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2025.58 Application of EU rules on carriers' liability in Member States [Part 2: responsibility for the costs]

**European Migration Network
Ad-hoc query**

December, 2025

AD-HOC QUERY ON 2025.58 APPLICATION OF EU RULES ON CARRIERS' LIABILITY IN MEMBER STATES [PART 2: RESPONSIBILITY FOR THE COSTS]

REQUESTED BY EUROPEAN COMMISSION ON 20 OCTOBER 2025

Exported for: Unrestricted Dissemination

Responses from: EMN NCP Austria, EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Czech Republic, EMN NCP Estonia, EMN NCP Finland, EMN NCP France, EMN NCP Germany, EMN NCP Greece, EMN NCP Hungary, EMN NCP Ireland, EMN NCP Italy, EMN NCP Latvia, EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Netherlands, EMN NCP Portugal, EMN NCP Slovakia, EMN NCP Slovenia, EMN NCP Spain, EMN NCP Sweden **(22 in total)**

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BACKGROUND INFORMATION

The issue of carrier's liability is regulated by Article 26 of the Convention Implementing the Schengen Agreement in conjunction with Directive 2001/51. These EU/Schengen legal acts oblige Member States to incorporate rules in their national law that oblige carriers which transport travelers by air, sea, or by coach to the Schengen area to take all the necessary measures to ensure that a third country national carried is in possession of the travel documents required for entry into the territories of the Schengen States. Carriers must be obliged to assume responsibility and transport back passengers who were refused entry and penalties have to be imposed on carriers which transport aliens who do not possess the necessary travel documents. Carriers' liability is an

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important tool for countering irregular migration and smuggling and it is considered useful to gain an up-to date picture of its application in Member States based on a number of targeted questions, in view of the upcoming Global Alliance conference in December 2025. You are kindly requested to provide replies to these questions by 14 November 2025. Results of the questionnaire will serve as background information during the preparations of 2nd International Conference on a Global Alliance to counter migrant smuggling scheduled for 10 December 2025. Therefore, receiving of replies in mid-November is crucial for the process.

Considering the number of questions and the short timeframe, answering all three AHQs [Part 1, Part 2 and Part 3] should be counted as 6 ad-hoc-queries for reporting purposes.


WE WOULD LIKE TO ASK THE FOLLOWING QUESTIONS:

We would very much appreciate your responses by **14 November 2025**.


1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]
2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]
3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).

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RESPONSES

		Unrestricted Dissemination ?	
	EMN NCP Austria	Yes	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>None. ---</p> <p>Source: Ministry of the Interior</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>Tyrol: 2023: 2; 2024: 5; 2025: 15</p> <p>Salzburg: 2023: 7; 2024: 16; 2025: 13</p>


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			<p>Lower Austria: 2023: 19; 2024: 29; 2025: 18</p> <p>Sum: 2023: 28; 2024: 50; 2025: 46 ---</p> <p>Source: Ministry of the Interior</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>No measures from the authorities were necessary. In some cases (Vienna-Schwechat), onward transport was provided by other transport companies after rebooking by the transport company responsible for repatriation or by the passengers themselves. ---</p> <p>Source: Ministry of the Interior</p>
	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p>


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			<p>2023: 119 files for a total of 565.766,06 EUR (237 EUR per day/per person) 2024: 110 files for a total of 688.517,21 EUR (240 EUR per day/per person) 2025 (up until 30.09.2025): 106 files for a total of 536.789,46 EUR (248 EUR per day/per person)</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>In Belgium, for every INAD (inadmissible passenger), the carrier always receives a written notice that they are obliged to take the person back to the place where the journey started. In the case of air carriers, this is in application of the Convention of Chicago.</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>If the first removal attempt was not successful, a second, third, ... attempt can be organized. For any attempt to remove an INAD (inadmissible passenger), in application of the Convention of Chicago, the carrier can be asked to include security on board if this is necessary (=ANAD or accompanied inadmissible passenger).</p>
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	<p>EMN NCP Bulgaria</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>-</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>-</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>In accordance with Article 20 of the Law on Foreigners in the Republic of Bulgaria, in cases where a foreigner is refused entry into the Republic of Bulgaria, the carrier that transported the foreigner is obliged, at the request of the border control authorities and at its own expense, to return the foreigner to the state from which he or she was transported, to the state that issued the travel document with which the foreigner arrived, or to another state that will admit the foreigner. If the return cannot be carried out immediately, the costs of the</p>
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			<p>foreigner's stay shall be paid by the carrier. The carrier is also obliged, at its own expense, to return a foreigner transiting through the Republic of Bulgaria when the subsequent carrier refuses to transport the foreigner to the state that is the final destination of the journey.</p>
	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>In all cases of refusal of entry (as stated under point 3 of the AHQ 1 questionnaire.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>In all cases, the carriers returned people without valid documents.</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p>

