AMENDMENTS
1 - 85

Draft report
Ryszard Czarnecki
(PE657.220v01-00)

2019 discharge: European Border and Coast Guard Agency (FRONTEX)
(2020/2167(DEC))
Amendment 1
Younous Omarjee

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. Grants the Executive Director of the European Border and Coast Guard Agency discharge in respect of the implementation of the Agency’s budget for the financial year 2019 / Postpones its decision on granting the Executive Director of the European Border and Coast Guard Agency discharge in respect of the implementation of the budget of the Agency for the financial year 2019;

Amendment

1. Postpones its decision on granting the Executive Director of the European Border and Coast Guard Agency discharge in respect of the implementation of the budget of the Agency for the financial year 2019;

Or. en

Amendment 2
Bas Eickhout
on behalf of the Greens/EFA Group
Ramona Strugariu

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. Grants the Executive Director of the European Border and Coast Guard Agency discharge in respect of the implementation of the Agency’s budget for the financial year 2019 / Postpones its decision on granting the Executive Director of the European Border and Coast Guard Agency discharge in respect of the implementation of the budget of the Agency for the financial year 2019;

Amendment

1. Postpones its decision on granting the Executive Director of the European Border and Coast Guard Agency discharge in respect of the implementation of the budget of the Agency for the financial year 2019;

Or. en

Amendment 3
Ramona Strugariu

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. Grants the Executive Director of the European Border and Coast Guard Agency discharge in respect of the implementation of the Agency’s budget for the financial year 2019 / Postpones its decision on granting the Executive Director of the European Border and Coast Guard Agency discharge in respect of the implementation of the budget of the Agency for the financial year 2019;

Or. en

Amendment 4
Ramona Strugariu

Proposal for a decision 2
Paragraph 1

Proposal for a decision

1. Approves the closure of the accounts of the European Border and Coast Guard Agency for the financial year 2019 / Postpones the closure of the accounts of the European Border and Coast Guard Agency for the financial year 2019;

Or. en

Amendment 5
Younous Omarjee

Proposal for a decision 2
Paragraph 1

Proposal for a decision

1. Approves the closure of the

1. Postpones the closure of the

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accounts of the European Border and Coast Guard Agency for the financial year 2019 / Postpones the closure of the accounts of the European Border and Coast Guard Agency for the financial year 2019;

Amendment 6
Bas Eickhout
on behalf of the Greens/EFA Group
Ramona Strugariu

Proposal for a decision 2
Paragraph 1

Proposal for a decision

1. Approves the closure of the accounts of the European Border and Coast Guard Agency for the financial year 2019 / Postpones the closure of the accounts of the European Border and Coast Guard Agency for the financial year 2019;

Amendment

1. Postpones the closure of the accounts of the European Border and Coast Guard Agency for the financial year 2019;

Amendment 7
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Recital A a (new)

Motion for a resolution

A a. Whereas pursuant to Article 80(1) of Regulation (EU) 2019/1896 the European Border and Coast Guard is to guarantee the protection of fundamental rights in the performance of its tasks under that Regulation in accordance with relevant Union law, in particular the Charter, and relevant international law, including the 1951 Convention relating to the Status of Refugees, the 1967 Protocol
thereto, the Convention on the Rights of the Child and obligations related to access to international protection, in particular the principle of non-refoulement; whereas Regulation (EU) 2019/1896 has not only provided for new resources for the Agency in the area of fundamental rights but has also put in place a new comprehensive internal independent mechanism designed to monitor the compliance of the Agency’s operational activities with fundamental rights; whereas this mechanism is based on the reinforced role and the independence of the Agency’s fundamental rights officer reporting to the management board but also becoming a delegated appointing authority for his or her own staff;

Amendment 8
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Recital A b (new)

Motion for a resolution
Amendment

A b. Whereas according to Regulation(EU) 2019/1896 the fundamental rights officer is to be assisted by the deputy fundamental rights officer and at least 40 fundamental rights monitors acting under the hierarchal supervision of the fundamental rights officer as his or her “eyes and ears” on the ground;

Amendment 9
Bas Eickhout
on behalf of the Greens/EFA Group
Motion for a resolution
Recital A

A.

