protection and support services.

Frontex took the initiative, endorsed by the Greek authorities, to draft a Practical Guide on Fundamental Rights during apprehension operations. This guide was to be revised by the Fundamental Rights Office, and the Consultative Forum indicated its availability to contribute to the review.

Republic of North Macedonia

The Consultative Forum's delegation was informed that border control had been strengthened, while access to asylum appeared to be preserved, with an increased number of asylum applications. Access to territory and asylum may have benefited from Frontex's lead in providing information on the asylum procedure. The Consultative Forum also observed well-established cooperation between international organisations, local NGOs, authorities and Frontex in the Vinjug Temporary Transit Centre (TTC). The presence of various actors was helpful in supporting the channelling of different profiles of people on the move to the correct procedures. Frontex engagement was perceived as constructive, providing capacity and expertise to the immigration and border police.

However, the unclear legal status of the TTC was found to have an impact on the legal standing and rights of the individuals residing there, leading to potential issues regarding their protection and services. Residents of the TTC appeared to be de facto detained, without being provided with proper information and documentation. They underwent registration and fingerprinting, but did not receive official documents that would clarify their legal status and rights. Alternatives to de facto detention were not available. There were indications that on some occasions, informal returns to Greece occurred, as migrants managed to exit the TTC, which is close to the green border with Greece. In addition, the delegation found that the general living conditions of the TTC did not fully comply with international standards and represented a hazard for the wellbeing of both migrants and staff operating within the facility.

The Consultative Forum observed that the most effective protection option for children arriving in the Republic of North Macedonia was to seek asylum. Without seeking asylum, children may lack legal status and protection and be exposed to exploitation, unable to access essential support systems. Various reports indicated good collaboration between the national border police and the Ministry of Labour and Social Policy on identifying and referring issues concerning children. However, the identification and referral of vulnerable children and other individuals, such as victims of trafficking in human beings, could be further improved.

National authorities were working on a set of Standard Operating Procedures in cooperation with UNHCR concerning unaccompanied children, protection-sensitive entry systems, immigration detention, access to territory and asylum at international airports. The Consultative Forum proposed that Frontex support the dissemination and implementation of these documents. Additionally, the Agency was encouraged to participate in joint periodic reviews to update the Standard Operating Procedures and support building border police capacity for international protection.

3.1.3 Bulgaria and Serbia

The Consultative Forum conducted a visit to Bulgaria and Serbia on 9-11 December and observed that, despite the decrease in the number of new arrivals and transits, both countries still face considerable challenges to identify, register and provide protection for people on the move, including children, as migration routes shift and smuggling activities become more aggressive, posing significant risks to the safety of migrants and refugees as well as of border guards. The Consultative Forum acknowledged the challenges in ensuring regular patrolling of the long borderline between Bulgaria and Serbia, which includes rough and mountainous terrain, particularly in terms of registering and identifying all people on the move, including children and other vulnerable categories.

In his reports, the Fundamental Rights Officer pointed at the increase in Serious Incident Reports submitted by Frontex staff as an indication of greater awareness and transparency, while noting with concern recurring allegations of violations of fundamental rights along the border between the two countries.

The authorities of both countries greatly appreciated the presence of Frontex, emphasising the added value that the expertise that the Agency personnel brings to the operations, including in setting operational standards. Significantly, some civil society organisations also indicated how the presence of Frontex had a positive influence on border operations by introducing standards, with some calling for increased deployments to strengthen patrolling and life-saving interventions for people stranded at the border, especially in remote and inaccessible areas. However, concerns were expressed over recurrent cases of people, including those with life-threatening conditions, stranded at the border between the two countries without timely assistance. In this regard, the Consultative Forum expressed the need for Frontex to clarify the conditions under which its vehicles can be used to support the rescue and transport of persons in distress in remote border areas.

As a way forward, the Consultative Forum encouraged Frontex to step up cooperation and exchange with international organisations and NGOs, enabling the sharing of information and expertise to address protection challenges more effectively.

Serbia

The Consultative Forum expressed concerns over gaps in protection of people on the move, including weaknesses in the identification of vulnerable children, adults and potential victims of trafficking. The delegation observed insufficient access to basic services such as food, water and clothing at reception points, which needed to be promptly addressed to ensure the dignity and safety of individuals in need of assistance and protection.

Bulgaria

In 2024, Bulgaria joined the Schengen area, and Frontex stepped up its activities in support of border management activities. The Fundamental Rights Officer expressed concern at the increasing number of serious incident reports submitted by Frontex staff regarding potential fundamental rights violations at Bulgaria's border with Türkiye. In response, the Bulgarian authorities agreed to adopt an Action Plan to deal with the identified shortcomings and integrate mitigating measures into the operational plans, which the Consultative Forum welcomed as a good practice.

The Consultative Forum noted as a major accountability gap the lack of an independent monitoring mechanism, coupled with the absence of an Ombudsman since April 2024, which represented a risk for the protection of fundamental rights. In particular, the Consultative Forum expressed concern over deficiencies in the identification of persons with vulnerabilities and their referral. Similarly, the lack of a comprehensive guardianship system and adequate social services to provide assistance to unaccompanied children exposed them to heightened risks of exploitation, abuse and neglect. Age assessment documents were not consistently attached to the children's files, leading to potential gaps in safeguarding their rights.¹⁷ In this respect, the Consultative Forum urged Frontex to introduce mitigating measures into the operational plan and solicited the launching of VEGA activities as a matter of priority in 2025.

