

## **National Chartered Forced Return Operation (NCFRO).**

**Deportations to Lagos, Nigeria; 4/5 June 2025.**

### **Report of Human Rights Monitor.**

██████████ I agreed to partake in the national operation to return deportees to Lagos, Nigeria on the 4/5<sup>th</sup> June 2025. In performing this role, I consulted an information note prepared by the Department of Justice on the role of Human Rights Monitor, the September 2021 version of the Frontex publication “Forced-Return Monitoring” and the FAIR (Finding Agreement in Return) chapter D7.1, “Improved Return Monitoring Guidelines”.

#### **Function**

My function was to protect the human rights and dignity of the deportees, which included ensuring;

##### Prior to transit,

- They had been offered the opportunity to return voluntarily,
- That there was no legal actions or property issues outstanding,
- That they had had the opportunity to communicate with relatives and lawyers.

In the course of the operation, while acknowledging the process involved a “detention in transit”,

- ensuring deportees had received detailed information on the return process
- addressing the needs and vulnerabilities of the deportees,
- particularly the vulnerabilities of children, minors and families,
- ensuring families were seated together, apart from others, particularly apart from convicted criminals,
- that the needs of minors were identified and addressed,
- ensuring appropriate medical supervision,
- that any particular religious requirements are addressed
- ensuring clarity of communication in the course of the operation,
- ensuring that the use of force is only exercised when necessary, as a last resort, and must be proportional to the circumstances, respecting the dignity and integrity of the deportee,
- ensuring meals are adequate and appropriate.

## **Mandate**

I executed my function taking into account the following criteria;

- Acknowledging the mandate of the Escort Leader
- Accepting that I had no power of intervention, unless there was a risk of to human life.
- By observing the conduct of the officers executing the operation
- By being proactive in ensuring that I was in a position to observe such conduct,
- Actively seeking and looking for potential areas of concerns,
- Gathering information on any incidents that occurred,
- Seeking to identify particular vulnerabilities, such as families, minors or medical issues.
- Seeking to ensure that all elements of the operation were conducted in a humane manner.

## **Activities**

Prior to the date of the operation.

At the request of Department of Justice I provided a copy of my passport on the 26th of May 2025. A formal application was made by the Department of Justice to the Nigerian immigration service for a visa which would allow me to travel on the airplane to Lagos, Nigeria in order to accompany the deportees. [REDACTED]

Regardless, at the request of the Department of Justice, I agreed to monitor that part of the process conducted in Ireland.

Date of the operation.

I arrived at the Garda station [REDACTED], GNIB, an officer with whom I had previous professional engagements. He assured me that I would have free and total access to any elements of the operation and that he would answer any questions that I had at any stage.

I was advised that all deportees in custody had been given an opportunity to return voluntarily prior to the service of a deportation notice. While the deportation order provides a power of arrest, no arrest was executed for at least 28 days, to ensure outstanding legal actions or property issues were addressed and that deportees had the opportunity to communicate with relatives and lawyers. While I had no direct evidence of

this, I had little reason to doubt it, especially as the list of deportees appeared to be subject to change due to outside developments.

I was subsequently introduced to [REDACTED], who confirmed my free access and emphasized the independence of my role. I was then introduced to [REDACTED] the Team Leader for the operation who, at my request, provided to me a list of all deportees. I was further advised that no interpreter had been engaged as all deportees had lived in Ireland and were fully conversant in English.

### Briefing

[REDACTED] the Escort Leader, [REDACTED], conducted a comprehensive briefing of the Escorts and members of the Backup Team. The briefing outlined the detailed planning of the operation, [REDACTED] [REDACTED], a prior search of the aircraft, that escorts were to take their designated seats prior to the entry of deportees, the responsibility of the backup team with power to restrain if necessary, the prior risk assessment, the medical team, the packs containing personal details and property which would be handed over on landing in Lagos, the dress code (no ties), a prohibition on recording any part of the operation, alcohol, firearms and pepper spray, etc.. My position as monitor also highlighted, by [REDACTED], as was respect for the human rights and dignity of the deportees. The fact that restraint was only permitted where it was lawful, necessary, proportional and only as a last resort was emphasized, as was my right of access to all areas. Many of these points were repeated during a Garda video which was shown immediately after the briefing.