Whereas the Roadmap for the implementation of the European Border and Coast Guard 2.0 which the Agency and the Commission set up in July 2019, stressed the need to bring the relevant framework for fundamental rights monitoring in line with the letter and spirit of the Regulation (UE) 2019/1896, in particular as regards the recruitment of 40 fundamental rights monitors by 5th of December 2020;

Amendment

Amendment 10
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Recital B

B.

whereas the Court of Auditors (the ‘Court’), in its report on the annual accounts of the Agency for the financial year 2019 (the ‘Court’s report’), states that it has obtained reasonable assurance that the Agency’s annual accounts are reliable and that the underlying transactions are legal and regular;

Amendment

B.

Whereas the Court of Auditors (the ‘Court’), in its report on the annual accounts of the Agency for the financial year 2019 (the ‘Court’s report’), states that it has obtained reasonable assurance that the Agency’s annual accounts are reliable and that the underlying transactions are legal and regular; whereas the Court recently launched an audit to examine whether the Agency has so far provided effective support to Member States in the implementation of European Integrated Border Management which will be finalized in 2021;

Amendment 11
Amendment 12
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Recital B b (new)

B b. Whereas OLAF has opened an investigation over allegations of harassment, misconduct and migrant pushbacks concerning the Agency;

Or. en

Amendment 13
Pierre Karleskind, Ramona Strugariu, Olivier Chastel, Alin Mituța, Pascal Durand

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

Amendment

B a. Whereas since December 2019 the Agency is implementing a new mandate with an important and essential scale up in terms of missions and staff, requiring an adequate budget;

Or. en

Amendment 14
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Notes from the Court’s report that in 2019 the Agency had financing agreements with cooperating countries for operational activities, representing 55% of the Agency’s budget; notes that the Agency has taken steps to improve the ex ante verifications and has re-introduced ex post verifications on reimbursements in 2019; highlights the Court’s emphasis that the reimbursement of equipment-related expenditure is still based on actual costs and that the project to move to unit-cost based reimbursements is still not completed; further notes from the Court’s report that cooperating countries had not always presented cost claims supported by invoices, or by other evidence, duly substantiating the actual costs incurred in operations and that there were delays for providing supporting documents; at the same time, the Court’s report stresses that the duty to submit accurate and timely supporting evidence together with the cost claims lies with the cooperating countries; notes from the Agency’s reply that during ex post control the Agency ascertained the questioned expenditure with bank statements and the beneficiary was notified that pro-forma invoices would no longer be accepted as supporting documents even if
such invoices respected the applicable national regulatory framework; furthermore, delays in providing supporting documents were associated with the implementation of a simplified grant scheme for the deployment of officers, and the final payment procedure in 2019 was therefore much extended in order to ensure sound financial management; agency’s reply that during ex post control the agency ascertained the questioned expenditure with bank statements and the beneficiary was notified that pro-forma invoices would no longer be accepted as supporting documents even if such invoices respected the applicable national regulatory framework; furthermore, delays in providing supporting documents were associated with the implementation of a simplified grant scheme for the deployment of officers, and the final payment procedure in 2019 was therefore much extended in order to ensure sound financial management; is deeply unsatisfied with the lack of commitment to addressing this situation from the side of the agency's leadership; calls on the agency to cease all remaining reimbursements for any cost claims not supported by invoices; urges the agency to finalise the move to unit-cost based reimbursements immediately and to fully apply all principles of sound financial management;

Amendment 15
Younous Omarjee

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Notes from the Court’s report that in 2019 the agency had financing agreements with cooperating countries for operational activities, representing 55% of the agency’s budget; notes that the agency has taken steps to improve the ex ante verifications and has re-introduced ex post verifications on reimbursements in 2019; highlights the Court’s emphasis that the reimbursement of equipment-related expenditure is still based on actual costs and that the project to move to unit-cost

Amendment

2. Notes from the Court’s report that in 2019 the agency had financing agreements with cooperating countries for operational activities, representing 55% of the agency’s budget; notes that the agency has taken steps to improve the ex ante verifications and has re-introduced ex post verifications on reimbursements in 2019; regrets that the Court has once again highlighted recurrent emphasis of matter on the fact that the reimbursement of equipment-related expenditure is still
based reimbursements is still not completed; further notes from the Court’s report that cooperating countries had not always presented cost claims supported by invoices, or by other evidence, duly substantiating the actual costs incurred in operations and that there were delays for providing supporting documents; at the same time, the Court’s report stresses that the duty to submit accurate and timely supporting evidence together with the cost claims lies with the cooperating countries; notes from the Agency’s reply that during ex post control the Agency ascertained the questioned expenditure with bank statements and the beneficiary was notified that pro-forma invoices would no longer be accepted as supporting documents even if such invoices respected the applicable national regulatory framework; furthermore, delays in providing supporting documents were associated with the implementation of a simplified grant scheme for the deployment of officers, and the final payment procedure in 2019 was therefore much extended in order to ensure sound financial management.