¹⁷ Council of Europe (2024), 'Report of the Fact-Finding Mission to Bulgaria by Ms Leyla Kayacik Special Representative of the Secretary General on Migration and Refugees 11-14 September 2023', 30 January 2023, [CoE SRSG on Migration and Refugees fact finding mission to Bulgaria 2023 Report](#).

3.2 Identification of Vulnerable Persons – VEGA operations

Frontex VEGA operations aim at improving the identification of vulnerable persons, including children, during border control activities. Protection experts from Consultative Forum member agencies regularly join Frontex VEGA operations to provide on-the-spot advice on emerging vulnerabilities and propose specific actions, in line with international standards, at air and land borders.

In 2024, 22 Consultative Forum experts took part in Frontex VEGA operations in 12 locations. The experts visited three airports and nine border crossing points in Croatia, Lithuania, Moldova, Poland, Republic of North Macedonia, Romania and Slovakia, for a total of fifty-one weeks in the field, working closely with Frontex staff and national border guards.

Since 2022, the Consultative Forum has been submitting its detailed observations and proposals to Frontex, contributing to the annual evaluation of VEGA operations from a fundamental rights perspective.

The most frequent observations suggested that vulnerability assessments of unaccompanied and separated children should be carried out with the presence of child protection specialists. Cooperation between border police and child protection entities should be improved in some locations, including with the creation of designated safe areas for children at airports and at the land borders (particularly with Ukraine). Moreover, it was observed that Frontex should ensure the availability of interpretation in its VEGA activities.

3.3 Fundamental Rights Guidance Board of the European Travel Information and Authorisation System

Upon the introduction of the European Travel Information and Authorisation System (ETIAS), people from more than 60 visa-free countries will require travel authorisation before coming to the EU. The authorisation will be processed through an automated IT system established by Regulation 2018/1240 to identify security, irregular immigration and epidemic risks posed by visa-exempt visitors to the Schengen Area. This system is expected to be in place in 2026.

The ETIAS Fundamental Rights Guidance Board (FRGB) was established in 2022. The Consultative Forum on Fundamental Rights is one of its members.¹⁸ The FRGB is mandated to perform regular appraisals, issue recommendations to the ETIAS

Screening Board and support the Board in the execution of its tasks, when consulted. This is of particular importance to ensure respect for the principle of non-discrimination, data protection standards and privacy rights.

In 2024, the FRGB collected information, maintained a high level of awareness and provided recommendations regarding fundamental rights implications of systems, analytical processes, risk screening rules and the development of risk indicators. The FRGB published its first Annual report in August 2024 and issued a guidance note on the risk of discrimination in the context of the implementation of the ETIAS screening rules.

3.4 Input to Frontex Procedures and Tools

3.4.1 Toolbox for children in return

The toolbox for children in return is a set of tools created to support children by providing information and assistance, as well as guiding carers and officers working in return procedures. It includes a collection of Good Practices on Returning Children with Families; Guidebooks for children, with text and illustrations describing what to expect during the return process; a Guidebook for parents or guardians; and manuals-training modules for officers and experts dealing with children and families in return procedures.

The Consultative Forum provided comments to the development of the guidebooks for children in 2023, and the

promotional material in 2024. In particular, the Consultative Forum advised giving more relevance to fundamental rights frameworks and highlighting the protection concerns that apply to victims of trafficking in human beings. Moreover, it proposed more emphasis on the importance of a proper assessment of the best interests of the child and prioritising the safeguarding of family unity in all procedures.

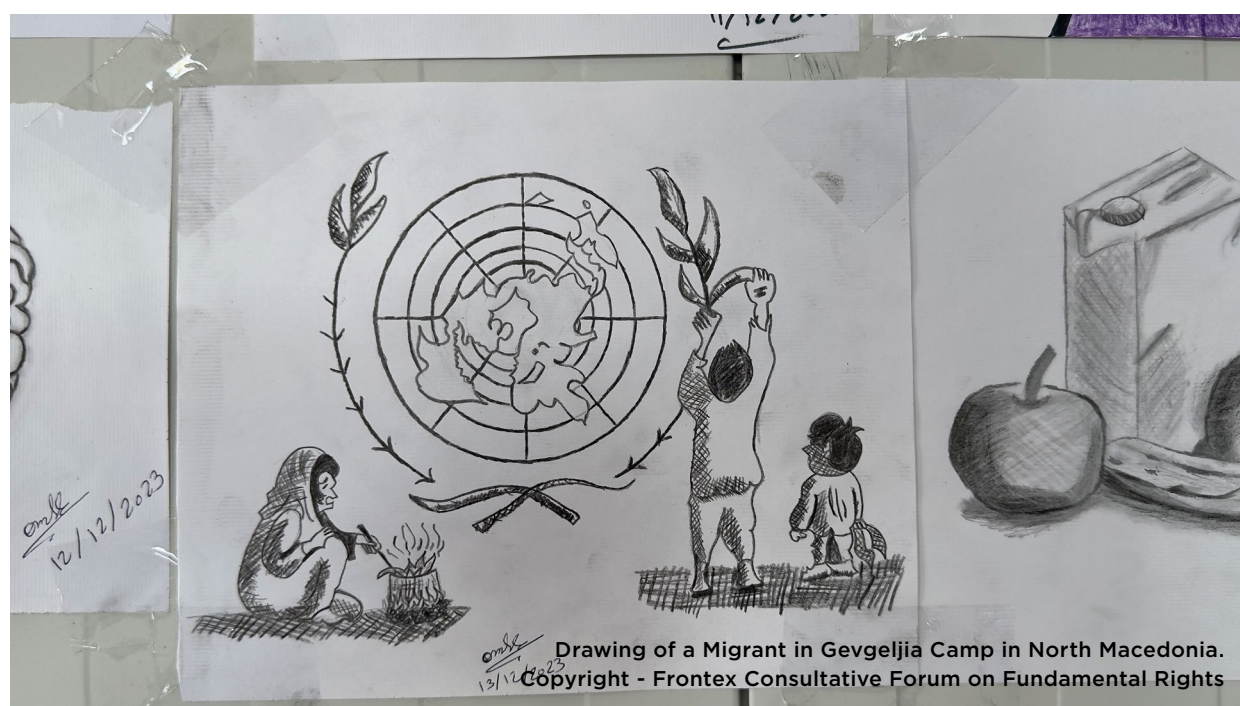
The Consultative Forum's review of the document does not imply endorsement of the final product.