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			<p>There were no such cases recorded.</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>Data on this matter are not systematically collected.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>Data on this matter are not systematically collected.</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>Carriers have always fulfilled their obligations; no offence under Section 157(3) of Act No. 326/1999 Coll. has been addressed.</p>


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	<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>Cases of obligating the carriers to assume responsibility for the costs of passengers:</p> <p>2020 - 3 2021 - 2 2022 - 4 2023 -1 2024 - 0 2025 - 0</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>The carriers have returned all persons who were not granted permission to enter the country. Data is available only for Tallinn border crossing point:</p> <p>2023 13 persons 2024 3 persons 2025 6 persons</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please</p>
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			<p>also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>There haven't been such cases.</p>
+	EMN NCP Finland	No	Response is marked as EMN Sensitive
FR	EMN NCP France	Yes	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>No fines for failure to provide care were issued between January and September 2025. As fines can be imposed within four years of the events, cases are processed with a certain delay. Cases currently under investigation will be processed in early 2026.</p> <p>At the border crossing point (BCP) at Orly Airport, only the costs of hotel accommodation, medical consultations, and pharmacy expenses for individuals who are not admitted to enter and are placed in a waiting area are billed to the airlines.</p> <p>2023 2024 2025 (9 months) medical expenses (doctor's visits and pharmacy) 274 cases 191 cases 143 cases IBIS hotel expenses 474 cases 501 cases 397 cases</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for</p>


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			<p>the period January - September]</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>The costs of care and re-routing are borne by the carrier (L. 333-5 of the Code on the Entry and Stay of Foreigners and the Right of Asylum (CESEDA)).</p>
	<p>EMN NCP Germany</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>No statistical data for the period January – September 2025 was raised.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>Transport companies were obliged to comply with the requirements of the question in 1,606 cases in 2023,</p>


