



**2014/2215(INI)**

11.11.2015

# **AMENDMENTS**

## **1 - 200**

**Draft report**  
**Roberta Metsola, Ska Keller**  
(PE569.466v01-00)

Special report of the European Ombudsman in own-initiative inquiry  
OI/5/2012/BEH-MHZ concerning Frontex  
(2014/2215(INI))



**Amendment 1**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**

**Citation 2**

*Motion for a resolution*

— having regard to Articles 67(1), 72 **and 228** of the Treaty on the Functioning of the European Union,

*Amendment*

— having regard to Articles 67(1), 72, **228 and 263** of the Treaty on the Functioning of the European Union,

Or. en

**Amendment 2**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**

**Citation 3**

*Motion for a resolution*

— having regard to the Charter of Fundamental Rights of the European Union, in particular Article 41 **thereof**,

*Amendment*

— having regard to the Charter of Fundamental Rights of the European Union, in particular Article 41 (**Right to good administration**) and Article 47 (**Right to an effective remedy and to a fair trial**)

Or. en

**Amendment 3**

**Edouard Martin, Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume, Jude Kirton-Darling**

**Motion for a resolution**

**Citation 6 a (new)**

*Motion for a resolution*

*Amendment*

- - **Having regard to regulation (EU) of the European Parliament and of the Council of 25 October 2011 amending**

***Council Regulation (EC) No 2007/2004  
establishing a European Agency for the  
Management of Operational Cooperation  
at the External Borders of the Member  
States of the European Union***

Or. en

**Amendment 4**

**Angelika Mlinar, Yana Toom, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa  
Ruiz**

**Motion for a resolution**

**Citation 7 a (new)**

*Motion for a resolution*

*Amendment*

***- having regard to the Communication  
COM(2015) 453 final, from the  
Commission to the European Parliament  
and to the Council, EU Action Plan on  
return;***

Or. en

**Amendment 5**

**Angelika Mlinar, Yana Toom, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa  
Ruiz**

**Motion for a resolution**

**Citation 7 b (new)**

*Motion for a resolution*

*Amendment*

***- having regard to Frontex code of  
conduct for joint return operations  
coordinated by frontex;***

Or. en

**Amendment 6**

**Carlos Coelho**

**Motion for a resolution**

**Citation 7 a (new)**

*Motion for a resolution*

*Amendment*

**- Having regard to Regulation (EU) No 656/2014 of the European Parliament and of the Council of May 2014 establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, r joint return operations coordinated by frontex;**

Or. en

**Amendment 7**

**Miriam Dalli, Miltiadis Kyrkos, Juan Fernando López Aguilar, Péter Niedermüller**

**Motion for a resolution**

**Citation 8 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the European Council Conclusions of 15 October 2015 in particular Point 2.(n)**

Or. en

**Amendment 8**

**Kostadinka Kuneva**

**Motion for a resolution**

**Citation 9 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to 1951 Geneva UN Convention relating to the Status of Refugees and the 1967 New York Protocol relating to the Status of Refugees**

**Amendment 9**

**Barbara Spinelli, Marie-Christine Vergiat, Kostas Chrysogonos**

**Motion for a resolution**

**Citation 11 a (new)**

*Motion for a resolution*

*Amendment*

*- having regard to Frontex code of conduct for joint return operations coordinated by frontex;*

Or. en

**Amendment 10**

**Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva**

**Motion for a resolution**

**Recital A**

*Motion for a resolution*

*Amendment*

A. whereas Regulation (EU) No 1168/2011 of the European Parliament and of the Council of 25 October 2011 amending Council Regulation (EC) No 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (hereinafter the Frontex regulation) requires that the Agency ensures full respect for fundamental rights and for the rights of refugees and asylum seekers;

A. whereas Regulation (EU) No 1168/2011 of the European Parliament and of the Council of 25 October 2011 amending Council Regulation (EC) No 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (hereinafter the Frontex regulation) requires that the Agency ensures full respect for fundamental rights and for the rights of *migrants*, refugees and asylum seekers;

Or. en

**Amendment 11**

**Marina Albiol Guzmán, Malin Björk, Kostas Chrysogonos, Barbara Spinelli, Kostadinka Kuneva**

**Motion for a resolution**  
**Recital A a (new)**

*Motion for a resolution*

*Amendment*

*A a. whereas different NGOs and international organizations have denounced fundamental rights violations and systematic breach of other international legislation, such as the principle of non-refoulement and the principles regarding asylum laid down in the Geneva Conventions, during Frontex operations;*

Or. en

**Amendment 12**  
**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**  
**Recital A a (new)**

*Motion for a resolution*

*Amendment*

*A a. whereas Frontex as any other EU institution, body, office or agency in its activity, has to comply with the Charter of Fundamental Rights and whereas this obligation finds its translation in Article 263 TFEU according to which "acts setting up bodies, offices and agencies of the Union may lay down specific conditions and arrangements concerning actions brought by natural or legal persons against acts of these bodies, offices or agencies intended to produce legal effects in relation to them";*

Or. en

**Amendment 13**  
**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**  
**Recital A b (new)**

*Motion for a resolution*

*Amendment*

***A b. Whereas Article 263 TFEU also provides that the Court of Justice of the European Union shall review the legality of acts of bodies, offices or agencies of the Union intended to produce legal effects vis-à-vis third parties.***

Or. en

**Amendment 14**  
**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**  
**Recital A c (new)**

*Motion for a resolution*

*Amendment*

***A c. whereas even today Frontex coordination activity cannot in practice be dissociated from the Member State activity done under its coordination so that also Frontex (and thereby the European Union through it) could have direct and indirect impact on individual's rights and trigger, at the very least the EU extra-contractual responsibility (see Court of Justice Judgement T-341/07 Sison III); whereas such responsibility cannot be avoided simply because of the existence of administrative arrangements with the Member States involved in a Frontex coordinated operation when such arrangements have an impact on one's fundamental right;***

Or. en

**Amendment 15**  
**Carlos Coelho**



**Motion for a resolution**  
**Recital A a (new)**

*Motion for a resolution*

*Amendment*

*A a. Whereas Regulation (EU) No 656/2014 of the European Parliament and of the Council of May 2014 establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, requires that when coordinating border surveillance operations at sea, the Agency should fulfil its tasks in full compliance with relevant Union law, including the Charter of Fundamental Rights of the European Union ('the Charter'), and relevant international law, in particular the United Nations Convention on the Law of the Sea, the International Convention for the Safety of Life at Sea, the International Convention on Maritime Search and Rescue, the United Nations Convention against Transnational Organized Crime and its Protocol against the Smuggling of Migrants by Land, Sea and Air, the United Nations Convention relating to the Status of Refugees, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights, the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Convention on the Rights of the Child and other relevant international instruments;*

Or. en

**Amendment 16**  
**Carlos Coelho**

**Motion for a resolution**  
**Recital A b (new)**

*Motion for a resolution*

*Amendment*

***A b. Whereas the Union shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe***

Or. en

**Amendment 17**  
**Marina Albiol Guzmán, Kostadinka Kuneva**

**Motion for a resolution**  
**Recital B a (new)**

*Motion for a resolution*

*Amendment*

***B a. whereas LGBTi and women migrants are particularly exposed to verbal, physical, and sexual violence, together with other human right violations, during their travels and at the borders, also by Frontex staff and Member State officials;***

Or. en

**Amendment 18**  
**Yana Toom, Angelika Mlinar**

**Motion for a resolution**  
**Recital B a (new)**

*Motion for a resolution*

*Amendment*

***B a. whereas under Article 5(a) of the Code of Conduct for All Persons Participating in Frontex Activities stresses that participants in Frontex activities shall, inter alia, promote the provision of information on rights and procedures to persons who are seeking international***

*protection;*

Or. en

**Amendment 19**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**

**Recital B a (new)**

*Motion for a resolution*

*Amendment*

***B a. Whereas Article 9 of Regulation 863/2007 provides that team members responsible for carrying out monitoring and surveillance activities at the external borders must comply with Community law and the national law of the host Member State.***

Or. en

**Amendment 20**

**Marina Albiol Guzmán, Kostas Chrysogonos, Barbara Spinelli Kostadinka Kuneva**

**Motion for a resolution**

**Recital C**

*Motion for a resolution*

*Amendment*

C. whereas in 2012 the European Ombudsman opened an own-initiative inquiry into the implementation by Frontex of its fundamental rights obligations;

C. whereas in 2012 the European Ombudsman opened an own-initiative inquiry into the implementation by Frontex of its fundamental rights obligations ***which showed Frontex was failing to respect fundamental rights;***

Or. en

**Amendment 21**

**Malin Björk, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**  
**Recital C a (new)**

*Motion for a resolution*

*Amendment*

***C a. whereas migrant women are especially exposed to violence, sexual abuse and other human rights violation during their travel and at the borders;***

Or. en

**Amendment 22**  
**Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**  
**Recital C b (new)**

*Motion for a resolution*

*Amendment*

***C b. whereas no single Frontex operation has been suspended, in whole or in part, by Frontex Executive Director, despite various reports made to the Fundamental Rights Officer of human rights violations which have allegedly occurred during Frontex operations;***

Or. en

**Amendment 23**  
**Marina Albiol Guzmán, Kostas Chrysogonos, Barbara Spinelli, Kostadinka Kuneva**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

*Amendment*

D. whereas the draft recommendations of the European Ombudsman include implementing an individual complaints mechanism;

D. whereas the draft recommendations of the European Ombudsman, ***which were ignored by the relevant authorities,*** include implementing an individual complaints mechanism;

## Amendment 24

Maite Pagazaurtundúa Ruiz

### Motion for a resolution

#### Recital G

##### *Motion for a resolution*

G. whereas Frontex is tasked to ensure the efficient implementation of the common rules on standards and procedures for the control and surveillance of the external borders, by means of closer coordination of operational cooperation between Member States;

##### *Amendment*

G. whereas Frontex is tasked to ensure the efficient implementation of the common rules on standards and procedures for the control and surveillance of the external borders, by means of closer coordination of operational cooperation between Member States; ***whereas the current situation has overwhelmed the regulation of Frontex and has exposed the weakness of the current framework regarding the incapacity to react; whereas there is an urgent need to revise the regulation of Frontex and its' competences amplified in order to properly fulfil the task it has been given;***

## Amendment 25

Christine Revault D'Allonnes Bonnefoy, Miriam Dalli, Sylvie Guillaume

### Motion for a resolution

#### Recital G

##### *Motion for a resolution*

G. whereas Frontex is tasked to ensure the efficient implementation of the common rules on standards and procedures for the control and surveillance of the external borders, by means of closer coordination of operational cooperation between Member States;

##### *Amendment*

G. whereas Frontex is tasked to ensure the efficient implementation of the common rules on standards and procedures for the control and surveillance of the external borders, by means of closer coordination of operational cooperation between Member States, ***and whereas these activities clearly have human rights implications which haven't been adequately tackled by***

**Amendment 26**

**Edouard Martin, Miriam Dalli, Jude Kirton-Darling**

**Motion for a resolution**

**Recital G**

*Motion for a resolution*

G. whereas Frontex is tasked to ensure the efficient implementation of the common rules on standards and procedures for the control and surveillance of the external borders, by means of closer coordination of operational cooperation between Member States;

*Amendment*

G. whereas Frontex is tasked to ensure the efficient implementation of the common rules on standards and procedures for the control and surveillance of the external borders ***with respect to fundamental rights***, by means of closer coordination of operational cooperation between Member States;

**Amendment 27**

**Christine Revault D'Allonnes Bonnefoy, Miriam Dalli, Edouard Martin, Sylvie Guillaume**

**Motion for a resolution**

**Recital G a (new)**

*Motion for a resolution*

***G a. whereas Frontex also builds operational cooperation with countries outside the EU as an integral part of its mission, in key areas such as information exchange, risk analysis, training, research and development, joint operations (including joint return operations) and pilot projects;***

*Amendment*

**Amendment 28**  
**Marina Albiol Guzmán, Malin Björk, Kostadinka Kuneva**

**Motion for a resolution**  
**Recital G a (new)**

*Motion for a resolution*

*Amendment*

***G a. whereas there are no objective grounds to militarize the surveillance of the external or internal borders of the EU;***

Or. en

**Amendment 29**  
**Christine Revault D'Allonnes Bonnefoy, Edouard Martin, Sylvie Guillaume**

**Motion for a resolution**  
**Recital G b (new)**

*Motion for a resolution*

*Amendment*

***G b. whereas, according to article 14.1 of the Frontex regulation, the Agency and the Member states shall comply with norms and standards at least equivalent to those set by Union legislation also when cooperation with third countries takes place on the territory of those countries;***

Or. en

**Amendment 30**  
**Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume**

**Motion for a resolution**  
**Recital G c (new)**

*Motion for a resolution*

*Amendment*

***G c. whereas Frontex's operational cooperation with the competent authorities of partner countries is conducted through working***

*arrangements, which are not legally binding and fall outside the scope of international law, and whose practical implementation shall not be regarded as fulfilment of international obligations by Frontex and the European Union; considering this situation raises a legal uncertainty which can be seen as contradictory with Frontex's human rights obligations;*

Or. en

### **Amendment 31**

**Malin Björk, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

#### **Motion for a resolution**

##### **Recital H a (new)**

*Motion for a resolution*

*Amendment*

*H a. whereas in light of the increase of competences of Frontex since its establishment Frontex should be held accountable as a primary stakeholder in the border management process, including when allegations of fundamental rights are involved;*

Or. en

### **Amendment 32**

**Notis Marias**

#### **Motion for a resolution**

##### **Recital H a (new)**

*Motion for a resolution*

*Amendment*

*H a. whereas all participants in activities coordinated by Frontex, shall comply with International Law, European Union Law, National Law of both home and lost Member States.*



**Amendment 33**

**Angelika Mlinar, Yana Toom, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa Ruiz**

**Motion for a resolution**

**Recital I a (new)**

*Motion for a resolution*

*Amendment*

***I a. whereas according to Article 2a of the Frontex regulation the code of conduct is applicable to all persons participating in the activities of the Agency;***

Or. en

**Amendment 34**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

**Motion for a resolution**

**Recital K**

*Motion for a resolution*

*Amendment*

K. whereas the use of different uniforms alongside the Frontex emblem during the Frontex operations **makes** it difficult for individuals to identify under whose authority an officer falls and, ultimately, where to file a complaint - whether with Frontex or directly with the Member State concerned;

