

## **Ombudsman institutions and the Migration Pact: keeping a watchful eye**

The European Pact on Migration and Asylum ('Migration Pact') officially takes full effect on 12 June 2026. This has prompted ombudsmen from the *IOI European Region*<sup>1</sup> to convene and discuss the consequences of this pact for the rights of asylum seekers and their children. In this paper, we first look at the pact within the context of 75 years of refugee protections. We then address the importance of cooperation between ombudsmen in Europe. This is followed by an overview of the results from the study conducted by the National Ombudsman and the Ombudsman for Children on the consequences of the Migration Pact as it comes into effect in the Netherlands. Accompanying that research overview, we will describe the topics that will be closely monitored by the National Ombudsman and the Ombudsman for Children in the upcoming period.

### **The Migration Pact: solidarity and harmonisation?**

This year not only signals the start of the Migration Pact, but also marks the 75th anniversary of the United Nations Convention relating to the Status of Refugees (often referred to as the 1951 Refugee Convention, or the Geneva Convention). The preamble to the 1951 Refugee Convention emphasises that the fundamental rights and freedoms of refugees must be assured. Even then, it was also already acknowledged that certain countries may bear "unduly heavy burdens" and that international solidarity is necessary.

In 1948, when the Universal Declaration of Human Rights (UDHR) was being drafted by the United Nations, the right to asylum was formulated as one of the fundamental human rights. Article 14(1) of the UDHR states that every person has the *right* to seek asylum from persecution in other countries and to enjoy such asylum. This right is expressed in more concrete terms in the 1951 Refugee Convention. The core principle of this legal document is the prohibition of "refoulement": a refugee may not be sent back to a country where there is a serious risk to his or her life or freedom. The right to seek asylum and the prohibition of refoulement were later also embedded in the Charter of Fundamental Rights of the European Union.

Even in 1951, people were discussing the necessity of solidarity between nations to offer a solution to countries that were disproportionately affected by the resulting burdens. In the 75 years since then, however, efforts to distribute those burdens effectively and fairly between countries and to do justice to the protection of refugees have not succeeded. Countries on the outer borders of the European Union (EU) bear the heaviest burdens and solidarity is hardly in evidence. Far too often, each country is left to its own devices, attempting to devise the strictest possible asylum laws so refugees will 'choose' a different destination. Added to this, the discussion on the durability and scope of the 1951 Refugee Convention has been ongoing since it first took effect.

And now there is the European Migration Pact, intended to gain control of migration within the EU through solidarity and harmonisation. The guiding principles of solidarity and harmonisation should be interpreted on the basis of the shared values laid down in, for example, the EU Charter of Fundamental Rights. The reality is that these principles are already under pressure when the Migration Pact takes effect and member states are once again embroiled in a race to the bottom. Harmonisation

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<sup>1</sup> The IOI is a global organisation comprising representatives from over 200 independent ombuds institutions from more than 100 countries worldwide. The IOI members from the European Region come from EU member states and from European countries that are not EU members. Since migration and the Migration Pact can also have an impact on European countries that are not members of the European Union, ombuds institutions from these countries have also been invited to attend the meeting in June 2026.

is nowhere in sight. For example, the right to seek asylum is under serious pressure in a number of EU member states. The right to reception cannot be taken for granted in all jurisdictions, either. Solidarity seems equally far-fetched, now that many countries are choosing not to take on asylum applicants from countries that receive many applications, but instead to 'buy off' their relocation obligations. That option is provided in the Migration Pact as a form of solidarity, but the result is that the heaviest burdens will remain with the countries that see the highest numbers of asylum seekers coming into the EU. Moreover, many countries are introducing stringent national laws and regulations on seeking asylum, hoping to be the least attractive country of destination.

Since these rights of asylum seekers and their children are potentially in jeopardy, it is vitally important for ombudsmen to adopt a united front and to reinforce each other's efforts wherever possible.