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			<p>1,319 cases in 2024, and 1,001 cases between January and September 2025.</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>If the airline has not carried out the return transport of the rejected third-country national within a set period of time, the return transport shall be carried out at the expense of this airline by another airline commissioned by the border authority (so-called "substitute performance").</p> <p>In addition to the third-country nationals who are refused entry, the transport company that transported them to the border is also liable. This liability for costs is independent of fault and includes the costs of return transport and the costs incurred until the decision on entry is enforced. Due to Germany's geographical location, only airlines are subject to sanctions. There is therefore no breakdown by type of transport company (sea, bus, railway).</p>
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	<p>EMN NCP Greece</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>No data are kept for this question from the part of the Hellenic Civil Aviation Authority (HCAA).</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>No data are kept for this question from the part of HCAA.</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>No data are kept for this question from the part of HCAA.</p>
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	EMN NCP Hungary	Yes	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>2023. 2024. 2025. I-IX.</p> <p>air carriers 76 65 15</p> <p>maritime operators - - -</p> <p>coach operators 0 0 0</p> <p>total 76 65 15</p>
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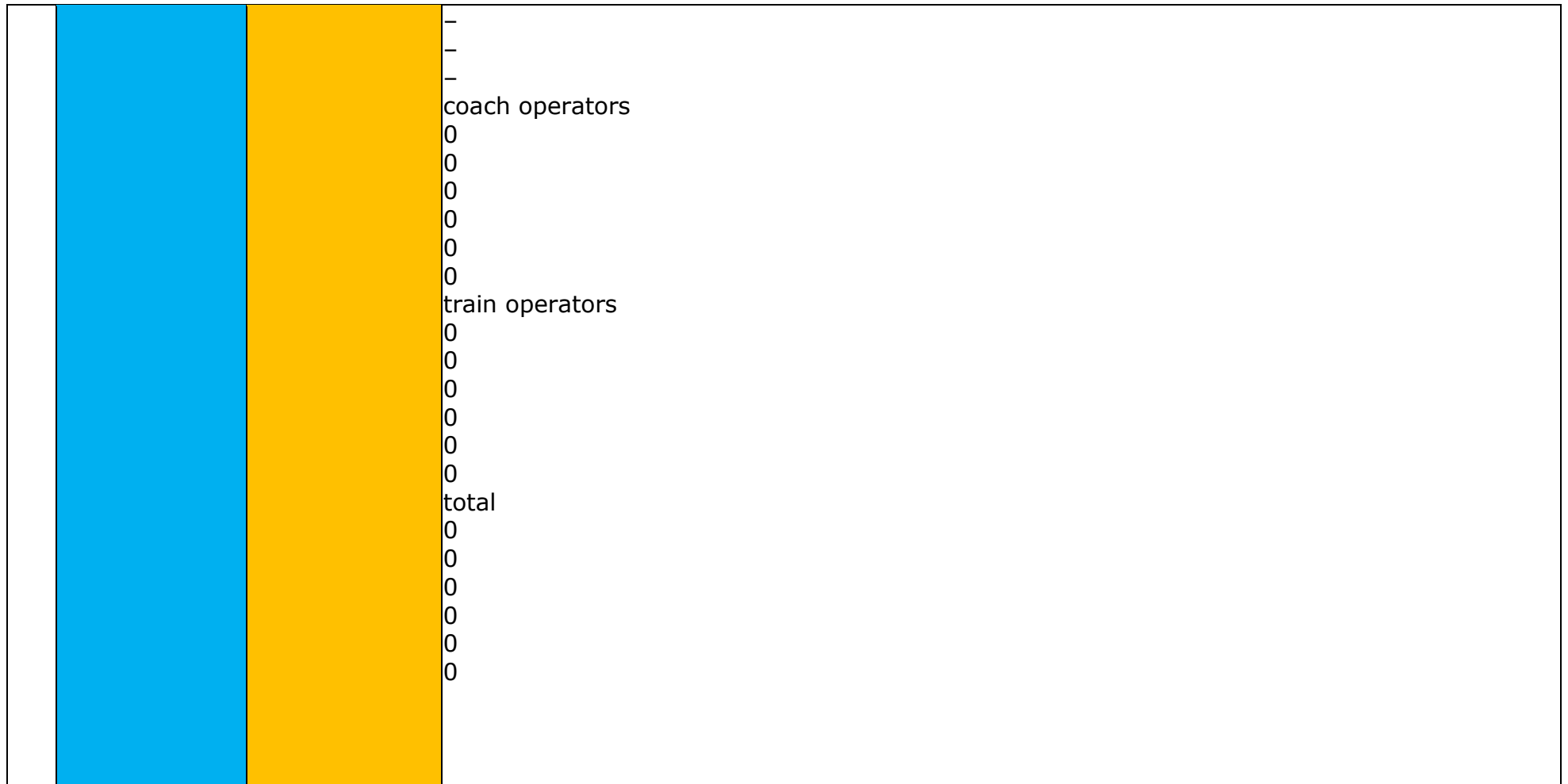
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			2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]
			2023.
			2024.
			2025. I-IX.
			air carriers
			0
			0
			0
			maritime operators
			-
			-
			-
			coach operators
			0
			0
			0
			total
			0
			0
			0



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			<p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>2023. 2024. 2025. I-IX. a) b) a) b) a) b) air carriers 0 0 0 0 0 0 0 maritime operators - - -</p>
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	EMN NCP Ireland	No	Response is marked as EMN Sensitive
	EMN NCP Italy	Yes	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>No statistical data are available regarding this type of case, despite to the fact that the Border Police Offices have not reported any issues on the matter.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>Year 2023: 1,195 refusals of entry at the border under letters "A" and/or "C" (78 at maritime borders and 1,117 at air borders). Year 2024: 1,381 refusals of entry at the border under letters "A" and/or "C" (122 at maritime borders and 1,259 at air borders). Year 2025, as of 30 September: 1,006 refusals of entry at the border under letters "A" and/or "C" (66 at maritime borders and 940 at air borders).</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of</p>

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			<p>stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>With regard to refusals of entry at the border, no specific issues are known at the national level concerning the carrier's ability to bring back the refused third-country national to the country of origin. In any case, it is the carrier's responsibility to bear the costs of residence and refusal of entry (e.g. the ticket). Should the carrier be unable to carry out the refusal of entry directly, it is confirmed that the transport may be carried out by other carriers. No statistical data are available regarding this circumstance, without prejudice to the fact that the Border Police Offices have not reported any issues on the matter.</p>
	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>In Latvia carriers may be required to cover expenses related to the stay of insufficiently documented third-country nationals in accordance with Article 21, Part 3 (Expenses related to the detaining, holding under guard and removal of a foreigner shall be covered by the carrier. The procedures for determining and recovering of expenses shall be determined by the Cabinet.) and Article 67 (The procedures for determining expenses related to the removal, detention and keeping under guard of a foreigner or transfer to the country which is taking him or her back and for determining the procedures for their recovery shall be determined by the Cabinet.) of the Immigration Law and the requirements of Directive 2001/51/EC until their return or transit to the country of origin is ensured.</p>


