

Chartered Forced Return Operation

13 October 2025

Human Rights Monitoring Report

Introduction

This report is submitted in connection with a chartered forced return operation from [REDACTED] in Ireland to [REDACTED] in Romania that took place on 13 October 2025. A Human Rights Monitor (thereafter referred to as the Monitor) was appointed by the Department of Justice, Home Affairs and Migration (thereafter referred to as the Department of Justice). This report contains a factual account and observations from the Monitor.

The report focuses on the following areas:

- A factual description to illustrate how the operation unfolded;
- The treatment of people subject to forced return (thereafter referred to as returnees), including any vulnerable groups;
- Any force or means of restraint used; and
- Relevant recommendations or exceptionally good practices.

The report is set out in the following phases of the operation

- Phase 1 - Pre-Event Briefings to the Monitor;
- Phase 2 - Day of Operation Briefings and Pre-Departure Arrangements;
- Phase 3 - Boarding and Flight; and
- Phase 4 - Arrival and Handover.

Within each phase, the Monitor provides observations on any relevant matters.

Phase 1 - Pre-Event Briefings to the Monitor

This phase covers a number of pre-event briefings provided to the Monitor. The following aspects are considered to be relevant.

Observations:

Prior to the operation, the Monitor received a number of detailed and informative briefings from a Department of Justice official and from senior gardaí attached to the Garda National Immigration Bureau (GNIB). All of the briefings provided to the Monitor were detailed and informative.

A final and comprehensive pre-event briefing was delivered by GNIB on [REDACTED] [REDACTED]. This briefing outlined the command structure, the operational plan and timings for the operation. The following key points were discussed:

- The flight is planned for 13 October 2025.
- This is the first charter flight for returning EU nationals.
- [REDACTED] people had been selected for return. This is likely to be subject to change.
- Returnees are all adult males and no families or children are anticipated.
- Risk assessments have been completed. Most returnees are in prison and some are in prison for serious criminal offences.
- Due to their criminal convictions, restraints may be required. This will be done on a case-by-case basis.

- There will be a number of gardaí assigned as escort officers to each returnee. The number is based on risk. There will also be a number of other gardaí on the flight who are designated as a back-up team.
- Although most of the returnees were in the custody of the Irish Prison Service (IPS) at the time of the briefing, two had been recently released and may be included in this operation.
- Returnees are aware that they are being returned at some point, and will be told the exact date this weekend.
- Exclusion orders will be issued for each returnee with varying periods of time attached.
- Some of the returnees are willing to return to their home country.
- Religious and dietary needs will be accommodated during the operation.
- A medical team and an interpreter will travel on the flight.

[REDACTED]

- Following feedback in the last monitors report, a video used at garda briefings from a previous charter flight has been changed to protect the identity of returnees.

Phase 2 - Day of Operation Briefings and Pre-Departure Arrangements

During this phase, the following aspects are considered to be relevant.

Full Operational Briefing

A briefing was delivered [REDACTED] to persons involved in the operation. This included the back-up team (also travelling on the flight), operational support gardaí (most of these gardaí were assisting with security at the airport but were not travelling on the flight), the medical team and the interpreter. The Escort Teams were not present as they had departed to collect the returnees.

Observations:

- Returnees to be collected by escort teams from three prison locations.
- A total of 23 returnees will be on the flight. All male adults and no women or children. A list of the returnees was provided to the Monitor.
- The criminal history of returnees was highlighted, with some returnees convicted of serious criminal offences.
- Returnees will be searched by the escort teams on collection and before placing them in vans for the journey [REDACTED]. This process was not observed by the Monitor.
- Any property belonging to the returnees that is handed over by the IPS will be retained by the escort teams and handed to the returnee on arrival in [REDACTED].
- The role of the Monitor and the importance of providing full access to the Monitor was explained.
- A video of a previous forced return operation was shown. This provided a good visual aide for those who had not previously participated in a forced return operation. While the footage included returnees, their faces were obscured to protect their identity.