¹⁸ As per Article 10(1) of Regulation (EU) 2018/1240, the ETIAS Fundamental Rights Guidance Board comprises representatives of: The Fundamental Rights Officer of the European Border and Coast Guard Agency, Consultative Forum on Fundamental Rights of Frontex, European Data Protection Supervisor (EDPS), European Data Protection Board (EDPB) and European Union Agency for Fundamental Rights (FRA), <https://eur-lex.europa.eu/eli/reg/2018/1240/oj/eng>.

3.4.2 Diversity and Inclusion Policy

In 2023, Frontex announced it would draft an inclusion policy, which was launched for consultation with the Consultative Forum in May 2024. Acknowledging its importance and potential to introduce institutional change, the Forum provided substantial comments to the first draft, which will be followed by an action plan in 2025. The Consultative Forum proposed that the policy introduce broader corporate responsibility instead of being purely a human resources task. In particular, the policy should not be limited to managers but address all categories of staff (standing corps, contracted staff, consultants, etc.). The Consultative Forum believes the policy should promote a non-binary view of gender,

including through specific training on sexual orientation, gender identity and expression. Moreover, the positive impact of disability inclusion should be elaborated. Similarly, on racial and ethnic equity, the policy could elaborate more on how this would positively influence the Agency's work, particularly in relation to the treatment of people on the move. The Consultative Forum advised that barriers to diversity and inclusion should be identified before establishing an implementation plan. Finally, the Forum underlined the importance of introducing a solid complaint and whistle-blowing mechanism, as well as monitoring and evaluation of the policy's impact.



3.4.3 Good Practices in Alternatives to Detention in return activities¹⁹

Frontex, in cooperation with participating Member States, developed the *Good Practices on Alternatives to Detention in return procedures*, aiming at supporting those Member States experiencing challenges in returns. As mentioned in the foreword of the document, the practices should “facilitate and share MS’ experiences in adopting different types of alternative measures to detention in order to avoid absconding while ensuring administrative immigration detention is applied as a last resort measure and in full respect of returnees’ fundamental rights.”

The Consultative Forum was requested to provide inputs to the first draft of the document. In its comments, the Forum said the draft would need to better reflect human rights standards and obligations, including as regards the rights of the child, gender equality, dignified treatment and non-discrimination, in parallel with outlining practices that are alternatives to detention. The need to apply the principles of necessity and proportionality before detention was also emphasised, as was the need to strengthen data protection and privacy safeguards.

¹⁹ The European Border and Coast Guard Agency (Frontex) (2025), ‘Good Practices on Alternatives to Detention in return procedures’, 29 January 2025, <https://prd.frontex.europa.eu/document/good-practices-on-alternatives-to-detention/>.

The Consultative Forum and Frontex followed up by discussing the inputs. The document underwent multiple revisions, which resulted in a final version that differed

substantially from the initial one. The Consultative Forum was not asked for additional comments during the finalisation process.

3.4.4 Fingerprinting in Frontex Operations

In 2024, the Fundamental Rights Office and Frontex Operational Management Division started working on a document concerning fingerprinting, aimed at informing people on the move about the purpose of the procedure, their rights and data protection.

The document is a pilot project and will be issued in the form of posters/leaflets and initially distributed in Cyprus in the context of Joint Operation Ledra.

The Consultative Forum contributed its observations calling for the inclusion of the right to information on the collection and storage of the data to balance the focus on obligations, and referring to existing guidance such as FRA's *Right to information — Guide for authorities when taking fingerprints for EURODAC* and the *EC standard leaflet on the Dublin procedure*.²⁰

3.5 Training activities

In 2024, the Consultative Forum actively contributed to the development of Frontex training materials by participating in regular training development meetings organised by the Frontex Academy (formerly the Training Unit). The Consultative Forum attended three such meetings, focusing on the *Course on Fundamental Rights for Multipliers*.

In Frontex's framework, *multipliers* are experienced national border guards responsible for training their peers in their

respective Member States or Schengen Associated Countries. A key priority has been integrating updates related to the Pact on Migration and Asylum while promoting a more protection-sensitive language and approach.

Looking ahead to 2025, the Consultative Forum will continue its engagement in training development meetings, further reinforcing its contribution to fundamental rights training within Frontex.