K. whereas the use of different uniforms alongside the Frontex emblem during the Frontex operations **could make** it difficult for individuals to identify under whose authority an officer falls and, ultimately, where to file a complaint - whether with Frontex or directly with the Member State concerned;

Or. en

**Amendment 35**

**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**  
**Recital K a (new)**

*Motion for a resolution*

*Amendment*

***K a. whereas using the Frontex emblem puts at stake the reputation of the EU towards migrants and ultimately engages the EU to the full respect of their fundamental rights;***

Or. en

**Amendment 36**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

**Motion for a resolution**  
**Recital L**

*Motion for a resolution*

*Amendment*

L. whereas under Article 3(1a) of the Frontex regulation the Agency does not possess executive powers in the Member States and has no authority to sanction Member States or their officials;

L. whereas under Article 3(1a) of the Frontex regulation the Agency does not possess executive powers in the Member States and has no authority to sanction Member States or their officials; ***whereas the principle of subsidiarity should be respected within a request to FRONTEX to set up a Follow-up mechanism for complaints within the Member States' responsibility;***

Or. en

**Amendment 37**  
**Carlos Coelho**

**Motion for a resolution**  
**Recital L a (new)**

*Motion for a resolution*

*Amendment*

***L a. whereas operational plans of Joint Operations of Frontex are legally binding***

*and under article 3a (1) have to be agreed by Frontex Executive Director and the Host Member State, in consultation with the Member States participating;*

Or. en

**Amendment 38**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

**Motion for a resolution**

**Recital M**

*Motion for a resolution*

M. whereas Frontex has already established an incident reporting system which involves the Frontex operations *team*, the Frontex legal *team* and the Frontex Fundamental Rights Officer, with the ultimate decision being taken by the Frontex Executive Director; whereas this system *only* involves internal complaints received from Frontex staff and guest officers, and consequently does not cater for direct complaints by individuals who claim a breach of their fundamental rights;

*Amendment*

M. whereas Frontex has already established an incident reporting system which involves the Frontex operations *division*, the Frontex legal *unit* and the Frontex Fundamental Rights Officer, with the ultimate decision being taken by the Frontex Executive Director; whereas this system involves internal complaints received from Frontex staff and guest officers, and consequently does not cater for direct complaints by individuals who claim a breach of their fundamental rights;

Or. en

**Amendment 39**

**Javier Nart**

**Motion for a resolution**

**Recital M a (new)**

*Motion for a resolution*

*Amendment*

*M a. Considering that an individual complaint shall not have any suspensive effect on the operational activities of Frontex, as well as on its decisions on*

*asylum or return;*

Or. en

**Amendment 40**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

**Motion for a resolution**

**Recital N**

*Motion for a resolution*

N. whereas individual complaints mechanisms already exist at European level within the structures of the European Investment Bank, the European Agency for Fundamental Rights and the European Network of Ombudsmen;

*Amendment*

N. whereas individual complaints mechanisms already exist at European level within the structures of the European Investment Bank, the European Agency for Fundamental Rights and the European Network of Ombudsmen; ***whereas it is noted that Frontex is an operational agency which differs in nature to the abovementioned bodies;***

Or. en

**Amendment 41**

**Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**

**Recital N**

*Motion for a resolution*

N. whereas individual complaints mechanisms already exist at European level within the structures of the European Investment Bank, the European Agency for Fundamental Rights and the European Network of Ombudsmen;

*Amendment*

N. whereas individual complaints mechanisms already exist at European level within the structures of the European Investment Bank, the European Agency for Fundamental Rights and the European Network of Ombudsmen; ***whereas these mechanisms aim at addressing maladministration and do not deal with breaches of fundamental rights;***

**Amendment 42**

**Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat,  
Martina Anderson**

**Motion for a resolution**

**Recital N a (new)**

*Motion for a resolution*

*Amendment*

*N a. whereas an independent complaint  
mechanism outside of Frontex should be  
explored;*

Or. en

**Amendment 43**

**Notis Marias**

**Motion for a resolution**

**Recital N a (new)**

*Motion for a resolution*

*Amendment*

*N a. whereas the number of refugees who  
have arrived in Greece this year has  
topped half million.*

Or. en

**Amendment 44**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**

**Recital N a (new)**

*Motion for a resolution*

*Amendment*

*N a. Whereas, according to the Decision  
of the European Ombudsman closing her  
own-initiative inquiry OI/9/2014/MHZ  
only about half of JROs that have taken*

*place so far have involved independent monitors physically present on board*

Or. en

**Amendment 45**

**Miriam Dalli, Péter Niedermüller, Sylvie Guillaume, Juan Fernando López Aguilar, Miltiadis Kyrkos, Christine Revault D'Allonnes Bonnefoy, Edouard Martin**

**Motion for a resolution**

**Recital N a (new)**

*Motion for a resolution*

*Amendment*

*N a. whereas the European Commission has committed to an upcoming Frontex Review*

Or. en

**Amendment 46**

**Malin Björk, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**

**Recital N b (new)**

*Motion for a resolution*

*Amendment*

*N b. whereas the development of a complaint mechanism must not be used as a justification for expanding Frontex mandate and activities;*

Or. en

**Amendment 47**

**Notis Marias**

**Motion for a resolution**

**Recital N b (new)**

*Motion for a resolution*

*Amendment*

***N b. whereas that in the last 20 years at least 20,000 people have died in the attempt to reach Europe's coast.***

Or. en

**Amendment 48**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**

**Recital N b (new)**

*Motion for a resolution*

*Amendment*

***N b. Whereas growing humanitarian and legal challenges at the EU's external borders are being presented as evidence of the imperfect implementation of a genuine EU approach; whereas this is rather the result of EU restrictive immigration policy which has had a negative impact on the rights of migrants, asylum seekers and refugees;***

Or. en

**Amendment 49**

**Marina Albiol Guzmán, Malin Björk, Kostadinka Kuneva**

**Motion for a resolution**

**Subheading 1 a (new)**

*Motion for a resolution*

*Amendment*

***Stresses that to have a border policy which fully respects fundamental rights Frontex should be dismantled;***

Or. en

## Amendment 50

Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker

### Motion for a resolution

#### Subheading 1 a (new)

*Motion for a resolution*

*Amendment*

***1. Acknowledges and appreciates FRONTEX' extraordinary support of the Member States at the EU's external borders in coordinating the mass influx of migrants during the current migration crisis; welcomes the engagement of FRONTEX to further support the Member States by contributing to the newly installed hotspots and by better coordinating return decisions;***

Or. en

## Amendment 51

Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva

### Motion for a resolution

#### Paragraph 1

*Motion for a resolution*

*Amendment*

1. Welcomes the Special Report of the European Ombudsman in the framework of the own-initiative inquiry concerning Frontex; ***supports Frontex's efforts in taking on board the Ombudsman's recommendations; acknowledges Frontex's current fundamental rights safeguards in the form of, but not limited to, the setting-up of an incident reporting system as well as devising codes of conduct, creating a Consultative Forum on fundamental rights and establishing a Fundamental Rights Office;***

1. Welcomes the Special Report of the European Ombudsman in the framework of the own-initiative inquiry concerning Frontex; ***condemns the fact that none of the recommendations have been implemented;***

Or. en



## Amendment 52

Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume

### Motion for a resolution

#### Paragraph 1

##### *Motion for a resolution*

1. Welcomes the Special Report of the European Ombudsman in the framework of the own-initiative inquiry concerning Frontex; supports Frontex's efforts in taking on board the Ombudsman's recommendations; acknowledges Frontex's current fundamental rights *safeguards* in the form of, but not limited to, the setting-up of an incident reporting system as well as devising codes of conduct, creating a Consultative Forum on fundamental rights and establishing a Fundamental Rights Office;

##### *Amendment*

1. Welcomes the Special Report of the European Ombudsman in the framework of the own-initiative inquiry concerning Frontex; supports Frontex's efforts in taking on board the Ombudsman's recommendations; acknowledges Frontex's current *actions to enhance respect for* fundamental rights in the form of, but not limited to, the setting-up of an incident reporting system as well as devising codes of conduct, creating a Consultative Forum on fundamental rights and establishing a Fundamental Rights Office;

Or. en

## Amendment 53

Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Heinz K. Becker

### Motion for a resolution

#### Paragraph 1

##### *Motion for a resolution*

1. Welcomes the Special Report of the European Ombudsman in the framework of the own-initiative inquiry concerning Frontex; supports Frontex's efforts in taking on board the Ombudsman's recommendations; acknowledges Frontex's current fundamental rights safeguards in the form of, but not limited to, the setting-up of an incident reporting system as well as devising codes of conduct, creating a Consultative Forum on fundamental rights

##### *Amendment*

1. Welcomes the Special Report of the European Ombudsman in the framework of the own-initiative inquiry concerning Frontex; supports Frontex's efforts in taking on board **12** of the Ombudsman's **13** recommendations **and notes that Frontex did not categorically refuse to implement the recommendation on the complaints mechanism**; acknowledges Frontex's current fundamental rights safeguards in the form of, but not limited to, the setting-

and establishing a Fundamental Rights Office;

up of an incident reporting system as well as devising codes of conduct, creating a Consultative Forum on fundamental rights and establishing a Fundamental Rights Office;

Or. en

#### **Amendment 54**

**Angelika Mlinar, Yana Toom, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa Ruiz**

#### **Motion for a resolution Paragraph 1**

##### *Motion for a resolution*

1. Welcomes the Special Report of the European Ombudsman in the framework of the own-initiative inquiry concerning Frontex; supports Frontex's efforts in taking on board the Ombudsman's recommendations; acknowledges Frontex's current fundamental rights safeguards in the form of, but not limited to, the setting-up of an incident reporting system as well as devising codes of conduct, creating a Consultative Forum on fundamental rights and establishing a Fundamental Rights Office;

##### *Amendment*

1. Welcomes the Special Report of the European Ombudsman in the framework of the own-initiative inquiry concerning Frontex; supports Frontex's *initial* efforts in taking on board the Ombudsman's recommendations; acknowledges Frontex's current fundamental rights safeguards in the form of, but not limited to, the setting-up of an incident reporting system as well as devising codes of conduct, creating a Consultative Forum on fundamental rights and establishing a Fundamental Rights Office;

Or. en

#### **Amendment 55** **Kostadinka Kuneva**

#### **Motion for a resolution Paragraph 2**

##### *Motion for a resolution*

2. Supports the recommendation by the European Ombudsman that Frontex should deal with complaints regarding infringements of fundamental rights in in

##### *Amendment*

2. Supports the recommendation by the European Ombudsman that Frontex should deal with complaints regarding infringements of fundamental rights in in

the course of its operations and should provide adequate administrative support for that purpose; calls on Frontex to set up *the* complaints mechanism;

the course of its operations and should provide adequate administrative support for that purpose; *proposes for the Frontex administrative support mechanism to follow the European Ombudsman suggestions for good governance and transparency, especially when it comes to selection of personnel for the unit that deals with the complaints*; calls on Frontex to set up *this independently functioning* complaints mechanism, *staffed by specialized and well-trained personnel*;

Or. en

### **Amendment 56**

**Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume**

#### **Motion for a resolution**

##### **Paragraph 2**

###### *Motion for a resolution*

2. Supports the recommendation by the European Ombudsman that Frontex should deal with complaints regarding infringements of fundamental rights in in the course of its operations and should provide adequate administrative support for that purpose; calls on Frontex to set up the complaints mechanism;

###### *Amendment*

2. Supports the recommendation by the European Ombudsman that Frontex should deal with complaints regarding infringements of fundamental rights in in the course of its operations and should provide adequate administrative support for that purpose; calls on Frontex to set up the complaints mechanism, *including within the framework of its working arrangements concluded with the competent authorities of third countries*;

Or. en

### **Amendment 57**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Heinz K. Becker**

#### **Motion for a resolution**

##### **Paragraph 2**

*Motion for a resolution*

2. **Supports** the recommendation by the European Ombudsman that Frontex should deal with complaints regarding infringements of fundamental rights in the course of its operations and should provide adequate administrative support for that purpose; calls on Frontex to set up **the** complaints mechanism;

*Amendment*

2. **Notes** the recommendation by the European Ombudsman that Frontex should deal with **individual, non-anonymous** complaints regarding infringements of fundamental rights in the course of its operations and should provide adequate administrative support for that purpose; calls on Frontex to set up **an appropriate** complaints mechanism;

Or. en

**Amendment 58**

**Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**

**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

**2 a. Expresses grave concerns at the legal vacuum that surrounds the deployment of third country officers during joint return operations as pointed out by the European Ombudsman's report and the lack of accountability which would thus prevail in the case of human rights violations involving third country officers;**

Or. en

**Amendment 59**

**Heinz K. Becker, Monika Hohlmeier, József Nagy, Tomáš Zdechovský, Barbara Matera, Artis Pabriks, Elissavet Vozemberg-Vrionidi**

**Motion for a resolution**

**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

**2 a. Underlines that an individual non-**

*anonymous complaint should require, as a formal prerequisite, that the person who intends to issue the complaint is registered in the EURODAC system according to Regulation (EU) No 603/2013.*

Or. en

## **Amendment 60**

**Marina Albiol Guzmán, Malin Björk, Kostadinka Kuneva**

### **Motion for a resolution**

#### **Paragraph 3**

##### *Motion for a resolution*

3. Believes that in view of the *ever-growing humanitarian and legal* challenges at the EU's external borders, *Frontex is in need of a mechanism that is capable of processing individual complaints about alleged breaches of fundamental rights occurring in the course of its operations, thus becoming a first-instance body for complaints;*

##### *Amendment*

3. Believes that in view of the challenges at the EU's external borders *created by the EU's aggressive border policies based on their militarization, Frontex should be dismantled;*

Or. en

## **Amendment 61**

**Laura Ferrara, Eleonora Evi**

### **Motion for a resolution**

#### **Paragraph 3**

##### *Motion for a resolution*

3. Believes that in view of the ever-growing humanitarian and legal challenges at the EU's external borders, Frontex is in need of a mechanism that is capable of processing individual complaints about alleged breaches of fundamental rights occurring in the course of its operations, *thus becoming a first-instance body for complaints;*

##### *Amendment*

3. Believes that in view of the ever-growing humanitarian and legal challenges at the EU's external borders, Frontex is in need of a mechanism that is capable of processing individual complaints about alleged breaches of fundamental rights occurring in the course of its operations;