## **Cooperation between ombudsmen within the IOI European Region**

Many ombudsmen in the EU, including children's ombudsmen, are closely following the developments surrounding the Migration Pact and what its implementation will mean for the rights of asylum seekers. Cooperation with other ombuds institutions, within the EU and along its borders, is therefore exceptionally valuable. One of the goals is to monitor developments that affect the rights of asylum seekers and their children. One such development is the mandatory border procedure. The border procedure is not a new concept in the Netherlands, but it is new to many other member states.<sup>2</sup> An important question here is how the member states on the southern and eastern flanks of the EU will structure this border procedure. Will asylum seekers be held in detention centres in large numbers while their asylum application is being processed and during the returns procedure?

As regional president for the European Region of the International Ombudsman Institute (IOI), the National Ombudsman organised four meetings for ombudsman institutions, and delegates from those offices, in the period leading up to when the Migration Pact takes effect. We talked about the elements of the Migration Pact that may potentially affect the rights of asylum seekers. Reception and the border procedure, welfare assistance and legal counselling, the position of children, the situation at the outer borders of the EU and the independent monitoring mechanism were addressed during these talks. The first meeting was in Brussels, the second online as a follow-up, while the third was a meeting with the Greek ombudsman. In April 2026, the National Ombudsman organised a meeting with the Estonian ombudsman in Tallinn. On that occasion, we discussed the migration situation in the region with ombuds institutions from Latvia, Lithuania, Finland and Poland.

In June 2026, on the eve of the Migration Pact's entry into effect, the National Ombudsman will organise a further IOI meeting. We will be sitting down with other ombuds institutions in EU member states and adjacent countries to discuss various topics arising from the Migration Pact and the role of ombuds institutions. This meeting also kicks off a working group within the IOI European Region, in which migration in a broader sense is a topic of discussion and exchange on a regular basis.

## **The Dutch context: investigation by the National Ombudsman and the Ombudsman for Children**

We know, in part through contact with ombuds institutions from other EU member states, that there are major differences in migration situations in various member states (for example, countries on the outer borders, compared to destination or transit countries). Some problems and perspectives are comparable, while some are completely different. Despite the envisioned harmonisation, the differences in the actual situation in each member state will persist, even after the Migration Pact takes effect. In order to achieve a clear understanding of the consequences of the Migration Pact in the Netherlands, the National Ombudsman and the Ombudsman for Children have identified their concerns and focal areas. The following section outlines the topics that we will be monitoring closely in the upcoming period.

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<sup>2</sup> See study by the European Migration Network, 12 February 2026, showing that half of the EU member states have a border procedure, but that there are significant differences in implementation between them. [Migratiepact verplicht grensprocedure: helft EU-lidstaten heeft er een, maar verschillen zijn groot | EMN Nederland - European Migration Network Netherlands](#) (Migration Pact mandates border procedure: half of EU member states have one, but differences are huge).

## What does the Migration Pact mean for people who apply for asylum in the Netherlands?

The Government emphasised during the implementation that the Netherlands aims to be ranked among the countries with the strictest rules in the EU, and that a strict interpretation of EU rules will therefore consistently be chosen.<sup>3</sup> As we approach the end of the implementation period, it is now becoming clear which choices have been made on most points.<sup>4</sup>

The National Ombudsman and the Ombudsman for Children have identified potential consequences, risks and bottlenecks of the Migration Pact in the Netherlands. We monitored the pact's implementation and talked to organisations that were involved from the public sector, civil society and scientific research. Many other parties expressed their concerns, each from their own perspective. These concerns were familiar to the National Ombudsman and the Ombudsman for Children, and extended beyond the substantive policy choices to include also the feasibility of the policies. For example, the Immigration and Naturalisation Service (IND) indicated that its feasibility depends on a number of limiting conditions. The Council of State warned that specific national choices and their immediate implementation are not compellingly mandated by the Migration Pact, but do lead to additional implementation burdens.<sup>5</sup> The Advisory Council on Migration also called for a provisional postponement of measures that are not mandatory under the pact, in order to avoid even more pressure on the implementing organisations.<sup>6</sup> It was well warranted that the National Ombudsman joined with the Council of State and the Netherlands Court of Audit to advocate for a realistic government that makes effective and feasible policies and involves front-end implementing organisations in policy-making.<sup>7</sup>