²⁰ European Union Agency for Fundamental Rights (2020), 'Right to information – Guide for authorities when taking fingerprints for EURODAC', 16 January 2024, fra.europa.eu/sites/default/files/2021-12/fra-2020-guide-eurodac_en_3.pdf.

Migrants queueing at Pournara Reception Centre in Cyprus.

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4. Engagement with other stakeholders

The Forum provided input after being invited to a shadow meeting of the LIBE Committee, in the context of a draft Council decision on the Agreement between the European Union and the Republic of Serbia on operations by the European Border and Coast Guard Agency in the Republic of Serbia.

The Consultative Forum outlined its role, mandate and composition, and pointed out an earlier recommendation to Frontex on fundamental rights protection in the Agency's cooperation with third countries.

Topics discussed included access to procedures and territory, establishment of a complaints mechanism, individual vulnerability assessments, identification of children at risk and referrals. A major point of discussion was whether Frontex's presence in a country leads to an improvement in the fundamental rights situation or whether there is a risk that Frontex could become complicit in fundamental rights violations.

The Consultative Forum stressed the need for a well-functioning due diligence procedure to be activated whenever systematic or serious fundamental rights violations take place. Such a system should contain escalation levels, including consequences, and should ultimately lead to the suspension or termination of operations in cases of non-compliance. Any cooperation by Frontex should be based on adherence to Article 46 of the Frontex Regulation.²¹

Meeting with national human rights institutions and EU Justice and Home Affairs stakeholders in the context of human rights in European Integrated Border Management

The Consultative Forum attended a meeting that brought together national human rights institutions and EU agencies to discuss fundamental rights in European border management. The meeting, organised by the Frontex Fundamental Rights Office in cooperation with the European Network of National Human Rights Institutions (ENNHRI) and the EU Agency for Fundamental Rights (FRA), focused on the EU law safeguards and standards introduced with the adoption of the pact on migration and asylum, particularly focusing on the new Screening Regulation. The participants agreed that effective monitoring of the procedures under the Screening Regulation

and the Asylum Procedure Regulation is needed, as are coordination and harmonised methodology based on FRA's practical guidance.²² Further discussions concerned reporting on the findings of national monitoring, which should be designed to enable users to automatically extract quantitative information. Moreover, timing of reporting should be aligned with the timing of national and EU processes, while regular monitoring should inform the reports.

Participants also shared the need for the EU to cooperate with and support independent human rights bodies in the EU's neighbouring countries, to strengthen human rights safeguards in the context of border management.

Fundamental rights monitoring under the Pact on Migration and Asylum should be embedded in the activities of the European Border and Coast Guard and in the EU's migration and asylum system. To promote synergies with existing fundamental rights monitoring duties at national and European level, the participants agreed to meet regularly.

Annual Conference on EU Border Management organised by EU Law Academy

The first Annual Conference on EU Border Management took place on 27-28 June 2024 and concerned topics such as the role of Frontex, Schengen governance, cross-border law enforcement, cooperation and interoperability, EU databases, migrant smuggling and the EU Pact on Asylum and Migration. Speakers representing the European Law Academy (ERA), the European Commission and the Council, Frontex, eu-LISA, FRA and Member States' authorities presented topics relating to new legislation and structures in European border management, databases and their evolution, risk analysis, as well as migratory trends and fundamental rights. The Deputy Fundamental Rights Officer and the Consultative Forum co-chair outlined the existing mechanisms within Frontex aimed at observing, protecting and promoting fundamental rights in the Agency's operations. They explored issues such as the processing of personal data, the mandate of the Frontex Fundamental Rights Officer and the Fundamental Rights Monitors, the monitoring systems within the Agency, national fundamental rights monitoring systems and the monitoring of Eurosur and returns.

²¹ Council of the European Union (2024), Press release, 'Serbia: Council gives green light to signing of Frontex cooperation agreement', 30 May 2024, <https://www.consilium.europa.eu/en/press/press-releases/2024/05/30/serbia-council-gives-green-light-to-signing-of-frontex-cooperation-agreement/>.

²² European Union Agency for Fundamental Rights (2024), Monitoring fundamental rights during screening and the asylum border procedure – A guide on national independent mechanisms, 19 September 2024, <https://fra.europa.eu/en/publication/2024/border-rights-monitoring>.



UNHCR Container in Pournara Reception Centre in Cyprus.