**Amendment 62**

Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume

**Motion for a resolution****Paragraph 3***Motion for a resolution*

3. Believes that in view of the ever-growing humanitarian and legal challenges at the EU's external borders, Frontex is in need of a mechanism that is capable of processing individual complaints about alleged breaches of fundamental rights occurring in the course of its operations, thus becoming a first-instance body for complaints;

*Amendment*

3. Believes that in view of the ever-growing humanitarian and legal challenges at the EU's external borders **and beyond**, Frontex is in need of a mechanism that is capable of processing individual complaints about alleged breaches of fundamental rights occurring in the course of its operations, **also when cooperating with third countries outside the EU territory**, thus becoming a first-instance body for complaints;

Or. en

**Amendment 63**

Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Heinz K. Becker

**Motion for a resolution****Paragraph 3***Motion for a resolution*

3. Believes that **in view of** the ever-growing humanitarian and legal challenges at the EU's external borders, **Frontex is in need of** a mechanism that is capable of processing individual complaints about alleged breaches of fundamental rights occurring in the course of its operations, **thus becoming a first-instance body for complaints**;

*Amendment*

3. Believes that the ever-growing humanitarian and legal challenges at the EU's external borders **might require** a mechanism that is capable of processing individual, **non-anonymous** complaints about alleged breaches of fundamental rights occurring in the course of its operations;

Or. en

#### **Amendment 64**

**Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

#### **Motion for a resolution**

##### **Paragraph 3**

###### *Motion for a resolution*

3. Believes that *in view of the ever-growing humanitarian and legal challenges at the EU's external borders*, Frontex is in need of *a* mechanism that is capable of processing individual complaints about alleged breaches of fundamental rights occurring in the course of its operations, *thus becoming a first-instance body for complaints*;

###### *Amendment*

3. Believes that Frontex is in need of *an independent* mechanism that is capable of processing individual complaints about alleged breaches of fundamental rights occurring in the course of its operations, *including the risk of refoulement and the risks involved in the processing of personal data*;

Or. en

#### **Amendment 65**

**Miriam Dalli, Péter Niedermüller, Birgit Sippel, Miltiadis Kyrkos, Juan Fernando López Aguilar**

#### **Motion for a resolution**

##### **Paragraph 3**

###### *Motion for a resolution*

3. Believes that in view of the ever-growing humanitarian and legal challenges at the EU's external borders, Frontex is in need of a mechanism that is capable of processing individual complaints about alleged breaches of fundamental rights occurring in the course of its operations, thus becoming a first-instance body for complaints;

###### *Amendment*

3. Believes that in view of the ever-growing humanitarian and legal challenges at the EU's external borders, *and the tripling in capacities and assets for the Frontex Joint Operations Triton and Poseidon for 2015 and 2016*, Frontex is in need of a mechanism that is capable of processing individual complaints about alleged breaches of fundamental rights occurring in the course of its operations, thus becoming a first-instance body for complaints;

Or. en

## **Amendment 66**

**Christine Revault D'Allonnes Bonnefoy, Edouard Martin, Sylvie Guillaume**

### **Motion for a resolution**

#### **Paragraph 4**

##### *Motion for a resolution*

4. Considers that the setting-up of a mechanism for individual complaints would provide individuals with an opportunity to exercise their right to an effective remedy; suggests that the introduction of such a complaints mechanism would increase transparency, since Frontex and the EU institutions would be more aware of possible violations of fundamental rights that would otherwise remain undetected, unreported and unresolved;

##### *Amendment*

4. Considers that the setting-up of a mechanism for individual complaints would provide individuals with an opportunity to exercise their right to an effective remedy; suggests that the introduction of such a complaints mechanism would increase transparency, since Frontex and the EU institutions would be more aware of possible violations of fundamental rights that would otherwise remain undetected, unreported and unresolved; ***stresses that this lack of transparency applies in particular in the case of Frontex's working arrangements, over which the European Parliament cannot exercise its democratic scrutiny, because it doesn't have to be consulted prior to the conclusion of these agreements and is not even informed about the way they are practically implemented;***

Or. en

## **Amendment 67**

**Malin Björk, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

### **Motion for a resolution**

#### **Paragraph 4**

##### *Motion for a resolution*

4. Considers that the setting-up of a mechanism for individual complaints would provide individuals with an opportunity to exercise their right to an effective remedy; suggests that the

##### *Amendment*

4. Considers that the setting-up of a mechanism for individual complaints would provide individuals with an opportunity to exercise their right to an effective remedy; suggests that the



introduction of such a complaints mechanism would increase *transparency*, since *Frontex and the EU institutions would be more aware of possible violations of fundamental rights* that would otherwise remain undetected, unreported and unresolved;

introduction of such a complaints mechanism would increase *respect for fundamental rights* as violations would otherwise remain undetected, unreported and unresolved;

Or. en

#### **Amendment 68**

**Angelika Mlinar, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa Ruiz**

#### **Motion for a resolution**

##### **Paragraph 4**

###### *Motion for a resolution*

4. Considers that the setting-up of a mechanism for individual complaints *would* provide *individuals* with an opportunity to exercise their right to an effective remedy; suggests that the introduction of such a complaints mechanism would increase transparency, since Frontex and the EU institutions would be more aware of possible violations of fundamental rights that would otherwise remain undetected, unreported and unresolved;

###### *Amendment*

4. Considers that the setting-up of a mechanism for individual complaints *is needed in order to* provide *third country nationals or stateless persons* with an opportunity to exercise their *individual* right to an effective remedy *in case of violation of their fundamental rights*; suggests that the introduction of such a complaints mechanism would increase transparency, since Frontex and the EU institutions would be more aware of possible violations of fundamental rights that would otherwise remain undetected, unreported and unresolved;

Or. en

#### **Amendment 69**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

#### **Motion for a resolution**

##### **Paragraph 4**

*Motion for a resolution*

4. Considers that the setting-up of a mechanism for individual complaints would provide individuals with an opportunity to exercise their right to **an** effective remedy; suggests that the introduction of such a complaints mechanism would increase transparency, since Frontex and the EU institutions would be more aware of possible violations of fundamental rights that **would** otherwise remain undetected, unreported and unresolved;

*Amendment*

4. Considers that the setting-up of a mechanism for individual complaints would provide individuals with an opportunity to exercise their right to **a more** effective remedy; suggests that the introduction of such a complaints mechanism would increase transparency, since Frontex and the EU institutions would be more aware of possible violations of fundamental rights that **could** otherwise remain undetected, unreported and unresolved;

Or. en

**Amendment 70**

**Edouard Martin, Miriam Dalli, Sylvie Guillaume, Jude Kirton-Darling**

**Motion for a resolution**

**Paragraph 4**

*Motion for a resolution*

4. Considers that the setting-up of a mechanism for individual complaints would provide individuals with an opportunity to exercise their right to an effective remedy; **suggests** that the introduction of such a complaints mechanism would increase transparency, since Frontex and the EU institutions would be more aware of possible violations of fundamental rights that would otherwise remain undetected, unreported and unresolved;

*Amendment*

4. Considers that the setting-up of a mechanism for individual complaints would provide individuals with an opportunity to exercise their right to an effective remedy; **recognizes** that the introduction of such a complaints mechanism would increase transparency, since Frontex and the EU institutions would be more aware of possible violations of fundamental rights that would otherwise remain undetected, unreported and unresolved;

Or. en

**Amendment 71**

**Angelika Mlinar, Yana Toom, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa Ruiz**

**Motion for a resolution**  
**Paragraph 4 a (new)**

*Motion for a resolution*

*Amendment*

***4 a. Considers that an annual Report from the Fundamental rights officer to the Frontex Consultative Forum and the Ombudsman will guarantee the transparency and the efficiency of the mechanism;***

Or. en

**Amendment 72**  
**Marina Albiol Guzmán, Kostadinka Kuneva**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

*Amendment*

5. Stresses that under the Frontex regulation there are no legal obstacles to the introduction of an individual complaints mechanism; notes that the lack of such a mechanism is non-compliant with the principle of good administration and undermines the *effective* implementation of the Agency's fundamental rights strategy; ***believes that the capacity of Frontex to deal with possible violations of fundamental rights should be strengthened in the context of expanding the Agency's role under EU law, in particular its participation in Migration Management Support Teams working in 'hotspot' areas;***

5. Stresses that under the Frontex regulation there are no legal obstacles to the introduction of an individual complaints mechanism; notes that the lack of such a mechanism is non-compliant with the principle of good administration and undermines the implementation of the Agency's fundamental rights strategy, ***which has, up to date, not been effective;***

Or. en

**Amendment 73**  
**Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. Stresses that under the Frontex regulation there are no legal obstacles to the introduction of an individual complaints mechanism; notes that the lack of such a mechanism is non-compliant with the principle of good administration and undermines the effective implementation of the Agency's fundamental rights strategy; believes that the capacity of Frontex to deal with possible violations of fundamental rights should be strengthened in the context of expanding the Agency's role under EU law, in particular its participation in Migration Management Support Teams working in 'hotspot' areas;

*Amendment*

5. Stresses that under the Frontex regulation there are no legal obstacles to the introduction of an individual complaints mechanism; notes that the lack of such a mechanism is non-compliant with the principle of good administration and undermines the effective implementation of the Agency's fundamental rights strategy; believes that the capacity of Frontex to deal with possible violations of fundamental rights should be strengthened in the context of expanding the Agency's role under EU law, in particular its participation in Migration Management Support Teams working in 'hotspot' areas ***and its operational cooperation with the competent authorities of partner countries through working arrangements;***

Or. en

**Amendment 74**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, Pál Csáky, Petri Sarvamaa, Rachida Dati, József Nagy, Heinz K. Becker**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. ***Stresses*** that under the Frontex regulation there ***are*** no legal obstacles to the introduction of an individual complaints mechanism; notes that ***the lack of*** such a mechanism ***is non-compliant*** with the principle of good administration and ***undermines*** the effective implementation of the Agency's fundamental rights strategy; believes that the capacity of Frontex to deal with possible violations of fundamental rights

*Amendment*

5. ***Notes*** that under the Frontex regulation there ***appears to be*** no legal obstacles to the introduction of an individual complaints mechanism; notes that such a mechanism ***would be compliant*** with the principle of good administration and ***would add to*** the effective implementation of the Agency's fundamental rights strategy; believes that the capacity of Frontex to deal with possible violations of fundamental rights should be strengthened in the context

should be strengthened in the context of expanding the Agency's role under EU law, in particular its participation in Migration Management Support Teams working in 'hotspot' areas;

of expanding the Agency's role under EU law, in particular its participation in Migration Management Support Teams working in 'hotspot' areas;

Or. en

## **Amendment 75**

**Edouard Martin, Sylvie Guillaume, Jude Kirton-Darling**

### **Motion for a resolution**

#### **Paragraph 5**

##### *Motion for a resolution*

5. Stresses that under the Frontex regulation there are no legal obstacles to the introduction of an individual complaints mechanism; notes that the lack of such a mechanism is non-compliant with the principle of good administration and undermines the effective implementation of the Agency's fundamental rights strategy; believes that the capacity of Frontex to deal with possible violations of fundamental rights should be strengthened in the context of expanding the Agency's role under EU law, in particular its participation in Migration Management Support Teams working in 'hotspot' areas;

##### *Amendment*

5. Stresses that under the Frontex regulation there are no legal obstacles to the introduction of an individual complaints mechanism; notes that the lack of such a mechanism is non-compliant with **EU law and** the principle of good administration and undermines the effective implementation of the Agency's fundamental rights strategy; believes that the capacity of Frontex to deal with possible violations of fundamental rights should be strengthened in the context of expanding the Agency's role under EU law, in particular its participation in Migration Management Support Teams working in 'hotspot' areas;

Or. en

## **Amendment 76**

**Yana Toom, Angelika Mlinar**

### **Motion for a resolution**

#### **Paragraph 5**

##### *Motion for a resolution*

5. Stresses that under the Frontex regulation there are no legal obstacles to

##### *Amendment*

5. Stresses that under the Frontex regulation there are no legal obstacles to

the introduction of an individual complaints mechanism; notes that the lack of such a mechanism is non-compliant with the principle of good administration and undermines the effective implementation of the Agency's fundamental rights strategy; believes that the capacity of Frontex to deal with possible violations of fundamental rights should be strengthened in the context of expanding the Agency's role under EU law, in particular its participation in Migration Management Support Teams working in 'hotspot' areas;

the introduction of an individual complaints mechanism *and that it even falls within the scope of Article 26a(3) of the Frontex Regulation, according to which the Fundamental Rights Officer shall contribute to the mechanism of the monitoring of fundamental rights*; notes that the lack of such a mechanism is non-compliant with the principle of good administration and undermines the effective implementation of the Agency's fundamental rights strategy; believes that the capacity of Frontex to deal with possible violations of fundamental rights should be strengthened in the context of expanding the Agency's role under EU law, in particular its participation in Migration Management Support Teams working in 'hotspot' areas;

Or. en

**Amendment 77**  
**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

*5 a. Calls for the establishment of a transparent reporting mechanism on complaints that will collect data thus providing facts and figures which may be used to analyse trends and patterns;*

Or. en

**Amendment 78**  
**Christine Revault D'Allonnes Bonnefoy, Miriam Dalli, Edouard Martin, Sylvie Guillaume**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

6. Believes that the coordinating role of Frontex should not limit its responsibility under international and EU law; recalls that all Union agencies are bound by the provisions of the Charter of Fundamental Rights;

*Amendment*

6. Believes that the coordinating role of Frontex, ***which acts on behalf of the European Union, even when it operates beyond its external borders***, should not limit its responsibility under international and EU law, ***in particular to ensure that migrants and asylum seekers' fundamental rights are respected and protected***; recalls that all Union agencies are bound by the provisions of the Charter of Fundamental Rights;

Or. en

**Amendment 79**

**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**

**Paragraph 6**

*Motion for a resolution*

6. Believes that the coordinating role of Frontex should not limit its responsibility under international and EU law; recalls that all Union agencies are bound by the provisions of the Charter of Fundamental Rights;

*Amendment*

6. Believes that the coordinating role of Frontex should not limit its responsibility under international and EU law; recalls that all Union agencies are bound by the provisions of the Charter of Fundamental Rights; ***recalls that EU Member States are also bound by the charter when implementing EU law***;

Or. en

**Amendment 80**

**Maite Pagazaurtundúa Ruiz**

**Motion for a resolution**

**Paragraph 6**

*Motion for a resolution*

6. Believes that the coordinating role of

*Amendment*

6. Believes that the coordinating role of

Frontex should not limit its responsibility under international and EU law; recalls that all Union agencies are bound by the provisions of the Charter of Fundamental Rights;

