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EVROPSKOU UNIÍ
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Veřejný ochránce práv
OMBUDSMAN

REPORT ON EXPULSION MONITORING

FROM: Facility for Detention of Foreigners at Balková
To: Starý Hrozenkov – Drietoma border crossing
Type of monitoring: administrative expulsion
Persons being expelled (returnees): Mr A, date of birth: xxx, national of Ukraine
Mr B, date of birth: yyy, national of Ukraine
Carried out on: 26 April 2017
Issue date of the report: 13 June 2017
Monitored by: Mgr. Veronika Sedláková, Mgr. Anna Láníčková
File No. 18/2017/NZ/VS-11593/2017

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Introduction

A. Legal framework of expulsion monitoring

On the basis of Section 1 (6) of the Public Defender of Rights Act,¹ the Public Defender of Rights carries out monitoring of *detention of foreigners and execution of administrative expulsion, transfer or transit of detained foreigners and of the sentence of expulsion imposed on foreigners placed in expulsion custody or serving prison sentences* (hereinafter “expulsion monitoring”). The Defender’s mandate for expulsion monitoring follows from implementation of Art. 8 (6) of the Returns Directive.² The Defender’s competence in this area also follows from the Optional Protocol to the Convention against Torture,³ aimed to prevent torture and other cruel, inhuman or degrading treatment or punishment, and thus also from the exercise of her mandate as a “national preventive mechanism”. The combination of the two supervision mechanisms ensures effective preventive protection of foreigners’ rights and supervision over their treatment within the forced return process.

The objective of expulsion monitoring is to ensure respect for the rights of foreigners who have been detained and are being expelled, transferred and transited (hereinafter “foreigners being expelled”, “persons being expelled” or “returnees”), to increase the standard of treating foreigners, as well as to ensure compliance with the international commitments of the Czech Republic in this area. A further goal is to strengthen the protection of especially vulnerable persons, such as unaccompanied minors, persons with disabilities, etc.

The Defender is informed in advance of each execution of administrative or criminal expulsion, transfer or transit.⁴ The Police of the Czech Republic provides authorised employees of the Office of the Public Defender of Rights (hereinafter the “Office”) with the necessary collaboration in expulsion monitoring based on the Foreigners’ Residence Act.⁵

Authorised employees of the Defender’s Office⁶ may enter the detention facility where the person being expelled is located; the manager of the facility must be informed in advance about this. The employees of the Office may then put questions to persons participating in

1 Act No. 349/1999 Coll., on the Public Defender of Rights, as amended.

2 Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (hereinafter the “Returns Directive”).

3 Memorandum of the Ministry of Foreign Affairs No. 78/2006 Coll. Int. Tr. on the adoption of the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

4 In conformity with Section 21a (2) of the Public Defender of Rights Act and Section 178d (1) of Act No. 326/1999 Coll., on the residence of foreigners and amendment to certain laws, as amended.

5 In conformity with Section 178d (2) of the Foreigners’ Residence Act.

6 Under Section 25 (6) of the Public Defender of Rights Act.



the expulsion, including especially the police escort officers and employees of the Refugee Facilities Administration of the Ministry of the Interior. They may also speak with the foreigner without presence of third parties and inspect all the documents related to the forced return, including medical records.⁷

The fundamental human rights and freedoms of the persons being expelled are guaranteed by the Charter of Fundamental Rights and Freedoms as well as a number of international conventions binding on the Czech Republic (e.g. the Convention for the Protection of Human Rights and Fundamental Freedoms⁸) and by the European Union law (e.g. the Charter of Fundamental Rights of the European Union,⁹ the Returns Directive, etc.).

The specific rules governing the rights and duties of persons being expelled are comprised especially in legal regulations establishing the competences of bodies involved in the execution of expulsion, transfer and transit of foreign nationals. These bodies include primarily the Police of the Czech Republic, who have a legal mandate to carry out expulsion of foreign nationals.¹⁰ The procedure of the Police in escorting returnees is regulated by the binding instruction of the Police President on escorts.¹¹

In assessing the actual treatment of persons being expelled, the Defender also bases her conclusions on case law of the European Court of Human Rights,¹² and on the standards formulated by the Council of Europe¹³ and by the European Committee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CPT).¹⁴

7 In conformity with Section 65 (2)(m) of Act No. 372/2011 Coll., on healthcare services and the conditions of their provision (the Healthcare Services Act), as amended.