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5. Annexes

ANNEX I: Consultative Forum Activities in 2024²³

Publications & Meetings
<ul style="list-style-type: none"> • Publication of the revised Working methods, 18/03 • Publication of the Annual Report, 23/05 • Publication of the Programme of Work for 2025, 04/11 • Four Consultative Forum meetings: 18/01, 20/02, 14/05, 23/10 • Co-chairs' participation in four Frontex Management Board meetings: 23/01, 27/03, 13/06, 20/11 • Regular meetings with the Fundamental Rights Officer and Fundamental Rights Monitors
On-the-spot visits & VEGA engagement
<ul style="list-style-type: none"> • On-the-spot visits to <ul style="list-style-type: none"> ▸ Joint Operation Ledra and Coordination Point Cyprus on 14-17 April and a focus group meeting on 31/05. ▸ Joint Operation Albania, Joint Operation Greece, Joint Operation North Macedonia on 03-07 June. ▸ Joint Operation Serbia and Joint Operation Bulgaria on 09-11 December. • VEGA engagement: <ul style="list-style-type: none"> ▸ Twenty-two experts participated in three air and nine land VEGA activities in Croatia, Lithuania, Moldova, Poland, Romania, Slovakia and the Republic of North Macedonia, during 51 weeks overall. ▸ Briefings for VEGA experts, 25/02 and 03/09. • Participation in the Frontex THB Focus Group meeting (kick-off meeting), 04/04. • Trafficking in Human Being Focus Group - Sub-Working Group on VEGA Handbook on 16/05 and 10/10.
Engagement with Frontex
<ul style="list-style-type: none"> • The Consultative Forum provided input to: <ul style="list-style-type: none"> ▸ Women in Border Management Roundtable 08/03 ▸ Children in Return Toolbox (website) on 12/04 ▸ Frontex Diversity and Inclusion Policy on 26/06 ▸ Good Practices on Alternatives to Detention on 25/06 ▸ Posters/leaflet on fingerprinting in Frontex Operational Areas on 29/08 ▸ Fundamental Rights training modules on 09-13/09, 21-25/10 and 02-06/12. ▸ Participation in the Frontex Operational Heads of Airports Conference, Split, Croatia 15-16 November.
Engagement with other stakeholders
<ul style="list-style-type: none"> • Annual Conference on EU Border Management organised by EU Law Academy, 27-28/06 • Exchange with DG Home on the occasion of the 35th Consultative Forum Meeting, 22/10 • LIBE Committee's shadow meeting on "Report on the Proposal for the draft Council decision on the conclusion of the Agreement between the European Union and the Republic of Serbia on operational activities carried out by the European Border and Coast Guard Agency", 14/11 • Meeting with national human rights institutions and EU Justice and Home Affairs stakeholders in the context of human rights in European Integrated Border Management, 18-19/11
European Travel Information and Authorisation System (ETIAS) - Fundamental Rights Guidance Board
<ul style="list-style-type: none"> • As a standing member of the ETIAS Fundamental Rights Guidance Board, the Consultative Forum participated in four meetings to advise on fundamental rights in related processes and activities, on 05/02, 15/04, 03/09 and 14/11
Public Access to Documents requests concerning the Consultative Forum submitted to Frontex ²⁴
<ul style="list-style-type: none"> • PAD-2024-00382 • PAD-2024-00315 • PAD-2024-00224 • PAD-2024-00035

²³ On public access to documents: The Consultative Forum has - in line with the principle of good administration - no objection to releasing its documents. Frontex is ultimately in charge of releasing the respective documents to applicants, in line with Regulation (EC) 1049/2001.

²⁴ The links will redirect the user to the Frontex Public Register of Documents where all released documents are made publicly available.

ANNEX II: Requests for information by the Consultative Forum

Requests for information submitted in 2024	
Information requested	Content of the response ^[1]
<p>Interpretation services (Request date: 23/01 – Response date: 12/02)</p> <p>Since 2022, the Consultative Forum has been observing in the context of VEGA operations and increasingly in FRO's reports to the Frontex Management Board that there is a lack of interpretation services in Frontex operations. Interpretation is not only a crucial element for the establishment of facts; it also is an important tool for the identification of vulnerable persons, the referral and access to procedures including on asylum and complaints.</p> <p><u>The Consultative Forum would like to request the following information:</u></p> <ul style="list-style-type: none"> • Current framework contract governing Frontex' procurement of interpretation services and cultural mediation (or any similar modality for the purpose of providing interpretation in operations) • Percentage of the provision of interpretation services in FX operations from 2021-2023 in Joint Operations and in VEGA activities, including in connection with screening and debriefing • Draft terms of reference and job description for interpreters as part of the standing corps • Draft terms of reference and job description for cultural mediators (or similar) as part of the standing corps • Evaluations or impact assessments of Frontex' use of interpretation services • Any guidance material by Frontex for interpreters (guidelines, do's and don'ts) 	<p>The Framework Contract for the Provision of Interpretation and Cultural Mediation Services for Operational Activities currently in force is available under this link.</p> <p>Coverage of interpretation services in FX operational activities as provided by the FWC established with external contractor, from 2021-2023 is provided in the supporting document number 1, please note that this doesn't apply to VEGA operations as there is no cultural mediators nor interpreters there. Return operations initiated the use of this service in the first quarter of 2022 while the full coverage of all the joint operations started in the first quarter of 2023.</p> <p>The recruitment notice for interpreters and cultural mediators of the Standing Corps is combined, please see the supporting document number 2</p> <p>The process for evaluation of interpretation services until August 2021 can be found in the supporting document number 3 and from August 2021 to current in the supporting document number 4</p> <p>Guidelines, code of conduct and best practices, as well as the training syllabus from the contractor, human resources, operational entities, and training unit are compiled in the supporting document number</p>
<p>Request for Information on the Supervisory mechanism for the use of force (Request date: 08/05 – Response date: 04/06)</p> <p>The Consultative Forum had provided its considerations to the establishment of the supervisory mechanism in 2020 (letter on 7 Dec to Frontex ED and MB chair).</p> <p>The draft text is requested to review and provide advice in its reform.</p> <p>The information will allow the Forum to exercise its advisory role as provided for in the Regulation.</p>	<p>The revision of the Management Board Decision 7/2021 establishing a supervisory mechanism is ongoing. The Agency is conducting internal consultations in order to reflect in the new decision the specificities of the new operational horizontal structure, in particular the establishment of the horizontal functions, which has an impact on the person in charge to carry out the initial assessment and forming a crucial part of the supervisory mechanism. Following internal consultations, the Agency plans to submit the draft MB decision on the supervisory mechanism to the Executive Board for the 26 August 2024 meeting. The Agency will propose to the Executive Board to consult the draft MB Decision with the Frontex Consultative Forum on Fundamental Rights. Therefore, the Agency should be able to share the draft MB Decision with the Consultative Forum on Fundamental Rights by the end of August/beginning of September 2024, pending the approval of the Executive Board.</p>

[1] When requesting information, the Consultative Forum should receive a response within 15 working days starting from the registration of the request.