Amendment 16
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 2

2. Notes from the Court’s report that in 2019 the Agency had financing agreements with cooperating countries for operational activities, representing 55% of the Agency’s budget; notes that the Agency has taken steps to improve the ex ante verifications and has re-introduced ex...
post verifications on reimbursements in 2019; highlights the Court’s emphasis that the reimbursement of equipment-related expenditure is still based on actual costs and that the project to move to unit-cost based reimbursements is still not completed; further notes from the Court’s report that cooperating countries had not always presented cost claims supported by invoices, or by other evidence, duly substantiating the actual costs incurred in operations and that there were delays for providing supporting documents; at the same time, the Court’s report stresses that the duty to submit accurate and timely supporting evidence together with the cost claims lies with the cooperating countries; notes from the Agency’s reply that during ex post control the Agency ascertained the questioned expenditure with bank statements and the beneficiary was notified that pro-forma invoices would no longer be accepted as supporting documents even if such invoices respected the applicable national regulatory framework; furthermore, delays in providing supporting documents were associated with the implementation of a simplified grant scheme for the deployment of officers, and the final payment procedure in 2019 was therefore much extended in order to ensure sound financial management; 

Amendment 17
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh, Martina Dlabajová

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Notes from the Court’s report that the Agency modified the contractual arrangements of reconstruction works carried out on the Agency’s premises at a
late stage of the project and introduced the possibility of a pre-financing for works still to be completed, although initially payments were to be made only when works were accepted, and as a result a key element of control was forfeited and the consumption of funds did not reflect the real progress of the works; notes from the Agency’s reply that the pre-financing was a solution that enabled the reconstruction of the building to continue and that the Agency's key control remained since the pre-financing was paid to the landlord, who could not make a payment to the contractor before a portion of completed works had been accepted by the Agency and any unused funds were returned to the Agency by the landlord, all of which was guaranteed by contractual safeguards; calls on the Agency to review its mechanisms concerning such payments and ensure compliance with the principles of sound financial management;

Or. en

Amendment 18
Younous Omarjee

Motion for a resolution
Paragraph 3 a (new)

*Motion for a resolution*

3 a. Considers the explanation of the Agency particularly weak, in light of information on a possible fraud case involving Polish IT software where a similar modus operandi was applied;

Or. en

Amendment 19
Lara Wolters
3 a. Points to recent media reports on expensive annual events, the costs of which amounted to almost half a million euros in 2019\(^a\); recalls that the Agency is financed by Union taxpayers’ money; welcomes in this respect the Agency’s decision to stop the costly annual event; calls on the Agency to be more prudent in its implementation of the budget, when it comes to the organisation of events;

\(^a\)

https://euobserver.com/institutional/15062

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Amendment 20
Younous Omarjee

3 b. Is concerned about the media report about the amount paid by the Agency for its annual European Border and Coast Guard Day\(^a\); finds it unacceptable that a total of EUR 2.1 million was paid for such events in the period between 2015 and 2019;

\(^a\)

https://euobserver.com/institutional/15062

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Amendment 21
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Notes that the Agency uses certain measures as key performance indicators to assess the added value provided by its activities and also uses other measures to improve its budget management, such as satisfaction level by online survey, late payment evaluation and vacancy rate;

Amendment

4. Notes that the Agency uses certain measures as key performance indicators to assess the added value provided by its activities and also uses other measures to improve its budget management, such as satisfaction level by online survey, late payment evaluation and vacancy rate; *calls on the Agency to clarify why “refusal of entry” is part of the key performance indicators;*

Or. en

Amendment 22
Pierre Karleskind, Ramona Strugariu, Olivier Chastel, Alin Mituța, Pascal Durand

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

4 a. *Stresses the essential role of the Agency as the cornerstone of the Union’s efforts to safeguard the area of freedom, security and justice and to guarantee the freedom of movement without internal borders checks; underlines that the Agency, by mutualising resources and means at a Union level in the field of migration policy, is the main tool of Union solidarity in that field;*