8 Memorandum of the Federal Ministry of Foreign Affairs No. 209/1992 Coll., on the Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by subsequent protocols.

9 Charter of Fundamental Rights of the European Union signed on 12 December 2007 in Strasbourg, Official Journal 2012/C 326/391.

10 Pursuant to Section 152 and Section 163 (1)(h) of Act No. 326/1999 Coll., on the residence of foreigners, and Section 87 (7) of Act No. 325/1999 Coll., on asylum, as amended.

11 Binding instruction of the Police President No. 159 of 2 December 2009, on escorts, guarding of persons, and on police cells, as amended.

12 European Court of Human Rights. Fact sheet – Collective expulsions of aliens [online]. Strasbourg ©European Court of Human Rights 2016 [retrieved on 2017-05-25]. Available at:

http://www.echr.coe.int/Documents/FS_Collective_expulsions_ENG.pdf.

13 Council of Europe. Twenty Guidelines on Forced Return [online]. Strasbourg © Council of Europe 2005 [retrieved on 2016-12-15]. Available at:

http://www.coe.int/t/dg3/migration/archives/Source/MalagaRegConf/20_Guidelines_Forced_Return_en.pdf.

14 European Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment. CPT Standards [online]. Strasbourg © Council of Europe 2015 [retrieved on 2017-05-25]. Available at:

<http://cpt.coe.int/en/documents/eng-standards.pdf>.



B. Report on expulsion monitoring

In her report, the Defender presents her findings, evaluation and proposals for remedial measures, and calls on the responsible bodies and facilities to provide a substantiated statement, which may concern both the findings made and the measures or deadlines for remedy. She sets a deadline for providing the statement.

If the Defender finds the statement of the bodies she addressed sufficient, she notifies them accordingly. She may also request additional statements. Explaining the errors found, documenting how the proposed remedial measures are implemented or a credible pledge of their implementation are all of crucial importance. If the Defender finds the statements provided by the relevant facilities and other authorities she addressed insufficient, she will advise the superior authority (or, in its absence, the Government) or present the case to the public.¹⁵

C. Proposed remedial measures

As a rule, the proposed remedial measures differ by urgency, difficulty and time required for implementation. In formulating remedial measures, the Defender also proposes a deadline for their adoption, expecting that the entity to which the measure is addressed will either observe the deadline or propose a substantiated alternative:

- **Measures with a set deadline** for adoption have to be taken by the set deadline as they usually require more time. The Defender expects that the affected entities will advise the Defender in their statement on her report whether and how exactly they will carry out the measures and whether they will do so by the set deadline or by some other specific date, or that they will suggest an alternative measure with a specific deadline for performance.
- **Ongoing measures** are formulated by the Defender where a specific working procedure or style of work should be introduced or, to the contrary, abandoned. The Defender expects these measures to be implemented without delay and continued in future. She anticipates that the affected entities will indicate in their statement on her report that the measures in question have been implemented and how; or when and how the measures will be implemented; or what alternative measures they propose.

D. Information on persons being expelled (returnees)

The foreigners being expelled were Mr A, born on xxx, and Mr B, born on yyy, both nationals of Ukraine. Mr A was arrested on 3 March 2017 with a view to his administrative

¹⁵ These are referred to as “penalties” and the procedure taken is analogous to the procedure set out in Section 20 (2) of the Public Defender of Rights Act.



expulsion¹⁶ and placed in the Facility for Detention of Foreigners at Balková. By virtue of a decision of 18 March 2017, the Police of the Czech Republic ordered his administrative expulsion for a period of 1 year.¹⁷ Mr B was arrested on 22 March 2017 also with a view to his administrative expulsion and he, too, was placed in the Facility for Detention of Foreigners at Balková.¹⁸ In his case as well, the Police of the Czech Republic ordered administrative expulsion for a period of 1 year.¹⁹ Mr B filed an application for international protection, which was, however, denied.

E. Course of expulsion monitoring

The Police informed the employees of the Defender's Office in writing of the execution of the administrative expulsion order by means of a notice of expulsion of 20 April 2017.²⁰ The administrative expulsion of the two foreigners was carried out by the officers of the Police of the Czech Republic, the Directorate of the Immigration Police, Facility for Detention of Foreigners at Balková (hereinafter the "police escort").