In this paper, the National Ombudsman and the Ombudsman for Children outline the topics that they consider concerning. We will continue monitoring these topics after implementation of the Migration Pact. We will do so by addressing complaints, but also by proactively tracking and examining developments and initiating investigations or other actions as needed. In that context, we will also be talking to the adults and children that are affected. We will also be taking joint action with other European ombudsmen wherever possible.

Finally, it is important to note that the National Ombudsman and the Ombudsman for Children have opted not to be part of the supervisory mechanism that is intended to monitor the screening process and the border procedure.<sup>8</sup> Even without participation in this mechanism, ombudsmen can monitor the relevant organisations, from the vantage point of their own mandate and independent position.

## The consequences of the Migration Pact in the Netherlands

This section focuses on the topics that have our specific attention: reception conditions for asylum seekers, support (legal assistance) and the position of children. We also briefly touch on developments regarding the Return Border Procedure Regulation.

The National Ombudsman and the Ombudsman for Children also want to highlight another implication of the Migration Pact as it comes into effect. The IND announced that it would be reaching decisions

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<sup>3</sup> See, for example, the letter from the Minister for Asylum and Migration of 6 December 2024, 32 317 no. 908: *"Where the regulations still leave room for national choices, or with a view to further definition of the rules, the Government opts for a stringent interpretation of the Union rules. As set out in the government programme, it is the aim of the Government that the Netherlands be systematically ranked in the category of member states with the strictest admission rules in the EU, and the asylum procedures will be shortened and scaled back to the European minimum."*

<sup>4</sup> The description of the topics and developments includes relevant information as it was known on 27 May 2026. Any developments that occurred after that date have not been included in this position paper.

<sup>5</sup> See the letter from the IND to the Minister(s) for Asylum and Migration on 23 January 2026 on the IND's feasibility analysis for the pact, [Afschrift Brief Analyse uitvoerbaarheid Asiel- en Migratiepact IND | Brief | Rijksoverheid.nl](#), and the advisory opinion of the Council of State of 27 October 2025 regarding the legislation implementing the pact in the Netherlands, [Advies over de Uitvoerings- en implementatiewet Asiel- en migratiepact 2026 | Raad van State](#).

<sup>6</sup> See the advisory opinion of 25 June 2025 from the Advisory Council on the legislation implementing the Asylum and Migration Pact in the Netherlands: [Advies over uitvoerings- en implementatiewet Asiel- en Migratiepact | Adviesraad Migratie](#).

<sup>7</sup> See the joint appeal for realistic government issued by the Netherlands Court of Audit, the National Ombudsman and the Council of State in January 2026: [Nationale Ombudsman, Raad van State en Algemene Rekenkamer roepen op tot een realistische overheid | Nationale ombudsman](#)

<sup>8</sup> The independent supervisory mechanism for the screening process and the border procedure, as laid out in the Screening Regulation.

regarding new asylum applications within the set time limits as of June 2026.<sup>9</sup> Achieving this will take up a significant amount of IND staffing capacity. Although the IND will also reserve some capacity for deciding on applications that were submitted before the Migration Pact took effect, this choice may mean that waiting times for people in this group grow even longer. This applies to people who have often been here for extended periods – sometimes for years – while waiting for their asylum application to be processed. This is a harrowing time for them, and has negative impacts on their mental and physical health.<sup>10</sup> Moreover, children increasingly put down roots here. The ombudsmen believe that these people should not be detrimentally affected by the new approach. Proper governance means finding an appropriate solution for them.

