

EN
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Answer given by Mr Brunner
on behalf of the European Commission
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The Commission is aware and takes note of the ongoing discussions among a group of Member States, as it is invited to participate as observer.

Member States must ensure that returns from the EU of illegally staying third country nationals comply with relevant EU law, in particular Directive 2008/115/EC¹ ('Return Directive'), and respect fundamental rights and obligations stemming from international law. This is also the case for bilateral agreements or arrangements with third countries. The Commission will continue to ensure that EU law is applied correctly across all Member States, taking to the necessary measures in case of breaches of EU law.

Article 17 of the Commission's proposal for a Return Regulation² creates the legal framework and sets out the conditions for setting up 'return hubs'. Among those conditions, the proposal provides for an independent body or mechanism to monitor the effective application of the agreement or arrangement. Political agreement on the Return Regulation was reached in the trilogue on 1 June 2026. It was endorsed by the European Parliament on 17 June and by Coreper on 10 June.

¹ 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.

² Proposal for a Regulation of the European Parliament and of the Council establishing a common system for the return of third-country nationals staying illegally in the Union, and repealing Directive 2008/115/EC of the European Parliament and the Council, Council Directive 2001/40/EC and Council Decision 2004/191/EC.