ANNEX III: Consultative Forum Programme of Work 2025

PROGRAMME OF WORK 2025

Content

1. **Frontex Consultative Forum on Fundamental Rights composition & working methods**
2. **Introduction**
3. **Priorities in 2025**

1. Frontex consultative forum on fundamental rights composition & working methods

The Frontex Consultative Forum on Fundamental Rights brings together key European institutions, international and civil society organisations that work for the protection of the fundamental rights of migrants and refugees.

Two European Union agencies:

- European Union Asylum Agency (EUAA)
- European Union Agency for Fundamental Rights (FRA)

Five international organisations:

- Council of Europe (CoE)
- International Organization for Migration (IOM)
- Office of the High Commissioner for Human Rights (UN Human Rights - OHCHR)
- Organisation for Security and Co-operation in Europe, Office for Democratic Institutions and Human Rights (OSCE/ ODIHR)
- United Nations High Commissioner for Refugees (UNHCR)

Six civil society organisations:

- Council of Bars and Law Societies of Europe (CCBE)
- Churches' Commission for Migrants in Europe (CCME)

- Global Campus of Human Rights (GCHR)
- Jesuit Refugee Service Europe (JRS Europe)
- Rule of Law Institute Foundation
- Save the Children (SC)

While EUAA, FRA and UNHCR are statutory members as anchored in Regulation (EU) 2019/1896, Article 108(1), the international organisations are members by invitation from Frontex and the civil society organisations are invited through an open call.

These organisations contribute their work on a voluntary basis in accordance with the principles of independence, transparency, mutual respect, informed participation and collegiality. Given its diverse composition, the strength of the Consultative Forum is its ability to provide holistic analysis on respect for, protection and fulfilment of fundamental rights based on collective knowledge and expertise.

UNHCR and FRA will continue co-chairing the Consultative Forum in 2025, with the support of the Consultative Forum Secretariat, facilitated by the Fundamental Rights Officer.

Working methods of the Consultative Forum:²⁵

- Consultative Forum meetings shall be convened at least three times per year by the co-Chairs.
- The co-Chairs, a majority of the members, the Frontex Executive Director and/or Management Board Chair or Fundamental Rights Officer can propose an extraordinary meeting.
- Steering group meetings, focus group meetings and other working level meetings will be convened by the co-Chairs at their own initiative or upon request by the members, Frontex or the Management Board.
- Regular meetings and exchanges with Frontex business units are conducted.
- Regular exchanges are held with the Fundamental Rights Officer and his office.
- On-the-spot visits are conducted to observe Frontex activities and to gather information about the operational context. Periodic observations of the specific role of Frontex in joint operations allow the Consultative Forum to tailor its recommendations to the operational context.

The Consultative Forum publishes an annual report,²⁶ which contains an overview of all recommendations and activities from the previous year. The Consultative Forum presents its Annual Reports to the Management Board, the European Parliament, the Council and any other stakeholder upon request.

The Agency shall inform the Consultative Forum on the follow-up to its recommendations, as per Article 108(3) of the Regulation (EU) 2019/1896 and in line with Management Board Decision 43/2022. Furthermore, the Frontex Management Board should share the Consultative Forum's recommendations with the European Parliament in line with Art. 8 (1).

2. Introduction

In accordance with Article 108 of the Regulation on the establishment of a European Border and Coast Guard²⁷ (hereinafter referred to as "Regulation 2019/1896") the role of the Consultative Forum is to assist the Agency "by providing independent advice in fundamental rights matters". To this effect, the Consultative Forum may be consulted on any matter related to fundamental rights, including "on the further development and implementation of the fundamental rights strategy, on the functioning of the complaints mechanism, on codes of conduct and on the common core curricula".

For the purpose of performing its duties, and in line with Regulation 2019/1896, "the Consultative Forum shall be provided with effective access in a timely and effective manner to all information concerning the respect for fundamental rights, including by carrying out on-the-spot visits to joint operations or rapid border interventions subject to the agreement of the host Member State or the third country, as applicable, to hotspot areas, and to return operations and return interventions, including in third countries".

With the adoption of its Programme of Work, the Consultative Forum sets its priorities for 2025. The Programme of Work

also defines the specific results the Consultative Forum aims to achieve.

The Programme of Work reflects priorities and activities jointly identified with Frontex and its Management Board, and it remains flexible for adjustments following ad-hoc consultations between the Consultative Forum and the Executive Director of Frontex, the Frontex Management Board, the Fundamental Rights Officer, as well as Frontex divisions and business units, in line with emerging needs. In addition to the outlined priorities, the Consultative Forum can also provide advice on its own initiative and can submit requests for information to Frontex for this purpose.

In the implementation of this Programme of Work, the Consultative Forum will continue working with and supporting the Frontex Fundamental Rights Officer and his team, while ensuring complementarity with his mandate and activities.

