

The New EU Return Regulation: What Refugee and Migrant Communities and Advocates need to know

Location: online

Date and time: Thursday, 10 September, 12h00- 13h30 (Brussels time)

Context

Following the adoption of the Pact on Migration and Asylum in 2024, the EU has now also adopted the new Return Regulation, introducing major changes to the way return procedures will be carried out across the European Union.

Most provisions of the Regulation will enter into force one year after its official adoption, in 2027, giving Member States time to prepare for its implementation. However, some provisions, including those relating to the establishment of “return hubs” will become applicable immediately.

The new Regulation significantly expands the powers of Member States during return procedures and introduces a set of punitive and coercive measures. Among other changes, it allows for longer and systematic use of detention, increased obligatory responsibilities for the Third country National (TCNs) to cooperate with the authorities throughout the return procedure, and stronger enforcement measures, including, under certain conditions, searches of private homes and shelters run by humanitarian organisations. It also changes the way some procedural safeguards are provided. In several cases, important rights such as access to legal assistance or the suspensive effect of an appeal may only be available if they are requested. This means that many people may miss important protections simply because they are unaware that they need to ask for them or the authorities intentionally do not provide them with right information about their rights.

These changes will have a significant impact on people on the move, including people whose asylum application has been rejected and other third-country nationals facing return. Understanding these new rules will be essential not only for affected TCNs but also for the organisations that support them.

This online briefing aims to explain what the new Return Regulation means in practice, what changes people should expect once it starts to apply, and how refugee-led and migrant-led organisations could be better prepared to support the affected TCNs. The session will also discuss opportunities for monitoring how the Regulation is implemented in different Member States, documenting its impact on people's rights, and identifying strategic advocacy and litigation opportunities where implementation may not comply with EU's law and fundamental rights standards.

12h00	Welcoming and opening remark: Dr Wali Ahmadyar, Secretary General, Network of Afghan Diaspora organisations in Europe (NADOE)
12h05	Understanding the new Return Regulation • Dr. Izabella Majcher, Independent Consultant • Mr. Reshad Jalali, Senior Policy Officer, ECRE • Ms. Wiebke Judith, Head of Law and Advocacy, Pro Asyl (Germany) Moderator: Ms. Josephine Liebl, Head of Advocacy, ECRE Guiding questions: • What are the main changes that the new Return Regulation brings compared to the Return Directive (2008)? • What do the new rules mean for irregularly staying third country nationals? • How should refugee and migrant led organisations and communities prepare for the Return Regulation? • What are return hubs and how might they become a reality?
12h45	Q&A
13h30	End of the meeting