The Escort Team was told to consult the seating plan for the plane to identify where they were seated. This seating plan identified the people to be detained by number rather than name, in order to respect their privacy. Each pair of escorts was given the risk assessment for the individual or family they were to escort.

### Medical supervision

I introduced myself to the medical team to see if they had any concerns. [REDACTED] [REDACTED]. I emphasised their independence in undertaking their responsibility and that they should feel free to advise me of any concerns or limitations on access they should experience in the course of the operation. As I was not travelling with them on the plane, and therefore I could not observe them directly, I gave them my e-mail address, so instances could be reported to me, should they feel it necessary. I have received no correspondence from them to date.

### Families and Minors.

I was advised that two families were to be returned (two adult males, two adult females and five children). Prior to departure, one of these families consisting of one adult female and three children arrived at the airport and were assigned separate accommodation. I asked to visit the room in which this family was being held on two separate occasions and was granted immediate access on both occasions. They were being held in a well-ventilated room, seated unrestrained around a table with access to food, beverages, toilet and toys, and under the charge of a female garda who answered any questions I had. While I did not enter into a dialogue with any members of the family themselves, it appeared to me that they were being treated well. The two male adults who had been held in [REDACTED] were seated on the plane with their respective families.

I was given access to the proposed seating strategy on the airplane. When I expressed a concern to the team leader about one of the high risk deportees [REDACTED] sitting directly behind one of the families, he confirmed he had been planning a different seating arrangement to avoid this. The families traveled to the airport apron in separate unmarked vans.

### Restraint

In order to clarify the rights specified in 3.1 and 3.2 of the departmental document referred to above, I discussed the use of restraint equipment and procedures directly with the head of the backup team [REDACTED], who confirmed the use of restraint was only used as a last resort, that it would be proportionate, using only what force was necessary to effect the restraint and that his team would exercise due respect for the dignity and integrity of the deportee. [REDACTED]

[REDACTED] A risk assessment had been done on each deportee taking into account the mental health and attitude being taken to the deportation, which resulted in a classification of either 2, 3 or 4, which in turn was reflected by the number of escort personnel assigned and seat allocation on the plane.

Escorts were advised that the deportees could react differently to the process, some being more troublesome than others. They were advised to introduce themselves to each deportee and open and continue a dialogue.

### Incident during security check in

While I observed no incident where individual restraint had to be used, I was advised that one deportee had been restrained in order to have him escorted through airport security. I discussed the situation with the medical team, who said they had a concern that he may not have received his prescribed medication earlier that morning in the prison. They said they planned to check this out, administer the medication if necessary and if they had a concern they would advise me. As I could not accompany them on the airplane flight, I

provided an e-mail address for them so they could advise me of any concern that they may have had. I have received no such advice or correspondence from the medical team.

### Boarding process

I observed the first half of the boarding process from outside the airplane and did not notice any incidents. I did notice that one of the deportees was handcuffed. I understand this to have been the same person who had been restrained during check in, and who may not have been given his medication earlier. I observed the second-half of the process while seated in the center of the airplane.

This process was conducted in a structured and coordinated manner, each deportee boarding individually, with the escorts assigned being advised by public loudspeaker of that person's arrival. The families were boarded as a group first. Personal belongings were placed in individual packs and stored in the lockers above individual deportees' seats. I did notice some concerns raised by one individual about his belongings, concerns which were addressed politely by a member of the backup team. Escorts appeared polite, introducing themselves to their assigned deportee, remaining as flexible as the circumstances permitted, permitting reasonable access to the toilets and family members to turn backwards in their seats to enhance the ability to communicate amongst themselves.