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			<p>However statistics, on cases where carriers are responsible for the costs of stay of insufficiently documented passengers, are not collecting by State Border Guard.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>In accordance with Section 21 second part of the Immigration Law, upon the request of a State Border Guard official, the carrier that has transported a foreigner to Latvia shall transport the TCN back to the country from which he or she was brought, or to the country that issued the travel document, or to any other country where the entry of the TCN is guaranteed, if:</p> <ol style="list-style-type: none">1) a decision has been made to refuse to entry to Latvia;2) the next carrier that must transport the TCN who is crossing the territory of Latvia in transit to the country of destination or the next country refuses to do so;3) the country of destination or the next country refuses entry to the TCN who is crossing the territory of Latvia in transit and sends him or her back to Latvia. <p>However responsible authority State Border Guard is not collecting statisticsThere is no data available on these cases.</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p>
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			<p>The mechanism for recovering expenses from the carrier for the forced return, detention and custody of a TCN is set out in the Cabinet of Ministers' regulations No 894 "Procedures for Determining and Recovering of Expenses which have arisen due to the Forced Return, Detention and Holding under Temporary Custody of a Foreigner or Returning of a Foreigner to the Country, which Takes the Person back" (https://likumi.lv/ta/en/en/id/239969-procedures-for-determining-and-recovering-of-expenses-which-have-arisen-due-to-the-forced-return-detention-and-holding-under-temporary-custody-of-a-foreigner-or-returning-of-a-foreigner-to-the-country-which-takes-the-person-back).</p> <p>.</p> <p>Carrier is responsible for the expenses, if expenses are related to a TCN cases referred to in Article 21 of the Immigration Law. The carrier is obliged to verify that the foreigner it transports to Latvia possesses:</p> <ol style="list-style-type: none">1. a valid travel document, and2. a valid visa, residence permit, or travel authorisation (ETIAS). <p>If the State Border Guard decides to refuse entry or transit, the carrier must ensure the return of the foreigner to the country of departure, the country that issued the travel document, or another country where entry is guaranteed.</p> <p>All costs related to the detention, custody, and return of the foreigner are borne by the carrier.</p> <p>The procedures for determining and recovering these costs are established by the Cabinet of Ministers.</p> <p>Railway undertakings are exempt from the obligation to verify the travel authorisation (ETIAS).</p> <p>However, in practice, expenses related to the forced return, detention and custody of a TCN or the sending to the country are covered from the programmes of the European Union policy instruments or other foreign financial assistance funds.</p>
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	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>No information is available.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>No information is available.</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>No such cases were recorded.</p>
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	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>Article 107 (3) of the amended law on free movement of persons and immigration (Immigration Law) states that the air transport company is required to pay the costs of the person's stay, including health expenses, and their return. During the period 2023-2025 the numbers of cases in which air carriers must have to cover these costs were: 2023: n.i.a. 2024: n.i.a. 2025: n.i.a.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>Article 107 (1) and (2) of the Immigration Law obliges the air transport company to return the third country national to transport back (return) insufficiently documented passengers. The number of cases were: 2023: 19 2024: 46 2025: 41</p>
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			<p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>The refused third country national would be either moved to the "Zone d'attente" for a maximum of 48 hours – and be returned via the next flight or an alternative route to the airport of origin if it is possible in that timeframe. If this is not possible, the refused TCN is allowed into the country by Immigration authorities. (Numbers of cases of non-executed refusals in 2023: 5, 2024: 6 2025: 2.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>In 2023 carriers were obliged to assume responsibility for the costs of stay of insufficiently documented passengers in 9 cases; in 2024 in 17 cases; and in 2025 (January–September) in 8 cases. Based on the question asked, only the cases in which costs of stay were charged have been included.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for</p>