### **Higher standards for reception conditions, but actual practice falls short**

One positive aspect is that reception centres for asylum seekers will have to meet higher standards of quality.<sup>11</sup> According to the new Reception Conditions Directive, the EU member states must ensure a “dignified standard of living”. This means a stronger focus on vulnerable groups and on care in reception centres. It also means that asylum seekers are permitted to work earlier on, and that they can participate in society from day one. Moreover, children are entitled to education within two months, rather than the current three months.

The National Ombudsman and the Ombudsman for Children sincerely hope that this regulatory framework will lead to the sorely needed improvements. In recent years, we have repeatedly highlighted the situation in reception centres for asylum seekers, and remain seriously concerned about this issue.<sup>12</sup> Conditions in reception centres for asylum seekers are deteriorating, including for families with minor children and unaccompanied minor asylum seekers.<sup>13</sup> Even now, asylum seekers are still often living in emergency shelters that do not comply with the framework of human rights and children’s rights set out in the report on moving beyond the crisis, a research report by the ombudsmen on the situation of families in emergency shelters.<sup>14</sup> In early May 2026, it became clear that the number of children in emergency shelters has increased threefold since 2022, to roughly 7,000.<sup>15</sup> Despite promises to prevent it whenever possible, children also have to relocate constantly, thus experiencing discontinuity in education, care and contact with friends in the same age group.

According to the rules of the Migration Pact, reception for asylum seekers as described in the new Reception Conditions Directive, which meets higher standards of quality, is not available to people who travelled on from a different EU country, known as ‘Dublin claimants’.<sup>16</sup> After the transfer decision and the expiration of their right to reception within the meaning of the Reception Conditions Directive, they only have to be offered a minimal standard of living (‘bed-bath-bread’). In actual practice in the Netherlands, this means that these asylum seekers are only entitled to shelter in a ‘Dublin shelter location’ that offers a minimal standard of living. It is not yet entirely clear what this ‘austere shelter’ will look like. It is similarly unclear whether and to what extent the freedoms of this group of asylum seekers will be restricted. This, too, warrants close monitoring of the situation in reception centres by the National Ombudsman and the Ombudsman for Children.

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<sup>9</sup> IND letter of 23 January 2026 to the Minister(s) for Asylum and Migration.

<sup>10</sup> See study by the Dutch Council for Refugees on the consequences of waiting times in the asylum procedure, September 2025, [Rapport wachttijden Sept2025 V12 compressed.pdf](#)

<sup>11</sup> The guidelines of the European Union Agency for Asylum (EUAA) will be playing a more significant role in the quality criteria for reception.

<sup>12</sup> Report (June 2023, untranslated) following an investigation of living conditions for families in crisis shelters, [De crisis voorbij](#) (Moving beyond the crisis), and the press release on the Dispersal Act of 11 January 2024: [Doorbreek impasse in onbehoorlijk bestuur en maak einde aan onwaardige situatie noodopvang | Nationale ombudsman](#) (Break through impasse in improper governance and put an end to undignified situation in emergency shelters)

<sup>13</sup> See also the news item on the Children’s Ombudsman expressing concerns about children in reception centres for asylum seekers [Kinderombudsman uit zorgen over kinderen in asielopvang | De Kinderombudsman](#)

<sup>14</sup> See: [20250139-mensen-en-kinderrechtelijk-normenkader-opvang.pdf](#)

<sup>15</sup> See news item of 6 May 2026: [Aantal kinderen in noodopvang in vier jaar verdrievoudigd: 'We meten met twee maten'](#) (Number of children in emergency shelters tripled in four years: ‘We apply double standards’)

<sup>16</sup> Article 21 of the Reception Conditions Directive states that applicants are excluded from the rights under Articles 17 through 20 if another member state is responsible for processing their asylum application on the basis of the Asylum and Migration Management Regulation (AMMR).