Frontex should not limit its responsibility under international and EU law; recalls that all Union agencies are bound by the provisions of the Charter of Fundamental Rights *including the right of asylum stressed in article 18 of the Charter*;

Or. en

#### **Amendment 81**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Heinz K. Becker**

#### **Motion for a resolution**

##### **Paragraph 6**

###### *Motion for a resolution*

6. ***Believes that the coordinating role of Frontex should not limit its responsibility under international and EU law***; recalls that all Union agencies are bound by the provisions of the Charter of Fundamental Rights;

###### *Amendment*

6. Recalls that all Union agencies are bound by the provisions of the Charter of Fundamental Rights;

Or. en

#### **Amendment 82**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

#### **Motion for a resolution**

##### **Paragraph 6**

###### *Motion for a resolution*

6. Believes that the coordinating role of Frontex should not limit its responsibility under international and EU law; recalls that all Union agencies are bound by the provisions of the Charter of Fundamental Rights;

###### *Amendment*

6. Believes that the coordinating role of Frontex should not limit its responsibility under international and EU law ***and should respect the national law of the host Member States whenever it applies more favourable standards for third country nationals and stateless individuals***; recalls that all Union agencies are bound by the provisions of the Charter of Fundamental



Rights;

Or. en

### **Amendment 83**

**Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva**

#### **Motion for a resolution**

##### **Paragraph 7**

###### *Motion for a resolution*

7. Takes the view there is a legitimate expectation on the part of all to believe that the actions of those involved in Frontex operations are attributable to Frontex and more generally to the EU; stresses that the complex legal relations and the distinct yet shared responsibilities between Frontex and the Member States *should* not undermine the safeguarding of fundamental rights; *notes that being a central point for individual complaints does not make Frontex responsible for every complaint received; believes that due consideration should therefore be given to the competences of Frontex and those of the EU Member States;*

###### *Amendment*

7. Takes the view there is a legitimate expectation on the part of all to believe that the actions of those involved in Frontex operations are attributable to Frontex and more generally to the EU; stresses that the complex legal relations and the distinct yet shared responsibilities between Frontex and the Member States *must* not undermine the safeguarding of fundamental rights; ;

Or. en

### **Amendment 84**

**Laura Ferrara, Eleonora Evi**

#### **Motion for a resolution**

##### **Paragraph 7**

###### *Motion for a resolution*

7. Takes the view there is a legitimate expectation on the part of all to believe that the actions of those involved in Frontex operations are attributable to Frontex and more generally to the EU; stresses that the complex legal relations and the distinct yet

###### *Amendment*

7. Takes the view there is a legitimate expectation on the part of all to believe that the actions of those involved in Frontex operations are attributable to Frontex and more generally to the EU; stresses that the complex legal relations and the distinct yet

shared responsibilities between Frontex and the Member States should not undermine the safeguarding of fundamental rights; notes that being a central point for individual complaints does not make Frontex responsible for every complaint received; believes that due consideration should therefore be given to the competences of Frontex and those of the EU Member States;

shared responsibilities between Frontex and the Member States should not undermine the safeguarding of fundamental rights; notes that being a central point for individual complaints does not make Frontex responsible for every complaint received; believes that due consideration should therefore be given to the competences of Frontex and those of the EU Member States *while remembering that the latter are using the Frontex emblem and operate under EU mandate*;

Or. en

## Amendment 85

Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume

### Motion for a resolution

#### Paragraph 7

##### *Motion for a resolution*

7. Takes the view *there is a legitimate expectation on the part of all to believe* that the actions of those involved in Frontex operations *are* attributable to Frontex and more generally to the EU; stresses that the complex legal relations and the distinct yet shared responsibilities between Frontex and the Member States should not undermine the safeguarding of fundamental rights; notes that being a central point for individual complaints does not make Frontex responsible for every complaint received; believes that due consideration should therefore be given to the competences of Frontex and those of the EU Member States;

##### *Amendment*

7. Takes the view that the actions of those involved in Frontex operations *should not only be* attributable to *Member States but also to* Frontex and more generally to the EU; stresses that the complex legal relations and the distinct yet shared responsibilities between Frontex and the Member States should not undermine the safeguarding of fundamental rights; notes that being a central point for individual complaints does not make Frontex responsible for every complaint received; believes that due consideration should therefore be given to the competences of Frontex, *by delimiting unequivocally the scope of its accountability and ensuring that it assumes its responsibilities with respect to human rights in joint operations*, and those of the EU Member States;

Or. en

## Amendment 86

Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker

### Motion for a resolution

#### Paragraph 7

##### *Motion for a resolution*

7. Takes the view there is a legitimate expectation **on the part of all** to believe that the actions of those involved in Frontex operations are attributable to Frontex and more generally to the EU; stresses that the **complex** legal relations and the distinct yet shared responsibilities between Frontex and the Member States should not undermine the safeguarding of fundamental rights; notes that being a **central** point for individual complaints does not make Frontex responsible for every complaint received; believes that due consideration should **therefore** be given to the competences of Frontex and those of the EU Member States;

##### *Amendment*

7. Takes the view there is a legitimate expectation to believe that the actions of those involved in Frontex operations are attributable to Frontex and more generally to the EU; stresses that the legal relations and the distinct yet shared responsibilities between Frontex and the Member States should not undermine the safeguarding of fundamental rights; notes that being a point for individual complaints does not make Frontex responsible for every complaint received; **stresses that under Article 3(1a) of the Frontex regulation the Agency does not possess executive powers in the Member States and has no authority to sanction Member States and their officials**; believes that due consideration should be given to the competences of Frontex and those of the EU Member States;

Or. en

## Amendment 87

Laura Ferrara, Eleonora Evi

### Motion for a resolution

#### Paragraph 8

##### *Motion for a resolution*

8. Stresses the need for an official central structure within Frontex for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in **handling complaints; considers that, in**

##### *Amendment*

8. Stresses the need for an official central structure within Frontex for the processing of individual complaints; recommends that **a panel of independent experts is created to deal with the complaints that falls under the Agency's responsibility.**

*particular, the office should check the admissibility of complaints, filter them, pass them on to the authorities responsible, and follow up on them thoroughly;*

*Recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in this process by receiving, checking the formal admissibility and forward complaints to both the competent national authorities and the panel of independent experts mentioned above; considers that, in particular, the office of the Frontex Fundamental Rights Officer should follow up on them thoroughly;*

Or. en

### **Amendment 88**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

#### **Motion for a resolution Paragraph 8**

##### *Motion for a resolution*

8. *Stresses* the need for an official *central* structure within Frontex for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in handling complaints; considers that, in particular, the office should check the admissibility of complaints, filter them, pass them on to the authorities responsible, and follow up on them thoroughly;

##### *Amendment*

8. *Notes* the need for an official structure within Frontex for the processing of individual complaints; *notes that such a mechanism can only be realised under the condition that Frontex is provided with the necessary staff and budgetary resources*; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in handling complaints; considers that, in particular, the office should check the admissibility of complaints, filter them, pass them on to the authorities responsible, and follow up on them thoroughly; *recalls that Frontex can only cooperate with Member States on the follow-up of complaints falling under the Member States' authority, but does not have executive powers in the Member States and no authority to sanction Member States and their officials*;

Or. en

## Amendment 89

Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva

### Motion for a resolution

#### Paragraph 8

##### *Motion for a resolution*

8. Stresses the need for an official central structure within Frontex for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in handling complaints; considers that, in particular, the office should ***check the admissibility of*** complaints, ***filter them, pass them on to the authorities responsible, and follow up on them thoroughly***;

##### *Amendment*

8. Stresses the need for an official central structure within Frontex for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in handling complaints; considers that, in particular, the office should ***follow up in a way which makes the complaints public and the follow-up accountable for relevant NGOs, MEPs, and all European citizens without compromising the privacy of those making the complaint***;

Or. en

## Amendment 90

Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson

### Motion for a resolution

#### Paragraph 8

##### *Motion for a resolution*

8. Stresses the need for ***an official central structure within Frontex*** for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in ***handling*** complaints; considers that, in particular, the office should check the admissibility of complaints, filter them, pass them on to the ***authorities*** responsible, and follow up on them thoroughly;

##### *Amendment*

8. Stresses the need for ***the establishment of an independent body*** for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in ***receiving*** complaints; considers that, in particular, the office should check the admissibility of complaints, filter them, pass them on to the ***independent body*** responsible, and follow up on them thoroughly;

Or. en

**Amendment 91**  
**Kostadinka Kuneva**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

8. Stresses the need for an official central **structure** within Frontex for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in handling complaints; considers that, in particular, the office should check the admissibility of complaints, filter them, pass them on to the authorities responsible, and follow up on them thoroughly;

*Amendment*

8. Stresses the need for an official central ***independently functioning mechanism*** within Frontex for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in handling complaints; considers that, in particular, the office should check the admissibility of complaints, filter them, pass them on to the authorities responsible, and follow up on them thoroughly; ***believes that representatives of related international organizations, such as the UN High Commission for Refugees, as well as NGOs, should have an active participatory and advisory role in Frontex Fundamental Rights Office processing individuals complaints;***

Or. en

**Amendment 92**  
**Yana Toom, Angelika Mlinar**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

8. Stresses the need for an official central structure within Frontex for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a ***crucial*** role in ***handling*** complaints; considers that, in particular, the office should check the admissibility of complaints, filter them, pass them on to the authorities responsible, and follow up on them thoroughly;

*Amendment*

8. Stresses the need for an official central structure within Frontex for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a ***coordinating*** role in ***the individual*** complaints ***mechanism***; considers that, in particular, the office should check the admissibility of complaints, filter them, pass them on to the authorities responsible, and follow up on

them thoroughly;

Or. en

### **Amendment 93**

**Edouard Martin, Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume, Jude Kirton-Darling**

#### **Motion for a resolution**

##### **Paragraph 8**

###### *Motion for a resolution*

8. Stresses the need for an official central structure within Frontex for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in handling complaints; considers that, in particular, the office should check the admissibility of complaints, filter them, pass them on to the authorities responsible, and follow up on them thoroughly;

###### *Amendment*

8. Stresses the need for an official central structure within Frontex for the processing of individual complaints; recommends that the office of the Frontex Fundamental Rights Officer should play a crucial role in handling complaints; considers that, in particular, the office should ***objectively*** check the admissibility of complaints, filter them, pass them on to the authorities responsible, and follow up on them thoroughly;

Or. en

### **Amendment 94**

**Laura Ferrara, Eleonora Evi**

#### **Motion for a resolution**

##### **Paragraph 9**

###### *Motion for a resolution*

***9. Welcomes the fact that Frontex has already set up a thorough procedure for handling internal reports by Frontex staff and guest officers on serious fundamental rights violations; points out that this procedure is already used for handling complaints by third parties not directly involved in a Frontex operation, and recommends building further on this procedure aiming at establishing a full***

###### *Amendment*

9. Emphasises that Frontex should ensure that the ***complaints*** mechanism respects the criteria of accessibility, independence, effectiveness and transparency;

*and accessible individual complaints mechanism*; emphasises that Frontex should ensure that the mechanism respects the criteria of accessibility, independence, effectiveness and transparency;

Or. en

#### **Amendment 95**

**Marina Albiol Guzmán, Malin Björk, Barbara Spinelli, Kostadinka Kuneva**

#### **Motion for a resolution**

#### **Paragraph 9**

##### *Motion for a resolution*

**9. Welcomes the fact that Frontex has already set up a thorough procedure for handling internal reports by Frontex staff and guest officers on serious fundamental rights violations; points out that this procedure is already used for handling complaints by third parties not directly involved in a Frontex operation, and recommends building further on this procedure aiming at establishing a full and accessible individual complaints mechanism**; emphasises that Frontex should ensure that the mechanism respects the criteria of accessibility, independence, effectiveness **and transparency**;

##### *Amendment*

9. Emphasises that Frontex should ensure that the mechanism respects the criteria of accessibility, independence, effectiveness, **transparency, democratic control and accountability**;

Or. en

#### **Amendment 96**

**Kostadinka Kuneva**

#### **Motion for a resolution**

#### **Paragraph 9**

##### *Motion for a resolution*

9. Welcomes the fact that Frontex has already set up a thorough procedure for handling internal reports by Frontex staff

##### *Amendment*

9. Welcomes the fact that Frontex has already set up a thorough procedure for handling internal reports by Frontex staff



and guest officers on serious fundamental rights violations; points out that this procedure is already used for handling complaints by third parties not directly involved in a Frontex operation, and recommends building further on this procedure aiming at establishing a full and accessible individual complaints mechanism; emphasises that Frontex should ensure that the mechanism respects the criteria of accessibility, independence, effectiveness and transparency;

and guest officers on serious fundamental rights violations; ***stresses the need for the Frontex staff and guest officers dealing with the complaints to be experts specialized and well trained in human rights, refugee rights and migration policies***; points out that this procedure is already used for handling complaints by third parties not directly involved in a Frontex operation, and recommends building further on this procedure aiming at establishing a full and accessible individual complaints mechanism; emphasises that Frontex should ensure that the mechanism respects the criteria of accessibility, independence, effectiveness and transparency;

Or. en

**Amendment 97**  
**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**  
**Paragraph 9 a (new)**

*Motion for a resolution*

*Amendment*

***9 a. Highlights that Frontex should inform Member States' authorities and officials which are part of Frontex operations about the right to lodge a complaint;***

Or. en

**Amendment 98**  
**Malin Björk, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**  
**Paragraph 9 a (new)**

*Motion for a resolution*

*Amendment*

***9 a. Stresses that any complaint***

*mechanism should cover the entire scope of Frontex activity including joint operations, pilot operations but also information exchange and cooperation with third countries;*

Or. en

**Amendment 99**

**Angelika Mlinar, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa Ruiz**

**Motion for a resolution**

**Paragraph 9 a (new)**

*Motion for a resolution*

*Amendment*

*9 a. Stresses the need for Frontex to inform the third country nationals and stateless persons about the right to present a complaint without relaying only on the Member States official;*

Or. en

**Amendment 100**

**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**

**Paragraph 9 b (new)**

*Motion for a resolution*

*Amendment*

*9 b. Stresses that any complaint mechanism should cover the entire scope of Frontex's activity including joint operations, pilot operations but also risks analyses, information exchange and cooperation with third countries.*