The expulsion monitoring was carried out by authorised employees of the Defender's Office, Mgr. Veronika Sedláková and Mgr. Anna Láníčková, on 26 April 2017, without prior notice. Since the director of the Facility for Detention of Foreigners at Balková was not present at the time of the visit, the employees of the Office presented their authorisation to an employee of the facility on a 24/7 duty. The facility director, Mr Jan Novotný, was informed of the expulsion monitoring by telephone. The employees of the Facility for Detention of Foreigners at Balková provided the employees of the Defender's Office with all the necessary collaboration, which I appreciate.

The authorised employees of the Office monitored the processes related to the handover of the returnees to the police escort at the Facility for Detention of Foreigners at Balková. However, they were unable to monitor the processes related to the foreigners' escort to the State border because the police escort officers did not

16 Decision on arrest issued by the Police of the Czech Republic, Regional Police Directorate for the Karlovy Vary Region, Immigration Police Department, residence control, search and escorts unit, on 3 March 2017, Ref. No. KRPK-17202-19/ČJ-2017-190022.

17 Decision on administrative expulsion issued by the Police of the Czech Republic, Regional Police Directorate for the Karlovy Vary Region, Immigration Police Department, residence control, search and escorts unit, on 18 March 2017, Ref. No. KRPK-17202-40/ČJ-2017-190022.

18 Decision on arrest issued by the Regional Police Directorate for the Capital City of Prague, Immigration Police Department, residence control, search and escorts unit, on 22 March 2017, Ref. No. KRPA-105748-18/ČJ-2017-000022 and decision on extension of the detention issued by the Regional Police Directorate for the Capital City of Prague, Immigration Police Department, residence control, search and escorts unit, on 18 April 2017, Ref. No. KRPA-105748-33/ČJ-2017-000022.

19 Decision on administrative expulsion issued by the Regional Police Directorate for the Capital City of Prague, Immigration Police Department, residence control, search and escorts unit, on 19 July 2014, Ref. No. KRPA-78138-32/ČJ-2014-000022.

20 Notice from the Directorate of the Immigration Police on implementation of administrative expulsion of 20 April 2017, Ref. No. CPR-7067-12/ČJ-2017-930310-T259, and notice from the Directorate of the Immigration Police of 20 April 2017, Ref. No. CPR-8725-10/ČJ-2017-930310-T225.



allow their presence in the escort vehicle. The employees of the Defender's Office were also not allowed to partake in the handover of the foreigners being expelled to the Slovak police escort at the Starý Hrozenkov – Drietoma border crossing because the police used the blue light shortly after leaving the Facility for Detention of Foreigners at Balková and thus reached the place of handover half an hour earlier than the employees of the Office. When the Office's employees arrived at the border crossing, the foreigners being expelled were already inside the Slovak police escort vehicle.

Summary

In the framework of expulsion monitoring, I examined primarily whether the two foreigners were prepared for execution of administrative expulsion and whether they were sufficiently familiarised with the individual steps in the expulsion process. I also dealt with the course of the actual expulsion and the way the police escort treated the foreigners.

I appreciate the forthcoming approach of the staff at the Facility for Detention of Foreigners at Balková towards the foreigners being expelled and the collaboration provided during the administrative expulsion. On the other hand, I consider the approach towards the returnees taken by the police escort of the Directorate of the Immigration Police disproportionate. The report on administrative expulsion monitoring comprises findings indicating certain shortcomings that occurred during the forced return of the two foreigners being expelled.

As a rule, administrative expulsion should take place without the use of coercive means. Handcuffing of a foreigner cannot serve as a preventive measure and **the decision on application of handcuffs should always be preceded by thorough evaluation of the situation and should be properly reasoned.**

I therefore call on the Police of the Czech Republic and the Refugee Facilities Administration of the Ministry of the Interior to comply, as soon as possible, with the measures I proposed, and thus proceed in forced returns in conformity with the international standards and Czech regulations.



Course of expulsion

A return operation begins with handover of the foreigner being expelled to the police escort at the relevant facility for detention of foreigners, and continues with his/her escort to the border crossing where he is handed over to the police escort of the relevant country.