## Less support for asylum seekers leads to less careful procedures

Simultaneously with the implementation of the Migration Pact, the Dutch government has opted to make changes in the asylum procedure. This includes the discontinuation of the ‘application hearing’, the rest and preparation time, the intention letter, the perspective statement and the right to free legal counselling prior to the hearing.<sup>17</sup> The Government expects that these measures will lead to faster decision-making and states that a balance has been found “*between the importance of a careful and efficient asylum procedure, on the one hand, and austerity in the national interpretation down to the European minimum, on the other*”<sup>18</sup>.

The institutions and organisations involved here<sup>19</sup> note that the Migration Pact does not require these changes. They warn that these changes in the procedure will lead to less effective guidance for asylum seekers during the procedure, whereas key corrective mechanisms such as the intention letter and the perspective statement have been removed.<sup>20</sup> Various parties note that the Dutch choices are in opposition to the advisory report by the Van Zwol committee, which advised retaining free legal counselling and impartial provision of information from the outset of the procedure.<sup>21</sup> This committee advocated ensuring that initial decisions on asylum applications receive due consideration and include all relevant reasons for the asylum application, in order to prevent delays in later procedures. The Legal Aid Board (RVR) also expects the Dutch choices to lead to a substantial increase in the burden of work on the justice system. The discontinuation of the intention letter, among other things, is expected to lead to an increase in the number of formal appeals, the duration of appeal proceedings and the number of appeals that are declared to be well-founded.

In addition to this downscaled procedure, the IND will then also be responsible for providing information to asylum seekers in the application stage (legal counselling).<sup>22</sup> According to the Procedure Regulation, such counselling provides explanation and guidance during the procedure, including information about the rights and obligations that asylum seekers have. A member state may determine in its own national legislation how counselling is provided and by whom.<sup>23</sup> The Government has opted to assign this task to IND employees. To fulfil the requirements for independence<sup>24</sup>, these tasks are completely separate from the tasks of IND employees that hold hearings and decide on asylum applications. However, legal counselling by IND employees specifically focused on the steps in the procedure, and possibly also provided in a group setting, is a limited definition of the concept of counselling. The lack of proper and individual preparation could cause asylum seekers to be unaware of which parts of their story are relevant to the IND. Similarly, they may be reticent to discuss sensitive matters, with the result that their statements are incomplete.<sup>25</sup> This is a real and valid risk, especially if the legal counselling consists solely of information provided in a group setting. Moreover, as an implementing organisation, the IND already faces massive challenges. Significant backlogs need to be

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<sup>17</sup> The right to legal counselling free of charge will still be maintained in the appeal, border, Dublin and reception procedures.

<sup>18</sup> See memorandum regarding report of 13 March 2026 (ref. 36 871 no. 6).

<sup>19</sup> Council of State, Advisory Council on Migration, Netherlands Institute for Human Rights, Dutch Council for Refugees, and others.

<sup>20</sup> The Advisory Council on Migration recommended maintaining legal counselling by lawyers in the administrative stage of the asylum procedure. See the advisory report on the legislation implementing the Asylum and Migration Pact (25 June 2025).

<sup>21</sup> Report by the investigative committee on extended stays by foreign nationals without sustainable right of residence, [Van Zwol Committee](#).

<sup>22</sup> See the letter from the minister to the speaker of the House of Representatives of 29 September 2025 on defining legal counselling and legal aid: [Kamerbrief over invulling van juridische counseling en rechtsbijstand Asiel en Migratiepact | Parliamentary Papers | Rijksoverheid.nl](#).

<sup>23</sup> See also the guidelines made available by the European Union Agency for Asylum (EUAA), [Practical Guide on Free Legal Counselling - Organisation of the provision of free legal counselling](#). These guidelines are not binding, but they do provide practical and widely supported recommendations to support national implementation of the EU Asylum and Migration Pact.