Or. en

**Amendment 101**

**Miltiadis Kyrkos**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Takes the view that both persons who feel harmed by border guards wearing the Frontex emblem and third parties acting in the interest of such persons should have the right to submit a complaint; urges Frontex to guarantee full confidentiality and not to disclose the identity of the complainant to third parties without his or her agreement;

*Amendment*

10. Takes the view that both persons who feel harmed by border guards wearing the Frontex emblem and third parties acting in the interest of such persons should have the right to submit a complaint; urges Frontex to guarantee full confidentiality and not to disclose the identity of the complainant to third parties without his or her agreement; ***Moreover FRONTEX should ensure that all measures are taken to avoid conflict of interest during the treatment of complaints;***

Or. en

**Amendment 102**  
**Alessandra Mussolini, József Nagy, Salvatore Domenico Pogliese**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Takes the view that both persons who feel harmed by border guards wearing the Frontex emblem and third parties acting in the interest of such persons should have the right to submit a complaint; urges Frontex to guarantee full confidentiality and not to disclose the identity of the complainant to third parties without his or her agreement;

*Amendment*

10. Takes the view that both persons who feel harmed by border guards wearing the Frontex emblem, ***especially the most vulnerable people, such as minors and pregnant women***, and third parties acting in the interest of such persons should have the right to submit a complaint; urges Frontex to guarantee full confidentiality and not to disclose the identity of the complainant to third parties without his or her agreement;

Or. en

**Amendment 103**  
**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore**

**Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, Pál Csáky, Petri Sarvamaa, Heinz K. Becker, József Nagy**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Takes the view that **both** persons who feel harmed by border guards wearing the Frontex emblem **and third parties acting in the interest of such persons** should have the right to submit a complaint; urges Frontex to guarantee full confidentiality and not to disclose the identity of the complainant to third parties without his or her agreement;

*Amendment*

10. Takes the view that persons who feel harmed by border guards wearing the Frontex emblem should have the right to submit a complaint; urges Frontex to guarantee full confidentiality and not to disclose the identity of the complainant to third parties without his or her agreement ***unless compelled legally to do so***;

Or. en

**Amendment 104**

**Malin Björk, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Takes the view that both persons who feel harmed by border guards wearing the Frontex emblem and third parties acting in the interest of such persons should have the right to submit a complaint; urges Frontex to guarantee full confidentiality and not to disclose the identity of the complainant to third parties without his or her agreement;

*Amendment*

10. Takes the view that both persons who feel harmed by border guards wearing the Frontex emblem and third parties acting in the interest of such persons should have the right to submit a complaint; urges Frontex ***fundamental rights officer and the independent complaint body*** to guarantee full confidentiality and not to disclose the identity of the complainant to third parties without his or her agreement;

Or. en

**Amendment 105**

**Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**  
**Paragraph 10 a (new)**

*Motion for a resolution*

*Amendment*

***10 a. Emphasises that third parties, including NGOs and international organisations should have the right to submit a complaint on behalf of an individual and to represent him or her during the whole procedure allowing the complainant to remain anonymous; emphasises the need to ensure the safety of the complainant;***

Or. en

**Amendment 106**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Heinz K. Becker**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

*Amendment*

11. Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; recommends, therefore, that anonymous complaints should not be accepted; suggests further that only complaints ***of concrete*** fundamental rights ***violations*** should be admitted; considers that this should not prevent Frontex from taking account of other information sources on alleged fundamental rights violations, including general reports, beyond the complaints procedure; emphasises the need for clear criteria for the admissibility of complaints; recommends the provision of a standardised form for complaints requiring detailed information such as date and place of the incident, since this would facilitate decisions on admissibility;

11. Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; recommends, therefore, that anonymous complaints should not be accepted; suggests further that only ***concrete and founded*** complaints ***which are based on a direct violation of one of the*** fundamental rights ***as protected by the EU Charter of fundamental rights*** should be admitted; considers that this should not prevent Frontex from taking account of other information sources on alleged fundamental rights violations, including general reports, beyond the complaints procedure; emphasises the need for clear criteria for the admissibility of complaints; recommends the provision of a standardised form for complaints requiring detailed information such as date and place of the incident, since this would facilitate

decisions on admissibility;

Or. en

#### **Amendment 107**

**Edouard Martin, Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume, Jude Kirton-Darling**

#### **Motion for a resolution**

##### **Paragraph 11**

###### *Motion for a resolution*

11. Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; ***recommends, therefore, that anonymous complaints should not be accepted; suggests further that*** only complaints of ***concrete*** fundamental rights violations should be admitted; considers that this should not prevent Frontex from taking account of other information sources on alleged fundamental rights violations, including general reports, beyond the complaints procedure; emphasises the need for clear criteria for the admissibility of complaints; recommends the ***provision*** of a standardised form for complaints requiring detailed information such as date and place of the incident, since this would facilitate decisions on admissibility;

###### *Amendment*

11. Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; only complaints of fundamental rights violations should be admitted; considers that this should not prevent Frontex from taking account of other information sources on alleged fundamental rights violations, including general reports, beyond the complaints procedure; emphasises the need for clear criteria ***established by the Fundamental Rights Officer as respecting the Charter of Fundamental rights*** for the admissibility of complaints; recommends the ***development - in cooperation with the Fundamental Rights Agency (FRA) and the European Asylum Support Office (EASO) -*** of a standardised form for complaints requiring detailed information such as date and place of the incident, since this would facilitate decisions on admissibility;

Or. en

#### **Amendment 108**

**Laura Ferrara, Eleonora Evi**

#### **Motion for a resolution**

##### **Paragraph 11**

*Motion for a resolution*

11. Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; ***recommends, therefore, that anonymous complaints should not be accepted; suggests further that only complaints of concrete fundamental rights violations should be admitted;*** considers that this should not prevent Frontex from taking account *of* other information sources on alleged fundamental rights violations, including general reports, beyond the complaints procedure; emphasises the need for clear criteria ***for the admissibility of complaints;*** recommends the ***provision*** of a standardised form for complaints requiring detailed information such as date and place of the incident, since this would facilitate decisions on admissibility;

*Amendment*

11. Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; ***suggests*** that anonymous complaints should ***be admissible if lodged by a third party representing the complainant;*** considers that this should not prevent Frontex from taking ***into*** account other information sources on alleged fundamental rights violations, including general reports, beyond the complaints procedure; ***stresses that complaints can only be deemed inadmissible if the formal requirements of the complaints are not met;*** emphasises the need for clear criteria ***established by the Fundamental Rights Officer in full respect of the Charter of Fundamental rights;*** recommends the ***development - in cooperation with the Fundamental Rights Agency (FRA) and the European Asylum Support Office (EASO) - of a standardised form for complaints requiring detailed information such as date and place of the incident, since this would facilitate decisions on admissibility;***

Or. en

**Amendment 109**

**Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**

**Paragraph 11**

*Motion for a resolution*

11. ***Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; recommends, therefore, that anonymous complaints should not be accepted; suggests further that only complaints of concrete fundamental rights violations should be***

*Amendment*

11. considers that ***Frontex*** should ***take into*** account other information sources on alleged fundamental rights violations, including general reports ***by NGOs, international organisations and other relevant stakeholders, beyond the complaints procedure;*** recommends the

*admitted*; considers that *this* should *not prevent Frontex from taking* account of other information sources on alleged fundamental rights violations, including general reports, *beyond the complaints procedure*; *emphasises the need for clear criteria for the admissibility of complaints*; recommends the provision of a standardised form for complaints requiring detailed information such as date and place of the incident, *since this would facilitate decisions on admissibility*;

provision of a standardised form for complaints requiring detailed information such as date and place of the incident;

Or. en

### **Amendment 110**

**Miriam Dalli, Péter Niedermüller, Birgit Sippel, Miltiadis Kyrkos, Juan Fernando López Aguilar, Caterina Chinnici**

#### **Motion for a resolution**

##### **Paragraph 11**

###### *Motion for a resolution*

11. Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; recommends, therefore, that anonymous complaints should not be accepted; suggests further that only complaints of concrete fundamental rights violations should be admitted; considers that this should not prevent Frontex from taking account of other information sources on alleged fundamental rights violations, including general reports, beyond the complaints procedure; emphasises the need for clear criteria for the admissibility of complaints; recommends the *provision* of a standardised form for complaints requiring detailed information such as date and place of the incident, since this would facilitate decisions on admissibility;

###### *Amendment*

11. Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; recommends, therefore, that anonymous complaints should not be accepted; *emphasises, however, that this does not exclude complaints submitted by third parties acting in the interest of a complainant who prefers to remain anonymous*; suggests further that only complaints of concrete fundamental rights violations should be admitted; considers that this should not prevent Frontex from taking account of other information sources on alleged fundamental rights violations, including general reports, beyond the complaints procedure; emphasises the need for clear criteria for the admissibility of complaints; recommends the *development - in cooperation with the Fundamental Rights Agency (FRA) and the European Asylum Support Office (EASO) -* of a standardised form for complaints requiring detailed information such as date and place



of the incident, since this would facilitate decisions on admissibility;

Or. en

### **Amendment 111**

**Angelika Mlinar, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa Ruiz**

#### **Motion for a resolution**

##### **Paragraph 11**

###### *Motion for a resolution*

11. Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; recommends, therefore, that anonymous complaints ***should not*** be accepted; suggests further that only complaints of concrete fundamental rights violations should be admitted; considers that this should not prevent Frontex from taking account of other information sources on alleged fundamental rights violations, including general reports, beyond the complaints procedure; emphasises the need for clear criteria for the admissibility of complaints; recommends the provision of a standardised form for complaints requiring detailed information such as date and place of the incident, since this would facilitate decisions on admissibility;

###### *Amendment*

11. Acknowledges that safeguards are needed to prevent misuse of the complaints mechanism; recommends, therefore, that anonymous complaints ***could*** be accepted ***if presented through a third person working for an international organization as for instance IOM or UNHCR***; suggests further that only complaints of concrete fundamental rights violations should be admitted; considers that this should not prevent Frontex from taking account of other information sources on alleged fundamental rights violations, including general reports, beyond the complaints procedure; emphasises the need for clear criteria for the admissibility of complaints; recommends the provision of a standardised form for complaints requiring detailed information such as date and place of the incident, since this would facilitate decisions on admissibility;

Or. en

### **Amendment 112**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

#### **Motion for a resolution**

##### **Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

***11 a. Underlines that migrants and stateless individuals should also have access to the complaints mechanism, including those who could be considered to be from safe countries of origin;***

Or. en

**Amendment 113**

**József Nagy, Alessandra Mussolini, Artis Pabriks, Monika Hohlmeier**

**Motion for a resolution**

**Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

***11 a. Recalls that the identity of most complainants will be difficult to check upon and even to verify it as high percentage of people arrive to the EU with no documents, Urges to develop a system of verifying the identity of complainants while at the same time ensuring the protection of their personal data, that could be shared with any authorities only in cases of safeguard against and prevent threats on public security, public safety, public order and public health.***

Or. en

**Amendment 114**

**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**

**Paragraph 12**

*Motion for a resolution*

*Amendment*

12. Emphasises that the above form should be accessible in ***the most common*** languages ***spoken by migrants and asylum seekers*** and that it should include all

12. Emphasises that the above form should be accessible in ***all the official*** languages ***of the EU*** and that it should include all necessary information on how to submit a

necessary information on how to submit a complaint; ***is of the opinion that the possibility to submit a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved***; urges Frontex to make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

complaint; urges Frontex to make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

Or. en

**Amendment 115**  
**Carlos Coelho**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

12. Emphasises that the above form should be accessible in the most common languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; ***is of the opinion that the possibility to submit a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved***; urges Frontex to make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

*Amendment*

12. Emphasises that the above form should be accessible in the most common languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; ***recalls that the Frontex Regulation 656/2014 already provides the for the availability of shore-based of interpreters, legal adviser and other relevant experts***; ***is of the opinion that the possibility to submit a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved***; urges Frontex to make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

Or. en

## Amendment 116

Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva

### Motion for a resolution

#### Paragraph 12

##### *Motion for a resolution*

12. Emphasises that the above form should be accessible in the most common languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; is of the opinion that the possibility to submit a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved; urges Frontex to make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

##### *Amendment*

12. Emphasises that the above form should be accessible in the most common languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; is of the opinion that the possibility to submit a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved; urges Frontex to ***ensure that third parties are present during the whole process, independently from the person or people making the complaint, urges Frontex to*** make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

Or. en

## Amendment 117

Yana Toom, Angelika Mlinar

### Motion for a resolution

#### Paragraph 12

##### *Motion for a resolution*

12. Emphasises that the above form should be accessible in the ***most common*** languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; is of the opinion that the possibility to submit a complaint orally to a person wearing the Frontex emblem should

##### *Amendment*

12. Emphasises that the above form should be accessible in the ***appropriate*** languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint, ***including practical guidelines which are written in a comprehensible manner***; is of the opinion that the possibility to submit a

be ensured, which complaint would be duly transcribed by the officer involved; urges Frontex to make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved; urges Frontex to make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

Or. en

### **Amendment 118** **Miltiadis Kyrkos**

#### **Motion for a resolution** **Paragraph 12**

##### *Motion for a resolution*

12. Emphasises that the above form should be accessible in the most common languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; is of the opinion that the possibility to submit a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved; urges Frontex to make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

##### *Amendment*

12. Emphasises that the above form should be accessible in the most common languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; is of the opinion that the possibility to submit a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved; urges Frontex to make the complaints form available both in *smart phone compatible* electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

Or. en

### **Amendment 119** **Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis**

**Motion for a resolution**

**Paragraph 12**

*Motion for a resolution*

12. Emphasises that the above form should be accessible in the most common languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; is of the opinion that the possibility to **submit** a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved; urges Frontex to make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

*Amendment*

12. Emphasises that the above form should be accessible in the most common languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; is of the opinion that the possibility to **initiate** a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved; urges Frontex to make the complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

Or. en

**Amendment 120**

**Miriam Dalli, Sylvie Guillaume, Miltiadis Kyrkos, Christine Revault D'Allonnes Bonnefoy, Edouard Martin, Péter Niedermüller, Juan Fernando López Aguilar, Caterina Chinnici**

**Motion for a resolution**

**Paragraph 12**

*Motion for a resolution*

12. Emphasises that the above form should be accessible in the **most common** languages spoken by migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; is of the opinion that the possibility to submit a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved; urges Frontex to make the complaints form