All activities and recommendations of the Consultative Forum must fully respect the right to protection of personal data.

²⁵ Frontex Consultative Forum on Fundamental Rights (2024), Working Methods 2024, [Working Methods - Frontex Consultative Forum on Fundamental Rights.pdf](#).

²⁶ In line with Article 108 of the Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624, https://www.frontex.europa.eu/assets/Partners/Consultative_Forum_files/Eleventh_Consultative_Forum_Annual_Report_2023.pdf.

²⁷ [Regulation \(EU\) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations \(EU\) No 1052/2013 and \(EU\) 2016/1624](#).

3. Priorities in 2025:

- A. Supporting Frontex in operationalising relevant provisions of the New Pact on Migration and Asylum to include fundamental rights protection guarantees**
- B. Engaging with Frontex in periodic, technical-level consultations around common fundamental rights priorities**
- C. Advising on fundamental rights compliance through operational support including VEGA deployments, training initiatives and on-the-spot visits**
- D. Advising Frontex on due diligence processes, both in the internal and external dimension.**

Priority A: Supporting Frontex in operationalising relevant provisions of the New Pact on Migration and Asylum to include fundamental rights protection safeguards

Maintaining dialogue on the implementation of the Pact on Migration and Asylum: the Consultative Forum will support the Agency on the operationalisation of the new measures.

- **Output:** Continuous fundamental rights advice and recommendations in relation to Frontex's role within
 - Screening (preliminary identification of vulnerabilities)
 - Border procedures (especially return-related)
 - Adherence to fundamental rights
- **Output:** Advice on the development of synergies between the FRO and National Monitoring Mechanisms under the Pact to create a comprehensive system of fundamental rights safeguards.

Priority B: Engaging with Frontex in periodic, technical-level consultations around common fundamental rights priorities

- **Output:** Ad hoc events (workshops, seminars, focus group discussions) to address specific legal and operational aspects of border management through a fundamental rights perspective
- **Output:** Input into Frontex policy and strategic documents and reports, including through follow up discussions with Frontex technical units to clarify or adjust contributions.
- **Output:** Advice and recommendations on the evolving legal basis related to border and migration management through recommendations and technical discussions.
- **Output:** Technical consultations with Frontex on return procedures, with an eye to enhancing compliance with fundamental rights. Input into Frontex training programmes for staff involved in return operations, focusing on the protection of vulnerable groups.
- **Output:** Fundamental rights advice about the European Travel Information and Authorisation System (ETIAS) through its Fundamental Rights Guidance Board (FRGB), with particular attention to the operationalisation of new IT systems for border/migration management, their interoperability and data protection (including storage, transmission, and the retention period of personal data), the right to privacy and non-discrimination.

Priority C: Advising on fundamental rights compliance through operational support including VEGA deployments, training initiatives and on-the-spot visits

- **Output:** Increased Consultative Forum participation in VEGA deployments. Regular debriefings with Frontex to review developments and enhance the outreach of the programme.
- **Output:** Input into Frontex training materials, handbook and guidance tools. Contribution to training initiatives through participation in development meetings on fundamental rights-related courses, workshops and roundtables.
- **Output:** Observations and recommendations following on-the-spot visits to selected Joint Operations, to identify, assess and mitigate potential fundamental rights risks. Focus group discussions to agree on modalities to address fundamental rights concerns and remedial actions.

- **Output:** Expert advice and recommendations on best practices in return and sustainable reintegration, with a view to promoting access to social services, employment opportunities and psycho-social support, building upon the experience of Consultative Forum member organisations with operational presence in the field.

Priority D: Advising Frontex on due diligence processes, in both the internal and the external dimension

- **Output:** Advice on due diligence processes to enhance fundamental rights compliance in the Agency’s operations, with input to Frontex internal review processes, discussions and assessments.
 - **Output:** Contribution to updates of SOPs in light of the evolving legal framework and the dynamic operational reality.
- **Output:** Provision of fundamental rights advice on due diligence processes in relation to the external dimension and involvement of the Agency in third countries, including outside of Europe, to ensure that Frontex’s activities in third countries comply with fundamental rights and international protection standards.

Annex IV: Overview of Consultative Forum expenses

The Consultative Forum covers its expenses from the Frontex Fundamental Rights office budget. At the end of each year, the chairs estimate the resources required for the upcoming year.

The Consultative Forum’s expenses amounted to EUR 56,804.21 in 2024.

BREAKDOWN OF CONSULTATIVE FORUM EXPENSES IN 2024		
Members’ participation in Consultative Forum activities	EUR 41,769	Total: EUR 56,804.21
Organisational expenses (such as travel, accommodation, catering) related to the attendance of meetings and on-the-spot visits	EUR 15,035.21	

In addition to the above, Consultative Forum members also participated in VEGA activities and attended training workshops. These expenses were covered by the Frontex Law Enforcement Sector (LES) and by the European Border and Coast Guard Academy (Academy) respectively.

As envisaged in Art. 108(4), the Consultative Forum issues an Annual Report concerning its activities. While the Annual

Report is drafted by the Consultative Forum with the support of the Consultative Forum Secretariat, the costs for the publication and printing of the Annual Report are covered by the Frontex Communication Office (COMMS).

The Consultative Forum’s expenses covered by various Frontex units amounted to EUR 55,306.03 in 2024.