Amendment

Or. en

Amendment 23
Monika Hohlmeier, Tomáš Zdechovský
5. Notes that Regulation (EU) 2019/1896 of the European Parliament and of the Council\textsuperscript{2} was adopted on 13 November 2019 and entered into force on 4 December 2019, with extended mandate and resources including the creation of the standing corps with executive powers; notes that the Agency had to implement major internal restructurings and faced the challenge of designing new tasks in order to fulfil the provisions of the new mandate; notes that the Agency was faced with an unforeseen reduction in the number of administrators to be employed in 2020 that led to adjustments in the Agency’s establishment plan; is concerned by the length of the ongoing discussion between the Agency and the Commission concerning those adjustments; calls on the Commission and the Agency to quickly find an adequate solution to ensure a proper and timely implementation of the Agency’s new mandate;

5. Notes that Regulation (EU) 2019/1896 of the European Parliament and of the Council was adopted on 13 November 2019 and entered into force on 4 December 2019, with extended mandate and resources including the creation of the standing corps with executive powers; believes that this empowerment of the Agency is essential to perform its role of promoting, coordinating and developing European integrated border management while fully respecting fundamental rights; underlines that the strengthening of the Agency’s mandate and responsibilities needs to be accompanied by a corresponding increase in accountability and transparency and be conditional upon the Agency’s commitment to Union law;
Amendment 26
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh

Motion for a resolution
Paragraph 8

8. Notes with regard to the Court’s findings of the previous year that, although the Agency moved to its current premises in 2014, the Agency still has no comprehensive business continuity plan approved by the management board; notes from the Agency’s reply that an ad interim business continuity policy and business continuity plan is being developed and that the adoption of the business continuity plan is envisaged in 2020;

Amendment

8. Expresses great concern over the Court’s findings of the previous year that, although the Agency moved to its current premises in 2014, the Agency still has no comprehensive business continuity plan approved by the management board; notes from the Agency’s reply that an ad interim business continuity policy and business continuity plan is being developed and that the adoption of the business continuity plan is envisaged in 2020; calls on the Agency to report to the discharge authority with regard to the adoption and implementation stages of the business continuity plan;

Amendment 27
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 8 a (new)
8 a. Notes that in line with Article 80(1) of Regulation 2019/1896 the Agency, with the contribution of and subject to the endorsement by the fundamental rights officer, is to draw up, implement and further develop a fundamental rights strategy and action plan, including an effective mechanism for monitoring respect for fundamental rights in all the activities of the Agency; notes that the action plan should implement the strategy by ensuring practical fundamental rights safeguards that guide the implementation of the Agency’s operational activities; deplores the fact that this action plan has yet not been adopted;

Amendment

Amendment 28
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 8 d (new)

Motion for a resolution

8 a. Deplores the fact that despite repeated calls of the Parliament and a significant overall staff increase for the Agency, the fundamental rights officer still lacks adequate human resources and is therefore clearly hampered to properly conduct the tasks that are entrusted to him or her; urges the Agency to provide its fundamental rights officer with adequate resources and staff, in particular in relation to further developing and implementing the Agency’s strategy to monitor and ensure the protection of fundamental rights; reminds the Agency of the importance of adhering to the Staff Regulations; calls on the Agency to establish a regular mechanism by which the Agency briefs Members of the European Parliament
about ongoing operations including serious incidents and other reports about violence and non-respect of fundamental rights at the external borders;

Amendment 29
Ramona Strugariu, Alin Mituţa, Olivier Chastel, Katalin Cseh, Martina Dlabajová

Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution
Amendment

8 a. Stresses the importance of increasing the digitalisation of the Agency in terms of internal operations and management procedures; stresses the need for the Agency to continue to be proactive in that regard in order to avoid a digital gap between the agencies at all costs; draws attention, however, to the need to take all the necessary security measures to avoid any risk to the online security of the information processed;

Amendment 30
Monika Hohlmeier, Tomáš Zdechovský

Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution
Amendment

8 a. Notes from the Agency’s reply that an internal ICT security and cybersecurity team has been established; encourages the Agency to finalize its Cybersecurity action plan 2020-25 without undue delay; calls on the Commission to support the Agency in finding solutions to advance the digitalization of the Agency;
Amendment 31  
Bas Eickhout  
on behalf of the Greens/EFA Group  

Motion for a resolution  
Paragraph 9 a (new)  

\textit{Motion for a resolution}  

\textbf{Amendment}\  

\textbf{9 a.} Recalls the Agency’s obligation under Regulation (EU) 2019/1896 to recruit 40 fundamental as of the 5 December 2020; deplores the fact that no fundamental rights monitors have been recruited until that date; insists therefore that the Agency recruit the 40 fundamental rights monitors at the appropriate AD-level as required under Article 110(6) of Regulation (EU) 2019/1896 without further delay and as a matter of urgency and ensure that the future monitors have the necessary standing to perform their duties independently;  