- The roles of the medical team and the interpreter were explained.
- The role of the Monitor and the importance of providing full access to the Monitor was explained.
- Movement of returnees during security checks, boarding and on the flight will be limited to one person at a time.
- The briefing highlighted the importance of gardaí maintaining good standards of behaviour.
- Use of force was included in the briefing. It was highlighted that restraints (handcuffs) would be used on all returnees during the security and boarding phases. Depending on the views of the captain of the aircraft, restraints may have to be removed during take-off.
- The Escort Leader informed the Monitor that during the flight individual escorting officers could remove handcuffs from the returnees, if they felt it was safe to do so.
- Except returnees, all persons involved in the operation were provided with high-visibility vests. Depending on the role of individuals, different coloured vests were allocated with the title of their function displayed on them. This included all gardaí (escorts and back-up team), an Interpreter, the Medical Team, an Air Partner Representative and the Monitor.
- Once boarded and prior to take-off, returnees will be allowed to make telephone calls to family members or legal representatives.
- The Medical Team informed the Monitor that some of returnees had medical needs which included mental health conditions.

Security Risk Assessments for Returnees:

Risk assessments on all returnees were made available to the Monitor.

Observations:

- [REDACTED] returnees were assessed as [REDACTED] due to previous offending, and or, behaviour while in IPS custody.
- [REDACTED] were assessed as [REDACTED] Most were assessed at this level due to medical conditions.
- [REDACTED] were assessed as low risk.
- No returnees were identified as having any specific vulnerabilities.
- The level of risk determined the number of escorting officers assigned to each returnee.

Travel to Dublin Airport:

All of those involved in the operation left [REDACTED] to travel in convoy to [REDACTED] [REDACTED] This journey was co-ordinated to coincide with the arrival of the vans that had collected the returnees from the IPS.

[REDACTED], the Escort Leader informed the monitor that the flight would be delayed by an hour due to the flight crews working hours. Had the Escort Leader known this in advance, the collection of the returnees from the prisons would have been put back an hour.

Security Checks:

Security checks took place at [REDACTED] and this process commenced at [REDACTED].

Observations:

- All persons moving airside went through security checks.
- Returnees were taken directly from the vans and walked through security checks one at a time.
- Returnees were all wearing handcuffs and were held by each arm by escorting officers. One returnee raised an issue about the handcuffs they were wearing. An escort officer took them off and put them back on.
- Security checks were all conducted by [REDACTED] Search Unit staff. Only jackets and a few outer tops were removed. These checks were not intrusive.
- Some of the returnees requested the use of a toilet in the security area and this was facilitated. While the toilet doors were not closed, they were kept ajar and only the escorting officers were in attendance.
- A returnee reported that they lived 700km from the airport in Romania and they had no money for transportation. The Back-Up Team Leader informed the Monitor that travel money would be provided to the returnee.
- Following security checks, returnees were taken back to the vans.
- The Monitor was informed by escort officers that returnees were allowed to smoke in the vans.
- Escorting officers were firm but friendly and the behaviour of gardaí to returnees was professional. Likewise, the behaviour of returnees to gardaí was also good and there were no incidents of note during this process.
- When all persons had been through security, the convoy moved to the waiting aircraft for boarding.
- The Escort Leader explained that there had been some difficulties encountered at one of the prisons earlier that morning in relation to getting access to the returnees' property at an early hour. In addition, a mobile phone belonging to one of the returnees was not handed over by the IPS to the escorting officers. The Monitor was informed that arrangements would be made to have that phone returned to the returnee at a later date.

Phase 3 - Boarding and Flight

A seating plan was provided to the Monitor. During this phase, the following aspects are considered to be relevant.

Boarding

Boarding commenced at [REDACTED]

Observations:

- Due to the flight delay, there was an extended wait to board the aircraft and returnees were kept in the vans during this time.
- Prior to boarding, the aircraft was searched by a garda search team. No items of concern were found.

- A soft mat was placed by the stairs to the aircraft. The Escort Leader informed the Monitor that this was only for use in case any additional use of force was necessary and was intended to reduce the risk of any injuries.
- Large items/luggage belonging to returnees were placed in the hold of the plane. Smaller items were retained by the escort teams and taken onto the plane.
- Returnees were boarded one at a time.
- All returnees were wearing handcuffs and were held on each arm by escorting officers. No other force was used.
- Escorting officers were firm but friendly and the behaviour of gardaí to returnees was professional. Likewise, the behaviour of returnees to gardaí was also good and there were no incidents of note during this process.