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			<p>the period January - September]</p> <p>In 2023 carriers were obliged to return insufficiently documented passengers in 161 cases, in 2024 in 240 cases, and in 2025 (January–September) in 211 cases. For this question, the figures reflect the number of cases in which Dutch Repatriation and Departure Service requested the execution of a removal order for third-country nationals departing directly from border detention. The Dutch Repatriation and Departure Service has also issued requests for the execution of removal orders for third-country nationals who were no longer in border detention, but exact figures for these cases are not available at short notice.</p> <p>The above number only includes the figures related to cases handled by the Dutch Repatriation and Departure Service. The numbers from the Royal Netherlands Marechaussee cannot be easily extracted from the systems. It is estimated that the total number of cases over the past year was around 60.</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>If the carrier is unable to return a third-country national to the country to which the removal order applies, the carrier may choose to transport the individual to another third country instead.</p> <p>If this is not possible either, the Dutch Repatriation and Departure Service will organise the person's departure. This means that, if necessary, a travel document will be requested, a flight will be booked, and—where required—(medical) escorts will be arranged for the flight, including any foreign accommodation costs for the escorts. All costs (accommodation costs,</p>
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			<p>transport costs, escort costs, hotel costs and ticket costs) are subsequently recovered from the airline. In the period from 2023 to the present, this has concerned airlines only. In the past, costs have also occasionally been recovered from shipping companies.</p>
	<p>EMN NCP Portugal</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>According to Ordinance No. 464/2023, of 28 August, carriers that are responsible for re-embarking passengers without sufficient documentation and considered inadmissible in national territory, are charged a fee for accommodation in spaces equivalent to temporary accommodation centres. Thus, Portugal has the following numbers of cases in which these accommodation costs have been imposed: 2023 - 1526 2024 - 1719 2025 - 1645 (between January and September).</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>The cases in which carriers were obliged to transport back passengers with insufficient documentation are the same as those reported in Q1:</p>


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			<p>2023 – 1526 2024 – 1719 2025 – 1645 (between January and September).</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>Portugal has no recorded cases of carriers failing to ensure the return of a national from a third country whose entry has been refused.</p>
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>There were no such cases in the Slovak Republic between 2023 and September 2025.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>2023</p>

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			<p>2024 2025 2 2 5</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>There were no such cases in the Slovak Republic.</p>
	<p>EMN NCP Slovenia</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>There were none at the sea borders. At the air borders, the numbers are the following: 2023 - 2 cases 2024 - 2 cases 2025 - 0</p>


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			<p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>There were no cases at the sea borders. At the air borders, the numbers are the following: 2023 - 81 cases 2024 - 105 cases 2025 - 91 cases</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p> <p>None. In all the cases, the air carriers managed to return all refused passengers.</p>
	<p>EMN NCP Spain</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>According to the Central Border Unit (air and sea), whenever there is a refusal of entry or</p>

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			<p>inadmissibility at the border for lack of sufficient documentation, irresponsible cause of the transport company, although this rejected person will be housed in an existing Inadmitted Room for that purpose until the return on the next ship to its origin, which usually does not take long in time, the shipping company itself always takes care of the expenses caused by maintenance and private surveillance; on the other hand it is proposed for sanction to this carrier company.</p> <p>In the few external land borders that Spain has, there is no inadmissibility at the border. At the air borders, the transport company is responsible for the expenses of stay at the airport facilities.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>According to UCF-CEFRONT in principle in all cases, unless entry is exceptionally authorised or an application for international protection is declared admissible. The REFUSALS for those years are the following: YEAR 2023: 7322 YEAR 2024: 6462 YEAR 2025: 9452 (to this day)</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators).</p>
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			<p>According to the Central Border Unit, at sea and land borders, the cases indicated have not occurred.</p> <p>At the air borders, if there are any cases in which the passenger subject to refusal of entry is not returned in a timely manner on the first available flight, he or she is relocated on the next flight, without exception, at the expense of the airline.</p>
	<p>EMN NCP Sweden</p>	<p>Yes</p>	<p>1. Q1-Q3 refer to Article 26(1)(a) CISA in conjunction with Article 3 of Directive 2001/51. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to assume responsibility for the costs of stay of insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>To our knowledge, the Migration Agency did not oblige carriers to assume responsibility for costs of stay.</p> <p>2. In how many cases (in years 2023, 2024 and 2025*) did you oblige carriers to transport back (return) insufficiently documented passengers? [* Year 2025 - please provide data for the period January - September]</p> <p>N/A</p> <p>3. If the carrier was unable to ensure the return of the refused third-country national, what type of specific measures were applied by your national authorities? In your answer, please also include information on a) Immediate onward transportation by other carriers; b) Costs of</p>

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			stay and return and to whom are they applicable. Please provide data divided by type of operator (air carriers, maritime operators, coach operators, train operators). N/A
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