*Amendment*

12. Emphasises that the above form should be accessible in the languages spoken by **at least the top 10 'nationalities of** migrants and asylum seekers and that it should include all necessary information on how to submit a complaint; is of the opinion that the possibility to submit a complaint orally to a person wearing the Frontex emblem should be ensured, which complaint would be duly transcribed by the officer involved; urges Frontex to make the

available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

complaints form available both in electronic format on its website and in hard-copy format, in the Member States' screening centres as well as from Frontex staff and guest officers participating in any Frontex operation;

Or. en

**Amendment 121**

**Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution  
Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

***12 a. Calls for regular reporting by Frontex on complaints received and their follow-up with due consideration to data protection concerns of the complainants;***

Or. en

**Amendment 122**

**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution  
Paragraph 13**

*Motion for a resolution*

*Amendment*

**13. Recommends that Frontex should set a reasonable deadline for the submission of a complaint, *thus allowing the possibility of filing a complaint after the termination of a Frontex operation; considers this to be of particular relevance for return operations;***

**13. Recommends that Frontex should set a reasonable deadline for the submission of a complaint;**

Or. en

## Amendment 123

Yana Toom

### Motion for a resolution

#### Paragraph 13

##### *Motion for a resolution*

13. Recommends that Frontex should set a reasonable **deadline** for the submission of a complaint, **thus allowing** the possibility of filing a complaint after the termination of a Frontex operation; considers this to be of particular relevance for return operations;

##### *Amendment*

13. Recommends that Frontex should set a reasonable **time limit** for the submission of a complaint **and ensure** the possibility of filing a complaint after the termination of a Frontex operation; considers this to be of particular relevance for return operations; **recommends that Member States handle the complaints within a reasonable time in compliance with national procedural rules;**

Or. en

## Amendment 124

Angelika Mlinar, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa Ruiz

### Motion for a resolution

#### Paragraph 13

##### *Motion for a resolution*

13. Recommends that Frontex should set a reasonable deadline for the submission of a complaint, thus allowing the possibility of filing a complaint after the termination of a Frontex operation; considers this to be of particular relevance for return operations;

##### *Amendment*

13. Recommends that Frontex should set a reasonable deadline for the submission of a complaint, thus allowing the possibility of filing a complaint after the termination of a Frontex operation; considers this to be of particular relevance for return operations; **recommends Frontex to establish a cooperation with the ombudsmen or other competent authorities in the countries of return in order to ensure to the third country nationals to have the possibility to submit the complaint after the return operation;**

Or. en



**Amendment 125**  
**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**  
**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

***13 a. Highlights that Frontex has the responsibility to enable their officers with skills to report on complaints related matters and to handle and proceed complaints in order to make the complaint mechanism effective;***

Or. en

**Amendment 126**  
**Miriam Dalli, Edouard Martin, Péter Niedermüller**

**Motion for a resolution**  
**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

***13 a. Stresses that complaints with regards to breaches of fundamental rights during Frontex operations should not interrupt on-going Frontex lifesaving operations in order not to put the lives of people at risk.***

Or. en

**Amendment 127**  
**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

*Amendment*

14. Acknowledges that potential

14. Acknowledges that potential

complaints may in *many* cases refer to the conduct of guest officers who fall under the particular authority of a Member State but wear the Frontex emblem;

complaints may in *certain* cases refer to the conduct of guest officers who fall under the particular authority of a Member State but wear the Frontex emblem;

Or. en

**Amendment 128**  
**Yana Toom, Angelika Mlinar**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

14. Acknowledges that potential complaints may in many cases refer to the conduct of guest officers who fall under the particular authority of a Member State but wear the Frontex emblem;

*Amendment*

14. Acknowledges that potential complaints may in many cases refer to the conduct of guest officers who fall under the particular authority of a Member State but wear the Frontex emblem; *notes that these officers wear their own national uniform while performing tasks which does not necessary has a name or identification number visible on it; stresses that while guest officers are obliged to carry an accreditation document, requesting identification might be an obstacle to lodging a complaint against an officer; recommends that all persons acting under the Frontex emblem should have a visible name or identification number on their uniforms;*

Or. en

**Amendment 129**  
**Yana Toom, Angelika Mlinar**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. *Recalls* that Frontex has no competence for initiating disciplinary measures against

*Amendment*

15. *Takes into account* that Frontex has no competence for initiating disciplinary

persons other than its own staff members, and that under Article 3(1a) of the Frontex Regulation taking disciplinary measures falls under the exclusive competence of the home Member State;

measures against persons other than its own staff members, and that under Article 3(1a) of the Frontex Regulation taking disciplinary measures falls under the exclusive competence of the home Member State; ***notes that due to the coordinating role of Frontex, it should establish and maintain an appropriate central monitoring system and complaints collecting mechanism;***

Or. en

**Amendment 130**  
**Yana Toom, Angelika Mlinar**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Takes note that Member States handle complaints against guest officers in very different ways; is concerned that alleged fundamental rights violations might not be followed up effectively by some Member States; calls on Frontex and the Member States to cooperate closely in order to ensure the proper follow-up of complaints against guest officers;

*Amendment*

16. Takes note that Member States handle complaints against guest officers in very different ways; is concerned that alleged fundamental rights violations might not be followed up effectively by some Member States; calls on Frontex and the Member States to cooperate closely ***and to exchange best practice*** in order to ensure the proper follow-up of complaints against guest officers;

Or. en

**Amendment 131**  
**Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Takes note that Member States handle complaints against guest officers in very different ways; is concerned that alleged

*Amendment*

16. Takes note that Member States handle complaints against guest officers in very different ways; is concerned that alleged

fundamental rights violations might not be followed up effectively by some Member States; calls on Frontex *and the Member States to cooperate closely in order to ensure the proper follow-up of complaints against guest officers;*

fundamental rights violations might not be followed up effectively by some Member States; calls on Frontex *to ensure the proper follow-up of complaints against guest officers, and report to the competent authorities in the cases in which the fundamental rights violations are not being effectively followed up; stresses that this information must be made public;*

Or. en

**Amendment 132**  
**Beatriz Becerra Basterrechea**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Takes note that Member States handle complaints against guest officers in very different ways; is concerned that alleged fundamental rights violations might not be followed up effectively by some Member States; calls on Frontex and the Member States to cooperate closely in order to ensure the proper follow-up of complaints against guest officers;

*Amendment*

16. Takes note that Member States handle complaints against guest officers in very different ways; is concerned that alleged fundamental rights violations might not be followed up effectively by some Member States; calls on Frontex and the Member States to cooperate closely in order to ensure the proper follow-up of complaints against guest officers; *and to harmonize the complaints mechanisms and effective follow up investigations criteria; and calls on the European Commission to establish a code of best practices in order to guarantee the full respect of fundamental rights among the European Union.*

Or. en

**Amendment 133**  
**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

17. Recommends that the office of the Fundamental Rights Officer transfers a complaint against a guest officer via a well-defined referral system to the competent national authority; considers it crucial to involve national ombudsmen or any other relevant bodies competent for fundamental rights that have the responsibility to investigate national authorities and officials, whereas the Fundamental Rights Officer does not have the right to do so;

*Amendment*

17. Recommends that the office of the Fundamental Rights Officer transfers a complaint against a guest officer via a well-defined referral system to the competent national authority; considers it crucial to involve national ombudsmen or any other relevant bodies competent for fundamental rights that have the responsibility to investigate national authorities and officials, whereas the Fundamental Rights Officer does not have the right to do so; ***stresses the need for cooperation of Frontex with the national human rights institutions in addition to the cooperation with national border authorities;***

Or. en

**Amendment 134**

**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**

**Paragraph 17**

*Motion for a resolution*

17. Recommends that the office of the Fundamental Rights Officer transfers a complaint against a guest officer via a well-defined referral system to the competent national authority; considers it crucial to involve national ombudsmen or any other relevant bodies competent for fundamental rights that have the responsibility to investigate national authorities and officials, whereas the Fundamental Rights Officer does not have the right to do so;

*Amendment*

17. Recommends that the office of the Fundamental Rights Officer transfers a complaint against a guest officer via a well-defined referral system to the competent national authority; ***recommends that this system includes an appeal mechanism in the case where the case is deemed inadmissible or rejected;*** considers it crucial to involve national ombudsmen or any other relevant bodies competent for fundamental rights that have the responsibility to investigate national authorities and officials, whereas the Fundamental Rights Officer does not have the right to do so; ***stresses the need for cooperation of Frontex with the national human rights institutions in addition to***

*the cooperation with national border authorities;*

Or. en

### **Amendment 135**

**Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva**

#### **Motion for a resolution**

##### **Paragraph 17**

###### *Motion for a resolution*

17. Recommends that the office of the Fundamental Rights Officer transfers a complaint against a guest officer via a well-defined referral system to the competent national authority; considers it crucial to involve national ombudsmen or any other relevant bodies competent for fundamental rights that have the responsibility to investigate national authorities and officials, whereas the Fundamental Rights Officer does not have the right to do so;

###### *Amendment*

17. Recommends that the office of the Fundamental Rights Officer transfers a complaint against a guest officer via a well-defined referral system to the competent national authority; considers it crucial to involve national ombudsmen or any other relevant bodies competent for fundamental rights that have the responsibility to investigate national authorities and officials, whereas the Fundamental Rights Officer does not have the right to do so; ***stresses the need to make the information about the breach of fundamental rights public;***

Or. en

### **Amendment 136**

**Malin Björk, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

#### **Motion for a resolution**

##### **Paragraph 17**

###### *Motion for a resolution*

17. Recommends that the office of the Fundamental Rights Officer transfers a complaint against a guest officer via a well-defined referral system to the competent national authority; considers it crucial to involve national ombudsmen or any other relevant bodies competent for

###### *Amendment*

17. Recommends that the office of the Fundamental Rights Officer transfers a complaint against a guest officer via a well-defined referral system to the competent national authority; ***recommends that this system includes an appeal mechanism in case the complaint is***

fundamental rights that have the responsibility to investigate national authorities and officials, whereas the Fundamental Rights Officer does not have the right to do so;

*deemed inadmissible or rejected;* considers it crucial to involve national ombudsmen or any other relevant bodies competent for fundamental rights that have the responsibility to investigate national authorities and officials, whereas the Fundamental Rights Officer does not have the right to do so;

Or. en

#### **Amendment 137**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

#### **Motion for a resolution Paragraph 17**

##### *Motion for a resolution*

17. Recommends that the office of the Fundamental Rights Officer transfers a complaint against a guest officer via a well-defined referral system to the competent national authority; considers it *crucial* to involve national ombudsmen or *any* other relevant bodies competent for fundamental rights that have the responsibility to investigate national authorities and officials, whereas the Fundamental Rights Officer does not have the right to do so;

##### *Amendment*

17. Recommends that the office of the Fundamental Rights Officer transfers a complaint against a guest officer via a well-defined referral system to the competent national authority; considers it *useful* to involve national ombudsmen or other relevant bodies competent for fundamental rights that have the responsibility to investigate national authorities and officials, whereas the Fundamental Rights Officer does not have the right to do so;

Or. en

#### **Amendment 138**

**Malin Björk, Marie-Christine Vergiat, Martina Anderson**

#### **Motion for a resolution Paragraph 17 a (new)**

##### *Motion for a resolution*

##### *Amendment*

***17 a. Recommends gender-based training***

*to be mandatory to both Frontex staff and guest officers before joining a Frontex operation, notably to raise awareness on gender-based violence and the vulnerability of migrant women;*

Or. en

#### **Amendment 139**

**Alessandra Mussolini, Monika Hohlmeier, Salvatore Domenico Pogliese, József Nagy**

#### **Motion for a resolution**

##### **Paragraph 18**

###### *Motion for a resolution*

18. Takes the view that the Fundamental Rights Officer should, in close cooperation with the relevant Frontex operational team, contribute to investigations by national authorities by providing further information on the incident if necessary;

###### *Amendment*

18. Takes the view that the Fundamental Rights Officer should, in close cooperation with the relevant Frontex operational team, contribute to investigations by national authorities by providing further information on the incident if *found to be necessary by the responsible Member State*;

Or. en

#### **Amendment 140**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Heinz K. Becker**

#### **Motion for a resolution**

##### **Paragraph 18**

###### *Motion for a resolution*

18. Takes the view that the Fundamental Rights Officer *should*, in close cooperation with the relevant Frontex operational *team*, contribute to investigations by national authorities by providing further information on the incident if necessary;

###### *Amendment*

18. Takes the view that the Fundamental Rights Officer *could in relevant cases and* in close cooperation with the relevant Frontex operational *division*, contribute to investigations by national authorities by providing further information on the incident if necessary;



**Amendment 141**

**Miriam Dalli, Sylvie Guillaume, Birgit Sippel, Christine Revault D'Allonnes Bonnefoy, Edouard Martin, Juan Fernando López Aguilar, Caterina Chinnici, Péter Niedermüller**

**Motion for a resolution**

**Paragraph 18 a (new)**

*Motion for a resolution*

*Amendment*

***18 a. Recommends that when complaints originate from asylum seekers, in particular those which are part of vulnerable groups such as unaccompanied minors, the Fundamental Rights Office, shall consult with EASO and seek advice.***

Or. en

**Amendment 142**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Heinz K. Becker**

**Motion for a resolution**

**Paragraph 19**

*Motion for a resolution*

*Amendment*

***19. Stresses that Frontex should closely follow up on complaints by formally requesting feedback from the respective Member State and, if necessary, by sending a letter of warning recalling the possible action which Frontex can take if no follow up to the letter concerned is received;*** recalls that Frontex has the right to receive information on fundamental rights violations by guest officers in the context of its obligation to monitor respect for fundamental rights in all of its activities;

19. Recalls that Frontex has the right to receive information on fundamental rights violations by guest officers in the context of its obligation to monitor respect for fundamental rights in all of its activities;

### **Amendment 143**

**Angelika Mlinar, Yana Toom, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa Ruiz**

#### **Motion for a resolution**

##### **Paragraph 19**

###### *Motion for a resolution*

19. Stresses that Frontex should closely follow up on complaints by formally requesting feedback from the respective Member State and, if necessary, by sending a letter of warning recalling the possible action which Frontex can take if no follow up to the letter concerned is received; recalls that Frontex has the right to receive information on fundamental rights violations by guest officers in the context of its obligation to monitor respect for fundamental rights in all of its activities;