<sup>24</sup> See also EUAA Directive, [Practical Guide on Free Legal Counselling - Organisation of the provision of free legal counselling](#), especially section 4.2.3. Independence, absence of conflict of interest and confidentiality. It includes the following: “*Applicants should trust that the information they discuss with the legal counsellor will not be shared further with the bodies responsible for the registration, lodging and/or decision-making process or with any other third party. Uncertainty in this respect may affect the applicant’s confidence in the legal counselling process and lead them to refraining from asking the questions that are on their mind or refraining from sharing openly with the legal counsellor the concerns they may have.*”

<sup>25</sup> See also EUAA Directive, 1.2.2: “*The more specific and tailored to the applicant’s profile the legal counselling is, the more likely it is that the applicant will understand what is relevant in their particular situation. This will guide them to take the appropriate steps to provide pertinent information and evidence in a timely manner to the competent authority*”. On this matter, see also the commentary by the Meijers committee on the proposed legislation for implementation of the pact: [CM2603-CM-pactimplementatie.pdf](#)

resolved, while the implementation of the Migration Pact adds various additional tasks. Here, too, choices are being made that do not contribute to a procedure that is conducted with all due care.

Despite all the advisory opinions, the Government stands by the choices it has made. Advisory opinions were provided by such bodies as the Council of State, the Advisory Council on Migration, the Legal Aid Board, relevant implementing organisations and NGOs, based on their knowledge and experience. They warn that there is a growing risk of inaccuracies and carelessness in the decision-making process. The Government's attitude is in no way reassuring to the ombudsmen. The Government accepts that the choices it has made are expected to lead to less careful decision-making and that there is an increased risk of errors occurring. As a 'kind of safety net', an additional screening will be introduced to reverse or withdraw faulty decisions before they get to court.<sup>26</sup> This indicates anticipation of errors, rather than a procedure that applies all due care.

### **The position of children in the Migration Pact: putting the child's interests first?**

The various regulations and the reformed Reception Directive emphasise the interests of children and the duty of member states to put those interests first in their considerations. This is an independent position, since children's rights apply to all children in the Netherlands. Children in the asylum procedure also have a right to develop in safety, as well as the right to protection, care, education, play and recreation. It is concerning and a missed opportunity that the interests of children have not been developed in more detail in Dutch laws and regulations.<sup>27</sup> The Ombudsman for Children emphasises that the interests of children must be defined pursuant to Article 3 of the International Convention on the Rights of the Child (UNCRC), as well as Article 24 of the EU Charter. The lack of further definition or a concrete assessment framework for considering the interests of children, as well as the failure to implement a Child Rights Impact Assessment<sup>28</sup>, is in line with a long-standing tradition of reticence in providing sufficient safeguards for children's rights in immigration law.

Besides this general point of concern, the ombudsmen have several specific focal areas regarding the children who will later be affected by the Migration Pact.

In the implementation plans, it was initially decided to hold families with children applying for asylum in detention at the outer border. Many parties expressed their considerable concerns about this, concerns which are shared by the ombudsmen. It has now become clear that the minister plans to continue applying the current policy: families with children that apply for asylum at the border will in principle be sent on to Ter Apel to start their asylum procedure there. In exceptional cases, the border procedure can be applied, for example if there are doubts about the family ties, if there are indications of human trafficking, or if there is any danger to public order or national security. In that case, families with children can be detained in the Secure Family Facility at the detention centre in Zeist. The minister has stated that the situation at the border and the developments in national and European jurisprudence will be monitored so that they can be taken into account in applying this part of the regulatory framework.<sup>29</sup> This means that detention of children in response to an asylum application at the border is in certain cases still possible. Moreover, it is not beyond the realm of possibility that this policy will be changed again in future, causing more frequent detention at the border of families with children.