The course of a return operation depends on various aspects pertaining to the foreigner, the members of the escort team, the means of transport and other, unpredictable circumstances. The commencement of the actual expulsion process is critical for the foreigner. It often involves increased tension and confrontation of the returnee with the police escort team. Problems can be avoided, among other things, by thorough assessment of all the risks that could arise during the return operation (“risk assessment”). Within the evaluation, it is necessary to take into consideration the personality, previous behaviour and individual needs of the person being expelled, with regard to the time and manner of the expulsion.

1. Use of coercive means

Pursuant to Section 53 (1) of the Police Act²¹, a police officer *“is authorised to use a coercive means to protect his/her own safety, the safety of another person or property, or to protect the public policy”*. Coercive means permitted by the law include, for example, control and restrain techniques, hits and kicks, handcuffs and means preventing spatial orientation.²² A police officer may use the above only if the coercive means will enable to attain the purpose of the given intervention and, at the same time, is necessary for overcoming resistance or attack from the person against whom the police officer intervenes.²³ In doing so, the police officer is obliged to **“proceed so that any potential interference with the rights and freedoms of the persons against whom the given measure is aimed ... does not exceed the degree necessary to attain the purpose of the measure.** [emphasis added].²⁴

1.1 Decision to handcuff the returnee

According to the Police Act, a police officer may use against a detained person *“handcuffs and means of preventing spatial orientation ... if there is reasonable concern that the safety of persons and property or protection of public policy may be at risk, or that the detained person might attempt to escape”*.²⁵ The authority to use handcuffs is limited to

21 Act No. 273/2008 Coll., on the Police of the Czech Republic, as amended.

22 Under Section 52 of the Police Act.

23 Under Section 53 (3) of the Police Act.

24 Under Section 11 of the Police Act.

25 According to Section 53 (1) and Section 54 of the Police Act in conjunction with Art. 2 (6) of Binding Instruction of the Police President No. 159/2009, on escorts, guarding of persons and on police cells, as amended.



justified cases where this means of restraint is used in response to an imminent risk associated with the person being expelled, and only for the necessary period of time.²⁶ This authority does not have the nature of a preventive measure. To the contrary, a police officer should apply handcuffs only if there are statutory reasons for doing so.²⁷

A decision to apply handcuffs must always be preceded by *ad hoc* assessment of the specific situation while maintaining the principle of proportionality.²⁸ Whether handcuffing is in line with the principle of proportionality has to be determined individually for each foreigner.²⁹ Applying and using handcuffs and other coercive means must always follow a legitimate purpose and must be proportionate.³⁰ According to the Constitutional Court, indiscriminate and routine handcuffing of returnees is unacceptable and unjustified.³¹ The use of the authority to apply handcuffs under Section 54 of the Police Act must be properly reasoned in the escort decision. The reasoning must be individualised and comprise the specific causes that led the escort commander to handcuff the foreigner. I have already pointed out in my previous findings from expulsion monitoring that police officers are repeatedly handcuffing foreigners as a preventive means of restraint, without having evaluated the behaviour of the specific person being expelled and the current risks.³²

It must be borne in mind during a return operation that expulsion should always be carried while respecting fundamental human rights. The police escort must treat the foreigner so as not to infringe on his/her human dignity and physical integrity.³³ In order to adhere to this principle, it is necessary to evaluate each situation individually (*ad hoc*) in view of the person being expelled. For thorough assessment of whether handcuffs should be applied or not, the members of the police escort team need to have basic information on the returnee, especially his/her previous behaviour during his/her presence in the facility for

26 Council of Europe. Twenty Guidelines on Forced Return [online]. Strasbourg © Council of Europe 2005 [retrieved on 2017-05-24]. Available at:

http://www.coe.int/t/dg3/migration/archives/Source/MalagaRegConf/20_Guidelines_Forced_Return_en.pdf.

27 This fact is also emphasised in the explanatory memorandum on Act No. 273/2008 Coll., on the Police of the Czech Republic in: Beck – online [online]. Prague [retrieved on 2017-05-25].

28 Association for prevention of torture. National Preventive Mechanisms: Monitoring the forced deportation flights of migrants [online]. Geneva © Association for the Prevention of Torture 2012. pp. 7-8 [retrieved on 2017-05-25]. Available at: http://www.apt.ch/content/files_res/OPCATBriefing_MonitoringDeportationFlights_en.pdf.

29 The European Council on Refugees and Exiles. Position on Return [online]. United Kingdom, Belgium © The European Council on Refugees and Exiles, 2003 [retrieved on 2017-05-26]. Available at: <http://www.unhcr.org/4d948adf9.pdf>.