###### *Amendment*

19. Stresses that Frontex should closely follow up on complaints by formally requesting feedback from the respective Member State and, if necessary, by sending a letter of warning recalling the possible action which Frontex can take if no follow up to the letter concerned is received; recalls that Frontex has the right to receive information on fundamental rights violations by guest officers in the context of its obligation to monitor respect for fundamental rights in all of its activities; ***recommends Frontex to cooperate closely not only with the national border authorities but also and foremost with the national human rights institutions;***

Or. en

### **Amendment 144**

**Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva**

#### **Motion for a resolution**

##### **Paragraph 19**

###### *Motion for a resolution*

19. Stresses that Frontex should closely follow up on complaints by formally requesting feedback from the respective Member State and, if necessary, by sending a letter of warning recalling the possible action which Frontex can take if no follow up to the letter concerned is received;

###### *Amendment*

19. Stresses that Frontex should closely follow up on complaints by formally requesting feedback from the respective Member State and, if necessary, by sending a ***public*** letter of warning recalling the possible action which Frontex can take if no follow up to the letter concerned is

recalls that Frontex has the right to receive information on fundamental rights violations by guest officers in the context of its obligation to monitor respect for fundamental rights in all of its activities;

received; recalls that Frontex has the right to receive information on fundamental rights violations by guest officers in the context of its obligation to monitor respect for fundamental rights in all of its activities;

Or. en

#### **Amendment 145**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Heinz K. Becker**

#### **Motion for a resolution Paragraph 20**

##### *Motion for a resolution*

20. Recommends that *a justification* should *be provided to* the complainant *should no follow-up procedure be initiated by Frontex;*

##### *Amendment*

20. Recommends that *Frontex* should *provide* the complainant *with the contact details of the responsible national authority;*

Or. en

#### **Amendment 146**

**Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva**

#### **Motion for a resolution Paragraph 20**

##### *Motion for a resolution*

20. *Recommends* that a justification should be provided to the complainant should no follow-up procedure be initiated by Frontex;

##### *Amendment*

20. *Stresses the need* that a *public* justification should be provided to the complainant should no follow-up procedure be initiated by Frontex;

Or. en

#### **Amendment 147**

**Angelika Mlinar, Yana Toom, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa**

**Ruiz**

**Motion for a resolution  
Paragraph 20**

*Motion for a resolution*

20. *Recommends that a justification should be provided* to the complainant should no follow-up procedure be initiated by Frontex;

*Amendment*

20. *calls on Frontex fundamental rights officer to provide a justification* to the complainant should no follow-up procedure be initiated by Frontex;

Or. en

**Amendment 148**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

**Motion for a resolution  
Paragraph 21**

*Motion for a resolution*

21. Recalls that the Frontex Disciplinary Procedure may also apply to seconded guest officers and seconded national experts if the relevant Member State *agrees*; recalls that Frontex may request the Member State to *immediately* remove the guest officer or seconded national expert concerned from the Frontex activity if the Member State does not allow the disciplinary procedure to take place, and, if necessary, to remove the person from the pool of guest officers;

*Amendment*

21. Recalls that the Frontex Disciplinary Procedure may also apply to seconded guest officers and seconded national experts if the relevant Member State *finds it to be the best solution*; recalls that Frontex may request the Member State to remove the guest officer or seconded national expert concerned from the Frontex activity if the Member State does not allow the disciplinary procedure to take place and, if necessary, to remove the person from the pool of guest officers;

Or. en

**Amendment 149**

**Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva**

**Motion for a resolution  
Paragraph 21**

*Motion for a resolution*

21. Recalls that the Frontex Disciplinary Procedure **may** also apply to seconded guest officers and seconded national experts **if the relevant Member State agrees**; recalls that Frontex may request the Member State to immediately remove the guest officer or seconded national expert concerned from the Frontex activity if the Member State does not allow the disciplinary procedure to take place, and, if necessary, to remove the person from the pool of guest officers;

*Amendment*

21. Recalls that the Frontex Disciplinary Procedure **must** also apply to seconded guest officers and seconded national experts; recalls that Frontex may request the Member State to immediately remove the guest officer or seconded national expert concerned from the Frontex activity if the Member State does not allow the disciplinary procedure to take place, and, if necessary, to remove the person from the pool of guest officers;

Or. en

**Amendment 150**

**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**

**Paragraph 22**

*Motion for a resolution*

22. Calls on the Frontex Executive Director to **consider the exclusion of** any officer who has been found to be in breach of fundamental rights from participating in any Frontex operation or pilot project;

*Amendment*

22. Calls on the Frontex Executive Director to **exclude** any officer who has been found to be in breach of fundamental rights from participating in any Frontex operation or pilot project;

Or. en

**Amendment 151**

**Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume**

**Motion for a resolution**

**Paragraph 22**

*Motion for a resolution*

22. Calls on the Frontex Executive Director to consider the exclusion of any officer who has been found to be in breach of fundamental rights from participating in

*Amendment*

22. Calls on the Frontex Executive Director to consider the exclusion of any officer who has been found to be in breach of fundamental rights from participating in

any Frontex operation or pilot project;

any Frontex operation or pilot project;  
*stresses that this should also apply to national officers from partner countries participating in Frontex's operations as part of a working arrangement;*

Or. en

## **Amendment 152**

**Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva**

### **Motion for a resolution**

#### **Paragraph 22**

##### *Motion for a resolution*

22. Calls on the Frontex Executive Director to *consider the exclusion of* any officer who has been found to be in breach of fundamental rights from participating in any Frontex operation or pilot project;

##### *Amendment*

22. Calls on the Frontex Executive Director to *exclude* any officer who has been found to be in breach of fundamental rights from participating in any Frontex operation or pilot project;

Or. en

## **Amendment 153**

**Bodil Valero**

### **Motion for a resolution**

#### **Paragraph 22**

##### *Motion for a resolution*

22. Calls on the Frontex Executive Director to consider the exclusion of any officer who has been found to be in breach of fundamental rights from participating in any Frontex operation or pilot project;

##### *Amendment*

22. Calls on the Frontex Executive Director to consider the exclusion of any officer who has been found to be in breach of fundamental rights from participating in any Frontex operation or pilot project; *considers that the suspension of participation of those Member States, which fail to cooperate with Frontex in the framework of the complaints mechanism should be explored;*

Or. en

**Amendment 154**  
**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

22. Calls on the Frontex Executive Director to consider ***the exclusion of*** any officer who has been found to be in breach of fundamental rights from participating in any Frontex operation or pilot project;

*Amendment*

22. Calls on the Frontex Executive Director to consider ***sanctioning*** any officer who has been found to be in breach of fundamental rights from participating in any Frontex operation or pilot project;

Or. en

**Amendment 155**  
**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**  
**Paragraph 22 a (new)**

*Motion for a resolution*

*Amendment*

***22 a. Clear criteria on when Frontex's staff members should be excluded shall be established following recommendations from the Consultative Forum, the Fundamental Rights Officer and other relevant actors and NGOs such as FRA, UNHCR, IOM***

Or. en

**Amendment 156**  
**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. Considers that the possibility of withdrawing financial support from Member States for joint operations as well

*Amendment*

23. Considers that the possibility of withdrawing financial support from Member States for joint operations as well

as the suspension and ultimately the termination of an operation in case of serious and persistent fundamental rights violations should be explored, without prejudice to the overall aim of the Frontex mission whereby the saving of lives is envisaged;

as the suspension and ultimately the termination of an operation in case of serious and persistent fundamental rights violations should be explored, without prejudice to the overall aim of the Frontex mission whereby the saving of lives is envisaged; ***takes the view that in order to terminate an operation Frontex should establish criteria, including criteria concerning complaints and their handling in Member States, to really terminate operations;***

Or. en

### **Amendment 157**

**Marina Albiol Guzmán, Malin Björk, Kostadinka Kuneva**

#### **Motion for a resolution**

##### **Paragraph 23**

###### *Motion for a resolution*

23. Considers ***that the possibility of withdrawing financial support from Member States for joint operations as well as the suspension and ultimately the termination of an operation in case of serious and persistent*** fundamental rights violations ***should be explored, without prejudice to the overall aim of the Frontex mission whereby the saving of lives is envisaged;***

###### *Amendment*

23. Considers operations ***where*** fundamental rights violations ***have been found must be immediately terminated;***

Or. en

### **Amendment 158**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

#### **Motion for a resolution**

##### **Paragraph 23**



*Motion for a resolution*

23. Considers that *the possibility* of withdrawing financial support from Member States *for joint operations as well as the suspension and* ultimately the termination of an operation *in case of serious and persistent fundamental rights violations* should *be explored, without prejudice* to the overall aim of the Frontex mission whereby the saving of lives is envisaged;

*Amendment*

23. Considers that *no prejudice in terms* of withdrawing financial support from *the* Member States *or* ultimately the termination of an operation should *come by this mechanism* to the overall aim of the Frontex mission whereby the saving of lives is envisaged;

Or. en

**Amendment 159**

**Miriam Dalli, Péter Niedermüller, Edouard Martin, Miltiadis Kyrkos**

**Motion for a resolution**

**Paragraph 23**

*Motion for a resolution*

23. Considers that the possibility of withdrawing financial support from Member States for joint operations *as well as the suspension and ultimately the termination of an operation in case of serious and persistent fundamental rights violations* should be *explored, without prejudice to the overall aim of the Frontex mission whereby the saving of lives is envisaged*;

*Amendment*

23. Considers that the possibility of withdrawing financial support from Member States for joint operations *in case of serious and persistent fundamental rights violations should be explored; furthermore the suspension and ultimately the termination of an operation* should be *considered and explored further only in case of consistent violations of fundamental rights and without impacting Frontex life-saving operations*;

Or. en

**Amendment 160**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**

**Paragraph 23 a (new)**

*Motion for a resolution*

*Amendment*

***23 a. Clear criteria on when Frontex operations should be terminated shall be established following recommendations from the Consultative Forum, the Fundamental Rights Officer and other relevant actors and NGOs such as FRA, UNHCR, IOM***

Or. en

**Amendment 161**

**Miriam Dalli, Birgit Sippel, Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Péter Niedermüller, Miltiadis Kyrkos, Juan Fernando López Aguilar,**

**Motion for a resolution**

**Paragraph 23 a (new)**

*Motion for a resolution*

*Amendment*

***23 a. Recommends that in its Annual General Report, Frontex includes information on the complaints made in the preceding year and the follow-up which has been made, stresses that this summary must include an overview of the types of violations alleged and the violations that actually occurred in order to help identify shortcomings, and ways to improve the staff's code of conduct; the same report should highlight if such violations occurred by guest officers or not, and when occurring by guest officers should indicate if sufficient information and follow up was provided by the Member State receiving such a complaint.***

Or. en

**Amendment 162**

**Marina Albiol Guzmán, Barbara Spinelli, Kostadinka Kuneva**

**Motion for a resolution**  
**Paragraph 24**

*Motion for a resolution*

*Amendment*

**24. Stresses that an individual complaints mechanism should not be deemed to confer any additional rights of access to criminal justice to the persons lodging a complaint; recalls that criminal investigations must be conducted by the Member State where operations take place;**

*deleted*

Or. en

**Amendment 163**

**Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**  
**Paragraph 24 a (new)**

*Motion for a resolution*

*Amendment*

**24 a. considers that the European Parliament should be regularly informed of the number of incidents reported through the incident referral mechanism; therefore calls on Frontex Fundamental Rights Officer to inform every six months the European Parliament of the number of incidents reported and the measures and decisions taken as a result;**

Or. en

**Amendment 164**

**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**  
**Paragraph 25**

*Motion for a resolution*

*Amendment*

**25. Takes the view that an individual**

*deleted*

*complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective information campaign; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check;*

Or. en

### **Amendment 165**

**Laura Ferrara, Eleonora Evi**

#### **Motion for a resolution**

#### **Paragraph 25**

##### *Motion for a resolution*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective information campaign; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check;

##### *Amendment*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective information campaign; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check; ***highlights that in order to be effective, an information campaign should make information available in different languages including, but not limited to, the languages spoken by migrants and asylum seekers;***

Or. en

## Amendment 166

Marina Albiol Guzmán, Kostas Chrysogonos, Barbara Spinelli, Kostadinka Kuneva

### Motion for a resolution

#### Paragraph 25

##### *Motion for a resolution*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective information campaign; ***believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check;***

##### *Amendment*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective information campaign;

Or. en

## Amendment 167

Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker

### Motion for a resolution

#### Paragraph 25

##### *Motion for a resolution*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective information campaign; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check;

##### *Amendment*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective information campaign; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check ***of the complaints;***

**Amendment 168**

**Miriam Dalli, Sylvie Guillaume, Juan Fernando López Aguilar, Birgit Sippel, Péter Niedermüller, Caterina Chinnici,**

**Motion for a resolution**

**Paragraph 25**

*Motion for a resolution*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective information campaign; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check;

*Amendment*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective information campaign; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check; ***Notes that returnees must be briefed about their fundamental rights prior to return operations, in a way that is understandable and comprehensible to every returnee.***

**Amendment 169**

**Yana Toom**

**Motion for a resolution**

**Paragraph 25**

*Motion for a resolution*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an

*Amendment*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an

effective information campaign; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check;

effective information campaign, ***which should also be specifically aimed at vulnerable groups***; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check;

Or. en

### **Amendment 170**

**Angelika Mlinar, Beatriz Becerra Basterrechea, Maite Pagazaurtundúa Ruiz**

#### **Motion for a resolution**

##### **Paragraph 25**

###### *Motion for a resolution*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective information campaign; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check;

###### *Amendment*

25. Takes the view that an individual complaints mechanism can only be effective if potential complainants, as well as the officers taking part in Frontex operations, are made aware of the individuals' right to complain through an effective ***and gender sensitive*** information campaign; believes it should be possible for the number of potential inadmissible complaints to be limited substantially through such an information campaign and a well-structured admissibility check;

Or. en

### **Amendment 171**

**Javier Nart**

#### **Motion for a resolution**

##### **Paragraph 25 a (new)**

###### *Motion for a resolution*

###### *Amendment*

***25 a. Considers that an individual complaint shall not have any suspensive effect on the operational activities of***

*Frontex, as well as on its decisions on asylum or return;*

Or. en

**Amendment 172**

**Malin Björk, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**

**Paragraph 25 a (new)**

*Motion for a resolution*

*Amendment*

*25 a. Calls on the individual complaint mechanism to ensure that the procedures comply with the UNHCR guidelines on gender-related persecutions;*

Or. en

**Amendment 173**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**

**Paragraph 25 a (new)**

*Motion for a resolution*

*Amendment*

*25 a. Following Article 13 of the Frontex Code of Conduct for Joint Operations, international organisations and NGOs, as independent from the authorities enforcing returns, should be informed of the preparation of Joint Return Operation and allowed to monitor their application/implementation*