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<sup>26</sup> See also the IND report of March 2026, 'De nieuwe asielprocedure van 2026: van ontvangst tot definitief asielbesluit. Een verkenning van de asielprocedure onder het Asiel- en Migratiepact' (The new asylum procedure in 2026: from reception to definitive asylum decision. An exploratory study on the asylum procedure under the Asylum and Migration Pact) [rapportverkenningnieuweasielproceduremaart2026.pdf](#). It includes the following: "Secondly, the discontinuation of the intention procedure eliminates a reassessment moment for the IND, in which any errors or omissions within the organisation could be resolved in the decision-making stage."

<sup>27</sup> The Advisory Council on Migration recommended giving this concept a more prominent place in laws, regulations and policies, and including an assessment framework in lower regulatory levels. See the advisory report on the legislation implementing the Asylum and Migration Pact (25 June 2025).

<sup>28</sup> The Ombudsman for Children developed the Child Rights Impact Assessment (CRIA) as a tool for prioritising children's rights in developing laws, regulations and policies. See [www.kinderrechtentoets.nl](http://www.kinderrechtentoets.nl).

<sup>29</sup> Legislative consultation of 23 March 2026, [Wijziging van de Vreemdelingenwet 2000 en enkele andere wetten in verband met de uitvoering en implementatie van het EU-Asiel- en migratiepact 2026 \(Uitvoerings- en implementatiewet Asiel- en migratiepact 2026\) | House of Representatives of the Netherlands](#) (amendment of the Aliens Act 2000 and several other acts related to implementation of the EU Asylum and Migration Pact)

The ombudsmen note that the Reception Conditions Directive states that detention of children is only permitted if it is in their own interest and if there are no alternatives. Detaining children for weeks or months based on the fact that their parents applied for asylum at the outer border is in conflict with the safeguards provided by the UNCRC. The implementation process also shows that there has been no serious and careful exploration of whether there are alternatives to such detention. In our opinion, this warrants continuing to keep a critical eye on this issue.

Finally, the Migration Pact contains procedural steps in which the interests of children must be taken into account. There is very little clarity on what the actual definition and implementation of these steps will look like. For example, it includes the requirement to conduct a child-friendly and age-appropriate screening, adopt a multidisciplinary structure for age assessment and hold hearings for children in the asylum procedure. The pact also offers more extensive options for transferring unaccompanied minors to other member states (in the context of the new 'Dublin rules'), although that involves rapid, short-term assessment of whether transfer is in the interests of the child. The IND will conduct this assessment, based in part on information from Nidos. It is important for this to take place with all due care.

### **Uncharted territory in the final piece of the Migration Pact: return hubs in third countries**

The proposed Return Regulation is the final piece of the Migration Pact. This regulation aims to make the returns process in EU member states simpler and more efficient. The proposed regulation is still being negotiated. Although the exact contents and details are not yet clear, the ombudsmen would like to specifically mention the regulation here. Among other things, the new rules mean that people who have to leave the EU (such as refugees who have exhausted all remedies) can be deported to 'return hubs' in third countries. This may also be applied to families with children. Along with their counterparts in other member states, the National Ombudsman and the Ombudsman for Children will be monitoring these developments particularly closely. Relevant questions include how supervision in third countries is structured and what role ombudsmen play in that context.

### **What comes next: in Europe and in the Netherlands**

The Migration Pact is on the verge of entering into effect. The next few years will show how this affects asylum seekers and their children. It is not yet clear how the plans will take shape in actual practice, in the Netherlands as well as across the EU. This issue is constantly in flux and dominates the debate in politics and society. The situation is far from calm, and the Migration Pact is unlikely to change that. There is therefore every reason for ombudsmen to remain vigilant and active.

At the European level, we will establish a working group in the IOI European Region to continue promoting exchange and cooperation in the context of migration.

In the Netherlands, after the Migration Pact takes effect, we will continue to closely monitor the following topics: the situation in reception centres, support during the asylum procedure, the position of children (such as possible detention of children and multidisciplinary age assessment) and the developments regarding the Return Directive and return hubs. In that context, the guiding principle will always be human rights and children's rights.