One individual, I understand the same individual who had to be restrained during the security check and who may not have been administered his medication that morning, was occasionally quite loudly verbally abusive. The reaction by the escort and backup team remained restrained and appropriate to the circumstances.

Once boarding had been completed, I conducted a walkthrough from the very back of the plane to the front, briefly examining all deportees for signs of particular distress, in particular the families. I noted no particular instance of problems. I then had a brief discussion with the medical team asking if they would advise me as to their examination of the individual who had earlier been restrained. They assured me they would. As the plane had shortly to depart, in order to retain its departure slot, I disembarked. While I did not receive an update from the medical team at the time, I assume they encountered no particular problems with that individual deportee, as I received no report from them since.

### Access

I was accompanied by [REDACTED] on the trip to the airport apron, through airport security by way of departure [REDACTED] and finally up to at the airplane accompanying the operational team, the Escorts and the two families. As the deportees in custody arrived separately, I wasn't in a position to monitor them as they were individually escorted through the security apparatus operated by the airport authorities. On entering the plane, accompanied by a member of an Garda Siochana, at the very start

prior to any embarkation, I was asked by the chief stewardess for identification. In all other circumstances, including in [REDACTED], and the airplane itself, I was given free and unrestricted access.

### Independence

I acted in an independent, objective and neutral manner, the role being preventive, simply to monitor the progress of the operation. At all stages I accepted the mandate and responsibility of the Escort Leader, head of the backup team, and team members. That being said, I was given full access to all personal and areas under the control of the GNIB. All questions raised were given immediate and positive responses. I was assigned a blue high visibility jacket with the words Observer printed on it, which I wore until the flight was due to depart, when I was asked to return it so it could be given to [REDACTED]. Separately, I consulted with [REDACTED], head of the backup team, both members of the medical team and [REDACTED].

### Incident during the flight

At my request, [REDACTED] agreed to advise me of any incidents that occurred in the course of the flight. The following morning [REDACTED] advised me that the airplane had to be diverted to Tamanrasset in southern Algeria. [REDACTED]

The doctor on board advised the Captain that one of the passengers had experienced low blood pressure, was on a defibrillator and that the aircraft should land as soon as possible. Tamanrasset was the nearest alternate airport. Once the plane landed that deportee was escorted to hospital and tests were conducted, [REDACTED]. [REDACTED], the team leader requested that the Captain wait until the passengers and medical team could return to the aircraft. When it was clear the airplane had to leave, both the escorts, the medical team and the deportee, returned voluntarily to the airplane which continued its journey to Lagos, Nigeria.

### **Conclusions**

it was clear to me that significant planning had gone into the preparation and coordination of the operation by the Garda National Immigration Bureau, in particular [REDACTED]. The smooth coordination and execution of the operation was reflected in this planning.

All escorts were comprehensively briefed as to their responsibilities. This was necessary as not all the escorts were members of the Garda National immigration Bureau, many

having been recruited voluntarily from members of An Garda Siochana all across the country.

The leader of the backup team, [REDACTED], was fully aware of the responsibility of his team, including the limitations on the use of force. On the occasions where I had the opportunity to observe the team in action, they executed their function in a restrained, effective and professional manner.

I observed nothing in the course of the operation which would give me cause for concern that the rights and dignity of all deportees involved in this operation were not respected.

### **Recommendations**

[REDACTED]

While I was given full access to all areas under the control of the GNIB, I understand there may be a limitation on having the Monitor in attendance during the security check as this is an area under the control of the aircraft police. This strikes me as something that, through appropriate communication, could be permitted in future operations. Some form of temporary identity card may also be considered appropriate.

While I acknowledged that the briefing by the Team Leader and Chief Superintendent to the Escort and Backup teams was comprehensive, introducing a short speaking slot in the course of that briefing to the human rights Monitor might emphasize the importance of the human rights and dignity of the deportees, and the independence of the function.

I trust this is of assistance. Please feel free to revert with any questions.

[REDACTED]