Or. en

**Amendment 174**

**Yana Toom, Angelika Mlinar**



**Motion for a resolution**  
**Paragraph 26**

*Motion for a resolution*

26. Takes note that an individual complaints mechanism should be **both efficient and cost-effective**; calls on Frontex to provide **the** necessary resources to the Fundamental Rights Office for **handling** the complaints received;

*Amendment*

26. Takes note that an individual complaints mechanism should be **efficient, cost-effective and transparent and still in accordance with the principle of data protection**; calls on Frontex to provide **all** necessary resources, **including additional budget and staff**, to the Fundamental Rights Office for **coordinating** the complaints received;

Or. en

**Amendment 175**

**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

**Motion for a resolution**  
**Paragraph 26**

*Motion for a resolution*

26. Takes note that an individual complaints mechanism should be both efficient and cost-effective; calls on **Frontex** to provide the necessary resources to the Fundamental Rights Office for handling the complaints received;

*Amendment*

26. Takes note that an individual complaints mechanism should be both efficient and cost-effective; calls on **the Member States and the European Commission** to provide **Frontex with** the necessary **additional** resources **to be allocated** to the Fundamental Rights Office for handling the complaints received;

Or. en

**Amendment 176**

**Malin Björk, Marina Albiol Guzmán, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**  
**Paragraph 26**

*Motion for a resolution*

26. Takes note that an individual complaints mechanism should be **both** efficient and cost-effective; ***calls on Frontex to provide the necessary resources to the Fundamental Rights Office for handling the complaints received;***

*Amendment*

26. Takes note that an individual complaints mechanism should be ***independent,*** efficient and cost-effective;

Or. en

**Amendment 177**

**Edouard Martin, Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume, Jude Kirton-Darling**

**Motion for a resolution**

**Paragraph 26**

*Motion for a resolution*

26. ***Takes note that an individual complaints mechanism should be both efficient and cost-effective;*** calls on Frontex to provide the necessary resources to the Fundamental Rights Office for handling the complaints received;

*Amendment*

26. Calls on Frontex to provide the necessary resources to the Fundamental Rights Office for handling the complaints received;

Or. en

**Amendment 178**

**Miriam Dalli, Péter Niedermüller, Miltiadis Kyrkos, Birgit Sippel**

**Motion for a resolution**

**Paragraph 26**

*Motion for a resolution*

26. Takes note that an individual complaints mechanism should be both efficient and cost-effective; calls on Frontex to ***provide the necessary resources*** to the Fundamental Rights Office ***for handling*** the complaints received;

*Amendment*

26. Takes note that an individual complaints mechanism should be both efficient and cost-effective; calls on Frontex to ***ensure that*** the Fundamental Rights Office ***is adequately equipped to handle*** the complaints received;

**Amendment 179**

**Bodil Valero**

**Motion for a resolution**

**Paragraph 26**

*Motion for a resolution*

26. Takes note that an individual complaints mechanism should be ***both efficient and cost-effective***; calls on Frontex to provide the necessary resources ***to*** the Fundamental Rights Office ***for handling*** the complaints ***received***;

*Amendment*

26. Takes note that an individual complaints mechanism should be ***effective***; calls on Frontex to provide the necessary resources ***and additional staff in*** the Fundamental Rights Office ***devoted only to*** the complaints ***mechanism***;

Or. en

**Amendment 180**

**Yana Toom, Angelika Mlinar**

**Motion for a resolution**

**Paragraph 26 a (new)**

*Motion for a resolution*

***26 a. Considers the description of the tasks assigned to the Fundamental Rights Officer too limited and imprecise in its wording; notes that the tasks of the Fundamental Rights Officer are at the moment only described in the vacancy notice; suggests the inclusion of provisions on the tasks of the Fundamental Rights Officer in the forthcoming review of the Frontex Regulation;***

*Amendment*

Or. en

**Amendment 181**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**  
**Paragraph 26 a (new)**

*Motion for a resolution*

*Amendment*

**26 a. In order to improve Frontex's transparency, accountability and effectiveness and to allow the thorough investigation of individual complaints, the use of funds by Frontex should be regularly reported to the parliament and made public on their website**

Or. en

**Amendment 182**  
**Marina Albiol Guzmán, Malin Björk, Kostadinka Kuneva**

**Motion for a resolution**  
**Paragraph 27**

*Motion for a resolution*

*Amendment*

27. Welcomes the readiness of the European Ombudsman, the members of the European Network of Ombudsmen with competence on fundamental rights **and the Frontex Consultative Forum** to support Frontex in setting up and implementing an individual complaints mechanism; **calls on Frontex to follow the good practice of other European bodies, such as the European Investment Bank, in close cooperation with the European Ombudsman;**

27. Welcomes the readiness of the European Ombudsman **and** the members of the European Network of Ombudsmen with competence on fundamental rights to support Frontex in setting up and implementing an individual complaints mechanism; **regrets Frontex and the competent political authorities' lack of will to make Frontex accountable and transparent;**

Or. en

**Amendment 183**  
**Monika Hohlmeier, Csaba Sógor, Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Tomáš Zdechovský, Elissavet Vozemberg-Vrionidi, Kinga Gál, Artis Pabriks, József Nagy, Pál Csáky, Petri Sarvamaa, Rachida Dati, Heinz K. Becker**

**Motion for a resolution**  
**Paragraph 27**

*Motion for a resolution*

27. Welcomes the readiness of the European Ombudsman, the members of the European Network of Ombudsmen with competence on fundamental rights and the Frontex Consultative Forum to support Frontex in setting up and implementing an individual complaints mechanism; calls on Frontex to follow the good practice of other European bodies, such as the European Investment Bank, in close cooperation with the European Ombudsman;

*Amendment*

27. Welcomes the readiness of the European Ombudsman, the members of the European Network of Ombudsmen with competence on fundamental rights and the Frontex Consultative Forum to support Frontex in setting up and implementing an individual complaints mechanism; calls on Frontex to follow *where appropriate* the good practice of other European bodies, such as the European Investment Bank, in close cooperation with the European Ombudsman *while keeping in mind that Frontex is an operational agency which differs in nature to the abovementioned bodies*;

Or. en

**Amendment 184**  
**Marina Albiol Guzmán, Kostadinka Kuneva**

**Motion for a resolution**  
**Paragraph 28**

*Motion for a resolution*

*28. Recommends that Frontex and the European Ombudsman establish close cooperation in order to improve the protection of individuals from possible acts of maladministration regarding the activities of Frontex;*

*Amendment*

*deleted*

Or. en

**Amendment 185**  
**Christine Revault D'Allonnes Bonnefoy, Sylvie Guillaume**

**Motion for a resolution**  
**Paragraph 28**

*Motion for a resolution*

28. Recommends that Frontex and the European Ombudsman establish close cooperation in order to improve the protection of individuals from possible acts of maladministration regarding the activities of Frontex;

*Amendment*

28. Recommends that Frontex and the European Ombudsman establish close cooperation in order to improve the protection of individuals from possible acts of maladministration regarding the activities of Frontex, ***including when the Agency operates beyond the external borders of the European Union through working arrangements;***

Or. en

**Amendment 186**

**Malin Björk, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**

**Paragraph 28**

*Motion for a resolution*

28. Recommends that Frontex and the European Ombudsman establish close cooperation in order to improve the protection of individuals from possible acts of maladministration regarding the activities of Frontex;

*Amendment*

28. Recommends that Frontex and the European Ombudsman establish close cooperation in order to improve the protection of individuals from possible acts of maladministration regarding the activities of Frontex; ***recommends that the EU Special Representative on Human Rights is informed of the human rights aspects of Frontex external cooperation;***

Or. en

**Amendment 187**

**Miriam Dalli, Juan Fernando López Aguilar, Péter Niedermüller**

**Motion for a resolution**

**Paragraph 28**

*Motion for a resolution*

28. Recommends that Frontex and the European Ombudsman establish close

*Amendment*

28. Recommends that Frontex and the European Ombudsman establish close

cooperation in order to improve the protection of individuals from possible acts of maladministration regarding the activities of Frontex;

cooperation in order to improve the protection of individuals from possible acts of maladministration regarding the activities of Frontex; *to safeguard both the fundamental rights of asylum seekers and returnees and to ensure that the European Union's border guard agency's reputation is upheld;*

Or. en

**Amendment 188**  
**Maite Pagazaurtundúa Ruiz**

**Motion for a resolution**  
**Paragraph 28 a (new)**

*Motion for a resolution*

*Amendment*

*28 a. Underlines the need for special protection and information of their to women, unaccompanied minors, transsexuals, elders, and all the particularly vulnerable collectives; stresses that this information shall be communicated in a way that is effectively understood;*

Or. en

**Amendment 189**  
**Marina Albiol Guzmán, Kostadinka Kuneva**

**Motion for a resolution**  
**Paragraph 29**

*Motion for a resolution*

*Amendment*

*29. Calls on the Member States to cooperate efficiently with Frontex in order to ensure the smooth running of the complaints mechanism; encourages Frontex to provide technical assistance to the Member States in order to ensure the mechanism's effectiveness;*

*deleted*

**Amendment 190**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**

**Paragraph 30**

*Motion for a resolution*

30. Recommends the inclusion of provisions on the individual complaints mechanism in the forthcoming review of the Frontex Regulation;

*Amendment*

30. ***Considers that the Frontex legal framework should be urgently updated to cover the situations of de facto power of Frontex upon individuals; recommends the inclusion of provisions on the individual complaints mechanism in the forthcoming review of the Frontex Regulation; calls furthermore on the Commission to provide in the forthcoming review proposals for increased transparency and accountability regarding the spending of the Frontex budget;***

Or. en

**Amendment 191**

**Miriam Dalli, Péter Niedermüller, Christine Revault D'Allonnes Bonnefoy, Birgit Sippel**

**Motion for a resolution**

**Paragraph 30**

*Motion for a resolution*

30. Recommends the inclusion of provisions on the individual complaints mechanism in the forthcoming review of the Frontex Regulation;

*Amendment*

30. ***Recalls that nothing prevents Frontex from introducing an individual complaints mechanism under the current Frontex Regulation; in any case recommends the inclusion of provisions on the individual complaints mechanism in the forthcoming review of the Frontex Regulation; stresses that an extension of the competences of Frontex must go hand in hand with an increased accountability of the agency, including a strengthened***



*complaints mechanism;*

Or. en

**Amendment 192**

**Christine Revault D'Allonnes Bonnefoy, Miriam Dalli, Sylvie Guillaume**

**Motion for a resolution**

**Paragraph 29**

*Motion for a resolution*

29. Calls on the Member States to cooperate efficiently with *Frontex* in order to ensure the smooth running of the complaints mechanism; encourages Frontex to provide technical assistance to the Member States in order to ensure the mechanism's effectiveness;

*Amendment*

29. Calls on the Member States *and the partner countries which have concluded working arrangements with Frontex* to cooperate efficiently with *the Agency* in order to ensure the smooth running of the complaints mechanism; encourages Frontex to provide technical assistance to the Member States *and the relevant third countries* in order to ensure the mechanism's effectiveness;

Or. en

**Amendment 193**

**Yana Toom, Angelika Mlinar**

**Motion for a resolution**

**Paragraph 29**

*Motion for a resolution*

29. Calls on the Member States to cooperate efficiently with Frontex in order to ensure the smooth running of the complaints mechanism; encourages Frontex to provide technical assistance to the Member States in order to ensure the mechanism's effectiveness;

*Amendment*

29. Calls on the Member States to cooperate efficiently with Frontex in order to ensure the smooth running of the complaints mechanism; encourages Frontex to provide technical assistance to the Member States in order to ensure the *complaints* mechanism's effectiveness;

Or. en

**Amendment 194**  
**Marina Albiol Guzmán, Kostadinka Kuneva**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

30. Recommends the *inclusion of provisions on the individual complaints mechanism in the forthcoming review of the Frontex Regulation;*

*Amendment*

30. Recommends the *dismantling of Frontex in view of the persistent violation of fundamental rights; stresses that the mechanism proposed is not enough to end these violations;*

Or. en

**Amendment 195**  
**Laura Ferrara, Eleonora Evi**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

30. *Recommends* the inclusion of provisions on the individual complaints mechanism in the forthcoming review of the Frontex Regulation;

*Amendment*

30. *Calls for* the inclusion of provisions on the individual complaints mechanism in the forthcoming review of the Frontex Regulation;

Or. en

**Amendment 196**  
**Yana Toom, Angelika Mlinar**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

30. Recommends the inclusion of provisions on the individual complaints mechanism in the forthcoming review of the Frontex Regulation;

*Amendment*

30. *Recalls that nothing prevents Frontex from introducing an individual complaints mechanism under the current Frontex Regulation; in any case* recommends the inclusion of provisions on the individual complaints mechanism in the

forthcoming review of the Frontex Regulation *in accordance with Article 263 TFEU*;

Or. en

**Amendment 197**  
**Miltiadis Kyrkos, Miriam Dalli**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

30. Recommends the inclusion of provisions on the individual complaints mechanism in the forthcoming review of the Frontex Regulation;

*Amendment*

30. Recommends the inclusion of provisions on the individual complaints mechanism in the forthcoming review of the Frontex Regulation *and that this aspect becomes part of the regular information by FRONTEX to the EP.*

Or. en

**Amendment 198**  
**Malin Björk, Barbara Spinelli, Marie-Christine Vergiat, Martina Anderson**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

30. Recommends the inclusion of provisions *on the* individual complaints mechanism in the forthcoming review of the Frontex Regulation;

*Amendment*

30. Recommends the inclusion of provisions *for an independent* individual complaints mechanism in the forthcoming review of the Frontex Regulation;

Or. en

**Amendment 199**  
**Notis Marias**

**Motion for a resolution**  
**Paragraph 30 a (new)**

*Motion for a resolution*

*Amendment*

**30 a. urges the International community to collaborate with EU in order to find solutions and offer assistance.**

Or. en

**Amendment 200**

**Barbara Spinelli, Kostas Chrysogonos, Marie-Christine Vergiat**

**Motion for a resolution**

**Paragraph 31**

*Motion for a resolution*

*Amendment*

31. Instructs its President to forward this resolution to the Council, the Commission **and the** national parliaments.

31. Instructs its President to forward this resolution to the Council, the Commission, national parliaments **and Frontex**

Or. en