30 Judgments of the European Court of Human Rights of 23 November 2003, *Hénaf v. France*, No. 65436/01, paragraph 56; of 16 December 1997, *Raninen v. Finland*, No. 20972/92, paragraph 56; and of 25 July 2013, *Kummer v. the Czech Republic*, No. 31233/11, paragraphs 63 to 64.

31 Judgment of the Constitutional Court of 27 October 2015, File No. I. ÚS 860/15. Paragraphs 78 and 79. Available at: http://nalus.usoud.cz/Search/GetText.aspx?sz=1-860-15_1 (decision published only in the NALUS system)

32 Public Defender of Rights: Activities in 2015. Our recommendations for expelling foreigners. [retrieved on 2017-05-25]. Available at: <http://www.ochrance.cz/sledovani-vyhosteni-cizincu/prehled-aktivit/>

33 International Centre for Migration Policy Development. Guidelines and Monitoring Tools for Forced Return Monitoring. Vienna 2012. ISBN: 978-3-902880-51-2.



detention of foreigners, whether he/she has tendencies towards aggressive conduct, whether he/she suffers from any mental issues with tendencies towards self-inflicting harm, or whether he/she has ever attempted to escape from the facility. Primarily, the police escort should be acquainted with the foreigner's attitude towards the planned return. All this information should be available to the employees of the Refugee Facilities Administration of the Ministry of the Interior at the facility for detention of foreigners, who should make it accessible to the police escort on request from the Directorate of the Immigration Police.

Based on the expulsion monitoring carried out by employees of the Defender's Office, it was ascertained that it had been stated in advance in the decisions on escorting the two foreigners that they would be handcuffed and that the authority under Section 54 of the Police Act would thus be exercised. The decisions on escorting the foreigners state no reason for handcuffing them; they merely include instructions on the escort regime. The instructions state that **"due to a justified concern** that the safety of a police officer, other persons, property or public policy might be endangered during the escort, or that the given person(s) might attempt to escape, **which is warranted by the impossibility to obtain relevant information on the person(s) being escorted, while it is not possible, either, to predict the attitude of the given person(s) towards the performance and purpose of the escort,** the police officer is authorised to handcuff the detained person pursuant to Section 54 of Act No. 273/2008 Coll., on the Police of the Czech Republic. The police officer shall decide on removing the handcuffs during or upon completion of the escort, and on their repeated application after previous removal during the escort, if appropriate; the police officer shall record these facts in the escort decision."³⁴

During the expulsion monitoring, the authorised employees of the Defender's Office made copies of the personal files and medical records of the foreigners. Because the social files of the foreigners were not available at the time of the expulsion monitoring, the authorised employee of the Office requested them retroactively. The following facts followed from the file. The Regional Police Directorate for the Karlovy Vary Region requested on 20 April 2017 that the Directorate of the Immigration Police arrange for escorting Mr A. It was stated in the request that **"this foreigner cannot be justifiably expected to hinder the escort or administrative expulsion"**.³⁵ [emphasis added]. According to the social file, Mr A **"behaved decently, caused no trouble and complied with the internal rules"** at the Facility for Detention of Foreigners at Balková. *"He spent most of his free time playing cards with other clients."* [emphasis added]. Mr B also caused no trouble. According to the social file, Mr B **"was quiet, inconspicuous and incited no conflicts** at the facility. **He complied with the internal rules.** Most of his free time, he played cards with other clients." [emphasis added]

34 Decision of the Police of the Czech Republic, Directorate of the Immigration Police, the Facility for Detention of Foreigners at Balková, on escorting Mr B of 26 April 2017, Ref. No. CPR-8685-26/ČJ-2017-933000, and decision of the Police of the Czech Republic, Directorate of the Immigration Police, Facility for Detention of Foreigners at Balková, on escorting Mr A, Ref. No. CPR-6991-21/ČJ-2017-933000.

35 Regional Police Directorate for the Karlovy Vary Region, Immigration Police Department, residence control, search and escorts unit, Performance of escort – request of 20 April 2017, Ref. No. KRPK-17202-55/ČJ-2017-190022.