Amendment 32  
Lara Wolters  

Motion for a resolution  
Paragraph 9 a (new)  

\textit{Motion for a resolution}  

\textbf{Amendment}\  

\textbf{9 a.} Deplores the delay in the recruitment of the fundamental rights officer, the deputy fundamental rights officer and the fundamental rights monitors; recalls that under the Regulation (EU) 2019/1896 the Agency was obliged to have recruited at least 40 fundamental rights monitors by 5 December 2020; notes with concern that
to date no fundamental rights monitors have been recruited; questions the Agency’s priorities regarding its handling of fundamental rights, particularly in light of allegations over its involvement in illegal pushbacks of asylum-seekers and other fundamental rights violations; urges the Agency to make the recruitment of the fundamental rights officer a priority and matter of urgency;

Amendment 33
Tomáš Zdechovský, Monika Hohlmeier, Jeroen Lenaers

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

9 a. Notes the ongoing recruitment procedure of the fundamental rights officer, the deputy fundamental rights officer and fundamental rights monitors; notes that the first group of fundamental rights monitors is expected to be recruited in March 2021; notes that the scope of duties of the fundamental rights officer has been increased by the Regulation (EU) 2019/1896 and the post thus had to be defined as a middle management function requiring aspecific selection procedure; notes that these organisational and personnel changes have raised ambiguities regarding legal implications and implementations; regrets that the cooperation and communication between the Commission and the Agency has been stagnant; calls on the Agency and the Commission to improve their communication and cooperation with the a view to increasing mutual trust, respect and the ability to act in a timely manner; urges the Agency to fill all 40 vacancies for fundamental rights monitors in compliance with the Regulation (EU) 2019/1896 and to finish their
recruitment without any undue delay;

Or. en

Amendment 34
Pierre Karleskind, Ramona Strugariu, Olivier Chastel, Alin Mituța, Pascal Durand

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

Amendment

9 a. Underlines the close cooperation between the Agency and the European Union Agency for Fundamental Rights in 2019 on the establishment of the specific selection criteria for the recruitment of the fundamental rights officer and 40 fundamental rights monitors; yet, regrets the delay in the recruitment of the fundamental rights officer and 40 fundamental rights monitors and calls for the resolution of this issue as a matter of priority;

Or. en

Amendment 35
Younous Omarjee

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

Amendment

9 a. Is extremely concerned by the lack of gender balance in the Agency, in particular at the level of the management board, where in 2019 only 8% of the members were women; calls on the Agency to improve the significant gender imbalance at all levels;

Or. en
Amendment 36
Sándor Rónai, Isabel García Muñoz, Maria Grapini

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

9 a. Notes with concern that the reported gender balance within the management board for 2019 (48 male members and 8 female members) was highly uneven; asks the Commission and the Member States to take into account the importance of ensuring gender balance when nominating members of the Agency’s management board;

Amendment

Or. en

Amendment 37
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 9 b (new)

Motion for a resolution

9 b. Expresses its concern about the five cases of harassment reported by the Agency in 2019 and notes that further allegations of harassment have been made by whistleblowers more recently; calls on the management board to assess whether the Agency's policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment which entered into force on 1 August 2019 is correctly implemented and effective;

Amendment

Or. en

Amendment 38
Sándor Rónai, Isabel García Muñoz, Maria Grapini, Tsvetelina Penkova
Motion for a resolution
Paragraph 9 b (new)

Amendment

9 b. Notes that the Agency has adopted a policy on protecting the dignity of the person and preventing harassment on 1 August 2019; takes note that 5 harassment cases were reported in 2019; notes that by decision of the executive director of 21 December 2019 three confidential counsellors were appointed to provide assistance to staff members who feel to be a victim of psychological or sexual harassment;

Or. en

Amendment 39
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 10

Amendment

10. Notes from the Court’s report that in 2019, the Agency continued to recruit new staff in line with its enlarged mandate, with an intake for the year of 218 newcomers; notes that, although the recruitment procedure is deemed successful, the Agency should improve the guidance given to selection committee members and verify more closely candidates’ financial entitlements for the salary payments; notes from the Agency’s reply that the Agency organises training for selection committee members to ensure they have proper knowledge to fulfil their role, respecting the margin of discretion and independence every selection committee holds; furthermore, the rights and entitlements established for staff members were communicated on 6