Aircraft Condition:

Observations:

- Prior to boarding, the senior officer present informed the Monitor that the aircraft was very dirty. This situation was addressed by the flight crew prior to boarding.
- The aircraft was an appropriate size for this flight and offered sufficient space.
- One of the doors was kept open until the aircraft was ready to depart.
- The aircraft was clean, well maintained and protected against excessive heat, cold and noise.
- The air-conditioning/heating system was used appropriately.
- There was no inflight entertainment system available on this aircraft.

Well-Being:

Observations:

- Returnees were strategically placed throughout the aircraft. This was determined by the risk assessment and set out in a seating plan.
- Escort officers were positioned either side of returnees and the back-up team were positioned nearby.
- Prior to departure, returnees were told that they could make contact with family members or legal representatives.
- Lavatory visits were managed appropriately during the flight.
- A suitable meal was provided with vegetarian meals available.
- Sufficient water and other non-alcoholic beverages were available. For security reasons, hot drinks were not provided.
- Many of the escort officers appeared to have developed a good rapport with the returnees.

Restraint and Use of Force:

Observations:

- No sedatives were used during the flight.

- About 40 minutes into the flight, the Monitor observed a returnee requesting the removal of their handcuffs. Shortly afterwards, all handcuffs were removed from returnees. This was generally well received.
- No additional restraints were used during the flight.
- No use of other force was observed during the flight.

Phase 4 - Arrival and Handover

The flight arrived [REDACTED] in Romania [REDACTED] on Monday 13 October 2025

Handover

There was a short delay in the arrival of local border force units to the aircraft. The following aspects are considered to be relevant.

Observations:

- Handover documents were provided by the Escort Leader to the local border force officers.
- No information was provided to the local border force officers that could endanger the returnee's safety.
- Medication for returnees was handed over to local border force officers.
- The Medical Team highlighted that [REDACTED] later that day. This information was communicated to a local border force officer.
- Personal items that were taken onto the aircraft earlier, were handed over to the returnees at the point of disembarkation.
- Returnees and all other persons on the flight left the aircraft together and were transported to the terminal in two buses.
- Once in the terminal, the returnees were processed separately by local authorities to other persons on the flight.
- No restraints or use of force was observed during this process.
- The Escort Leader managed the handover process well.

Handling of Complaints:

Observation:

In the terminal, one of the returnees complained to the Escort Leader that their passport had not been returned to them. The Escort Leader informed the returnee that all passports had been handed over to the Romanian Embassy and that this was now a matter for the local authorities.

Summary

Overall, the operation was conducted in a humane manner, respectful of the dignity of the returnees and in compliance with the fundamental rights enshrined in the EU Charter of Fundamental Rights, applicable international human rights law and national legislation.

Handcuffs were placed on returnees during the pre-departure, boarding and flight phases. In addition, escorting officers held each arm of returnees at times of flight risk. All handcuffs

were removed approximately 40 minutes after take-off and were not used again during this operation. No other use of force was observed and no other restraints were used.

Escorting officers were firm but friendly and the behaviour of gardaí to returnees was professional. Likewise, the behaviour of returnees to gardaí was also good and there were no incidents of note. Throughout the operation, there were good examples of rapport building by the escorting officers with the returnees.

Following the previous return operation, the Monitors report included a recommendation to address the issue of missing items of property belonging to returnees. During this operation, further difficulties were encountered. For example, at one prison, IPS staff told the garda escorting officers that due to the early hour of collecting returnees, they were unable to gain access to the returnees' property. This matter was eventually resolved. In addition, a mobile phone belonging to one returnee was not handed over by the prison. Due to continuing difficulties with property, the Department of Justice should engage with the Irish Prison Service to develop a joint protocol or documented process to ensure that all property belonging to a returnee is handed over to An Garda Síochána at the point of collection.

Recommendation

As a result of observations contained in this report, a recommendation is submitted for consideration.

1. The Department of Justice should engage with the Irish Prison Service to develop a joint protocol or documented process for the handover of returnees' property to An Garda Síochána.

