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REGULATORY SCRUTINY BOARD OPINION

Impact assessment / Digitalisation of case management in the area of return, readmission and reintegration

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EUROPEAN COMMISSION
REGULATORY SCRUTINY BOARD

Brussels,
RSB

Opinion

Title: Impact assessment / Digitalisation of case management in the area of return, readmission and reintegration

Overall opinion: POSITIVE WITH RESERVATIONS

(A) Policy context

The Pact on Migration and Asylum calls for making full use of the potential of digital systems for more efficient procedures in the field of migration, including for return, readmission and reintegration. The initiative aims to digitalise case management for the returns, readmissions and reintegration of non-EU nationals staying illegally in the European Union. It forms part of the development of a new common approach on returns established under the Return proposal and features in Annex I of CWP 2026.

(B) Key issues

The Board notes the additional information provided and commitments to make changes to the report.

However, the report still contains significant shortcomings. The Board gives a positive opinion with reservations because it expects the lead Service to rectify the following aspects:

(1) The report does not identify the problems in a way which is sufficiently precise. In particular, it is not clear which problem drivers are directly linked to the lack of integrated digitalisation within the EU of the return, readmission and reintegration processes (hereafter 'RRR').

(2) The report does not present a complete baseline and does not describe all options in sufficient details. It does not explain well the implementation of the Communication Portal and the measures on cyber-security and data protection.

(3) The impacts of the options, in particular of the costs and benefits, are not sufficiently assessed.

This opinion concerns a draft impact assessment which may differ from the final version.

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(C) What to improve

(1) The report should better identify the problems linked to the lack of integration of digital management systems of RRR. The report should improve the description of the problems, and their drivers that stem from the lack of integrated IT systems between the key actors (Agencies, in particular Frontex and eu-LISA, member states, Commisson and third countries (TC) wherever relevant), using available evidence. The report should substantiate with evidence what statistics are not currently available but are considered essential, outlining clearly whether this lack of availability is linked to the lack of integrated IT systems or to other legal or operational reasons.

(2) The baseline should encompass the effects of the Interoperability Regulation as well as the changes in SIS and SIRENE expected to apply shortly. The main report should describe the measures in sufficient details to allow for their assessment, particularly how data protection and cybersecurity concerns will be addressed, how the Communication Portal will operate . The report should elaborate on the precise tasks and responsibilities of key actors, notably Frontex and eu-LISA, across the policy options.

(3) The report should better assess the impacts of the proposed measures in the main report, including on fundamental rights, as well as unintended consequences. It should be clearer on the governance model envisaged for data protection.

(4) The report should enhance the assessment of costs and benefits, particularly in view of the fact that the development of new IT systems -at least in those MS that have none- will come at a cost. Although 'sunk costs' may be analysed, they should not directly affect the rating of efficiency. The report should better reflect the different timelines in the comparison of the various options. It should also analyse the impact of future updates and upgrades.

(5) The specific objectives should be better defined in line with SMART principles to allow for the possibility of monitoring progress and measuring success.

Some more technical comments have been sent directly to the author Service.

(D) Conclusion

The lead Service may proceed with the initiative.

The lead Service must revise the report and its executive summary in accordance with the Board's findings before launching the interservice consultation.

Full title	**Digitalisation of case management in the area of return, readmission and reintegration**
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