The authorised employees of the Office were present to the handover of the foreigners to the police escort at the Facility for Detention of Foreigners at Balková. The returnees signed the advice concerning the escort and were handcuffed. Prior to the application of the handcuffs, it was in no way explained or otherwise clarified to the foreigners why they were being handcuffed and whether or not the handcuffs would be removed during the escort. After the administrative expulsion was completed, the authorised employees of the Office therefore inquired about the reasons that led the escort commander to order handcuffing of the two returnees. The escort commander responded that they were authorised by the law to apply the handcuffs, and further stated as a reason that the two foreigners were being expelled, rather than returning voluntarily, and stated – as the main reason – that the foreigners could be dangerous. She did not answer a subsequent question of whether she considered the foreigners dangerous, and reiterated that this was a case of expulsion and not voluntary return, and that the trip from the Facility for Detention of Foreigners at Balková to the Starý Hrozenkov – Drietoma was a long one.

The escort decision authorises the police escort to apply handcuffs in case there is a justified concern that the person being escorted could endanger a police officer, property or public policy, or that he/she might attempt to escape. The use of handcuffs is therefore not an automatic step but rather a response to the situation and existence of a justified concern that the administrative expulsion might be frustrated by the foreigner. According to the escort decision, this concern might arise because of inability to obtain relevant information on the returnee and his/her attitude towards the forced return. However, this information was provided in the foreigners' social files and, in the case of Mr A, also in the request for escort. The Regional Police Directorate for the Karlovy Vary Region **explicitly stated in the request for escort that there was no reason to believe that Mr A would try to frustrate the course of the escort or the administrative expulsion.** It also follows from the social file that both foreigners involved were decent people who had caused no trouble and had complied with the internal rules of the facility. It is precisely this information which warrants the assumption that these foreigners were not likely to cause trouble during the escort and try to frustrate its purpose. It can be assumed that if the police escort had this information available it would have been easier for them to predict the foreigners' behaviour and thus avoid the use of coercive means unless this was unavoidable under the circumstances. Sharing the relevant information would have positively affected the course of the escort as the police officers would have been better prepared for the person whom they were to accompany to the border crossing.

The decision to handcuff the foreigners was made before the escort commander actually met the foreigners. At the same time, the members of the police escort knew nothing about the foreigners' behaviour or their attitude towards their forced return. This decision was therefore not preceded by any *ad hoc* evaluation of the current situation in view of the specific foreigners to be expelled. Not even subsequently was the escort commander capable of explaining why she believed that the returnees could be dangerous. A mere statement that this is a case of administrative expulsion cannot be considered a legal ground for automatically handcuffing the foreigners. In view of the above facts and findings, these were not dangerous foreigners in respect of whom it could be justifiably



considered that they would attempt to frustrate the course of the administrative expulsion. The decision of the escort commander to apply handcuffs was therefore not in line with the legal duty to evaluate the situation and use handcuffs only where this is warranted by the circumstances. To the contrary, the police officers anticipated the need for using coercive means even before they actually met the foreigners to be expelled and before assessing the actual risks associated with those returnees. The handcuffs were thus used at variance with the legal regulations and their application did not conform to the statutory requirement for thorough *ad hoc* evaluation of the situation.

Remedial measure addressed to the Directorate of the Immigration Police:

- 1) A decision to apply handcuffs may not be used as a preventive measure. Every escort decision stating that handcuffs have been applied must comprise proper reasoning (ongoing measure).**

Remedial measure addressed to the Directorate of the Immigration Police and the Refugee Facilities Administration of the Ministry of the Interior:

- 2) Introduce an effective system of sharing information on the returnee between the Directorate of the Immigration Police and the Refugee Facilities Administration (ongoing measure).**



Summary of remedial measures

Ongoing measures

- **Measures addressed to the Directorate of the Immigration Police:**

A decision to apply handcuffs may not be used as a preventive measure. Every escort decision stating that handcuffs have been applied must comprise proper reasoning.

Introduce an effective system of sharing information on the returnee between the Directorate of the Immigration Police and the Refugee Facilities Administration.

- **Measure addressed to the Refugee Facilities Administration of the Ministry of Interior:**

Introduce an effective system of sharing information on the returnee between the Directorate of the Immigration Police and the Refugee Facilities Administration.



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Administrative expulsion monitoring

The “Support for the Effective Monitoring of Forced Returns” project, registration number AMIF/8/02, is co-financed within the framework of the national program of the Asylum, Migration and Integration Fund.