

From: LÓPEZ AGUILAR Juan Fernando
Sent: 29 January 2021 17:16
Subject: Outcome of Written Procedure
Attachments: FSWG draft comp rev 6.pdf

Dear Coordinators,
Dear Colleagues,

Please find below the outcome of the written procedure launched on Thursday, 28 January until Friday, 29 January:

1. Setting up a temporary or standing working group on Frontex to further investigate the serious allegations of pushbacks and the management concerns

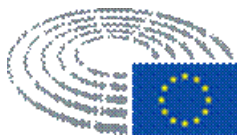
Decisions:

- A majority of Coordinators agreed to set up a standing Frontex Scrutiny Working Group (FSWG).
- A majority of Coordinators endorsed the attached draft mandate and composition.

Follow-up:

- Political Groups are invited to appoint two standing Members per political group by **5 February cob**
- Coordinators will be informed about the final composition of the FSWG
- The date for the FSWG's constitutive meeting will be shortly communicated to Coordinators

Best regards,



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LIBE Committee

Frontex Scrutiny Working Group (FSWG)

Draft mandate

Mandate

- Monitor all aspects of the functioning of Frontex, including its reinforced role and resources for integrated border management, the correct application of the EU acquis, and its execution of Regulations (EU) 2019/1896 and 656/2014, in particular on:
 - the compliance of the Agency with fundamental rights;
 - the Agency's internal management, including procedures for reporting and handling of complaints;
 - transparency and accountability of the Agency towards the European Parliament;
- Put forward recommendations in these areas.

Working methods and composition

- The FSWG may gather information, including by making requests to Frontex, and by inviting and requesting stakeholders. Meetings may be held to this effect, these should be public to the extent possible.
- A dedicated LIBE Secretariat staff person should be allocated solely to support the work of the FSWG. It should also be granted the necessary meeting facilities and interpretation.
- The Chair of the FSWG is nominated and elected at the constitutive meeting of the working group. The Chair of the FSWG will report back to LIBE at least every 4 months.
- The FSWG is constituted of two standing Members per political group.
- The FSWG shall be complementary to the work of the Schengen Scrutiny Working Group. The chair of the SSWG will be invited to the meetings of the FSWG.
- The discussions in the FSWG will not undermine or replace the right and the obligation of the LIBE Committee as a whole to discuss and treat these issues.

- Within the first four months of its existence, the FSWG should carry out a fact-finding investigation, gathering all relevant information and evidence regarding alleged violations of fundamental rights in which the Agency was involved, was aware of and/or did not act, internal management, procedures for reporting, and the handling of complaints. Bi-weekly meetings of the FSWG should be planned to that effect.
- Information from EU institutions, bodies and agencies, such as the Frontex Management Board, the European Ombudsman, the European Court of Auditors and OLAF, should be taken into account. In addition, the fact-finding investigation can draw on the work of and exchange with various sources and stakeholders, such as experts, journalists, Frontex staff, Member States authorities, civil society and researchers.
- The FSWG shall present its findings in a written report with conclusions and concrete recommendations. Any findings of breaches of fundamental rights will be elaborated in a resolution.
- During these first four months of its existence, there shall be regular exchanges of views in LIBE where all LIBE members could exchange with key stakeholders. The FSWG should report about the fact-finding investigation to the LIBE Committee every month.