CONSULTATIVE FORUM BREAKDOWN OF EXPENSES WITHIN VARIOUS FRONT EX ACTIVITIES IN 2024		
Participation of 22 Consultative Forum experts in Frontex VEGA activities for a total of 51 weeks of deployment at six land and three air borders in seven countries.	EUR 53,367.03	Total: EUR 55,306.03
Participation of three Consultative Forum experts in four Frontex training activities	EUR 0	
Publication of the Consultative Forum’s Eleventh Annual Report	EUR 1,939	

Annex V: Proceedings regarding Frontex accountability

1. Judicial accountability: Court of Justice of the European Union

Date	Case	Action and relevance
29 January 2024	ST v Frontex – Appeal (C-62/24 P)	Appeal filed
19 February 2024	Hamoudi v Frontex – Appeal (C-136/24 P)	Appeal filed
24 April 2024	Naas and Sea-Watch v Frontex (T-205/22) ²⁸	Judgement issued Annulment of Frontex’s decision insofar as the Agency refused access to “all pictures and videos related to the aerial operation in the Central Mediterranean Sea on 30 July 2021” Dismissed remainder of action
13 June 2024	Commission v Hungary (C-123/22) ²⁹	Judgement issued Court found that Hungary, by failing to take all the measures necessary to comply with the judgment of 17 December 2020, Commission v Hungary (Reception of applicants for international protection) (C-808/18, EU:C:2020:1029), has failed to fulfil its obligations under Article 260(1) TFEU;
04 October 2024	FM v Frontex (T-511/24) ³⁰	Case filed, following a preliminary notice sent to the Executive Director of Frontex in May 2024
11 October 2024	ST v Frontex – Appeal ³¹ (C-62/24 P)	Court Order at 2nd instance Appeal “in part manifestly inadmissible and in part manifestly unfounded”
04 February 2025	WS and Others v Frontex – Appeal (C-679/23)	Grand Chamber Hearing [Advocate General opinion announced to be issued on 12 June 2025]
04 February 2025	Hamoudi v Frontex - Appeal (C-136/24 P)	Grand Chamber Hearing
10 April 2025	Hamoudi v Frontex - Appeal (C-136/24 P) ³²	Advocate General opinion issued

²⁸ Court of Justice of the European Union (CJEU), T-205/22, *Access to documents – Regulation (EC) No 1049/2001 – Documents relating to an aerial surveillance operation carried out by Frontex in the Central Mediterranean Sea on 30 July 2021 – Refusal to grant access – Article 4(1)(a) of Regulation No 1049/2001 – Exception relating to the protection of the public interest in the field of public security – Obligation to state reasons*, 24 April 2024, <https://curia.europa.eu/juris/document/document.jsf?text=&docid=285143&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=7690984>.

²⁹ Court of Justice of the European Union (CJEU), C-123/22, *Failure of a Member State to fulfil obligations – Area of freedom, security and justice – Directives 2008/115/EC, 2013/32/EU and 2013/33/EU – Procedure for granting international protection – Effective access – Border procedure – Procedural safeguards – Return of illegally staying third-country nationals – Appeals brought against administrative decisions rejecting an application for international protection – Right to remain in the territory – Judgment of the Court establishing a failure to fulfil obligations – Non-compliance – Article 260(2) TFEU – Financial penalties – Proportionality and dissuasiveness – Lump sum – Periodic penalty payment*, 13 June 2024, <https://curia.europa.eu/juris/document/document.jsf?text=&docid=287062&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=7703155>.

³⁰ Court of Justice of the European Union (CJEU), T-511/24, *FM v Frontex*, 04 October 2024, <https://curia.europa.eu/juris/document/document.jsf?text=&docid=292662&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=7690022>

³¹ Court of Justice of the European Union (CJEU), C-62/24 P, *Appeal – Article 181 of the Rules of Procedure of the Court of Justice – Area of freedom, security and justice – Right to asylum – Activities by Frontex in the Aegean Sea – Regulation (EU) 2019/1896 – Article 46 – Margin of discretion – Action for failure to act – Invitation to act submitted in the name and on behalf of an anonymous person – Decision refusing the invitation to act before the action for failure to act was brought – Manifest inadmissibility – Action for annulment – Interest in bringing proceedings – Annulment not capable of securing a benefit for the applicant – Appeal, in part, manifestly inadmissible and, in part, manifestly unfounded*, 11 October 2024, <https://curia.europa.eu/juris/document/document.jsf?text=&docid=291321&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=7690984>.

³² Court of Justice of the European Union (CJEU), C-136/24 P, *Action for damages against Frontex: AG Norkus analyses the allocation of the burden of proof in relation to the existence of damage in collective expulsion cases*, 18 April 2024, <https://curia.europa.eu/jcms/upload/docs/application/pdf/2025-04/cp250048en.pdf>

1. European Court of Human Rights

Date	Case	Action and relevance
07 January 2025	G.R.J. v. Greece (application no. 15067/21) ³³	Application dismissed "The Court found that there were strong indications to suggest that there had existed, at the time of the events alleged, a systematic practice of "pushbacks" from the Greek islands to Türkiye"
07 January 2025	A.R.E. v. Greece (application no. 15783/21) ³⁴	Greece was found to have breached Articles 3, 5, 13 (also in conjunction with Articles 2 and 3)

³³ European Court of Human Rights (2025), *Rulings concerning Greece*, 07 January 2025, <https://www.echr.coe.int/w/rulings-concerning-greece>.

³⁴ *Ibid.*

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FPI-25.0123

Warsaw, May 2025

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