10. Notes from the Court’s report that in 2019, the Agency continued to recruit new staff in line with its enlarged mandate, with an intake for the year of 218 newcomers; notes that the Agency should improve the guidance given to selection committee members and verify more closely candidates’ financial entitlements for the salary payments; deplores the fact that the audit also found that the Agency had modified the contractual arrangements at a very late stage of a project to cover reconstruction works carried out on the Agency’s premises; notes from the Agency’s reply that the Agency organises training for selection committee members to ensure they have proper knowledge to fulfil their role, respecting the margin of discretion and
February 2020, after the payroll was published and executed; notes that newcomers’ salaries are checked against the decisions and, where discrepancies are discovered, the newcomer must be informed by the twelfth day of the month; independence every selection committee holds; furthermore, the rights and entitlements established for staff members were communicated on 6 February 2020, after the payroll was published and executed; notes that newcomers’ salaries are checked against the decisions and, where discrepancies are discovered, the newcomer must be informed by the twelfth day of the month;

Amendment 40
Lara Wolters

Motion for a resolution
Paragraph 10

10. Notes from the Court’s report that in 2019, the Agency continued to recruit new staff in line with its enlarged mandate, with an intake for the year of 218 newcomers; notes that, although the recruitment procedure is deemed successful, the Agency should improve the guidance given to selection committee members and verify more closely candidates’ financial entitlements for the salary payments; notes from the Agency’s reply that the Agency organises training for selection committee members to ensure they have proper knowledge to fulfil their role, respecting the margin of discretion and independence every selection committee holds; furthermore, the rights and entitlements established for staff members were communicated on 6 February 2020, after the payroll was published and executed; notes that newcomers’ salaries are checked against the decisions and, where discrepancies are discovered, the newcomer must be informed by the twelfth day of the month;
not properly communicate on the status of recruitment procedures to candidates; calls on the Agency to improve its communication in this regard;


Amendment 41
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh, Martina Dlabajová

Motion for a resolution
Paragraph 11

11. Notes that 2019 was the fourth year of the five-year growth plan following the adoption of Regulation (EU) 2016/1624 of the European Parliament and of the Council that significantly increased the Agency’s budget and staff; notes that the Agency started shifting to a paperless, cloud-based e-recruitment system which is expected to be operational in the summer of 2020; notes furthermore that the Agency faces challenges in attracting suitable external candidates and achieving a sound geographical balance mainly due to the low correction coefficient; stresses that agencies located in countries where a low correction coefficient is applied should receive further support from the Commission in implementing complementary measures in order to make them more attractive to current and prospective staff; calls on the Commission to assess the impact and viability of applying salary correction coefficients in the future;
applying salary correction coefficients based on a regional rather than national assessment; highlights that usually the headquarters of agencies located in Member States with lower correction coefficients are in capital cities where living and subsistence costs are significantly higher than in other parts of the countries;


Amendment 42
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

11 a. Expresses great concern that in spite of being aware, as early as March 2019, of the changes that entered into force in December 2019 with regards to the role and competences of the fundamental rights officer and the fundamental rights monitors, the executive leadership of the Agency did not take the necessary measures to adapt to those changes, resulting in repeated delays in the implementation of provisions concerning the respect for fundamental rights within the Agency; deeply deplores the manner in which the executive director decided to bypass the
management board in the replacement procedure of the fundamental rights officer at the end of 2019; notes with concern that the procedure had started just as the fundamental rights officer was returning from an extended illness, informing the incumbent on a very short notice; highlights that the Agency had to suspend the publication of the vacancy note for the post of fundamental rights officer due to the lack of compliance with relevant legislation; underlines the comments made by the Commission with regard to that situation as "plain and simply unlawful"; takes note that currently the post of fundamental rights officer is occupied ad interim by a former member of the cabinet of the executive director; is seriously concerned over media reports that the executive director had repeatedly ignored reports and advice coming from the fundamental rights officer, concerning its operations in several Member States; underlines that up to February 2021 the Agency had not recruited a single person for the post of fundamental rights monitor; expresses serious concerns over the Commission remarks concerning the Agency’s reluctance to implement guidance provided by the Commission with regard to recruitment, including the recruitment of the fundamental rights officer and monitors, further obstructing and delaying this process; urges the Agency to fully comply with all obligations stemming from Regulation (EU) 2019/1896 and to report to the discharge authority on the progress made;

Amendment 43
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 11 a (new)
Motion for a resolution

11 a. Deplores the severe delay in the recruitment of the fundamental rights officer and the deputy fundamental rights officer due to the failure by the executive director to act in a timely manner and the initial reluctance of the executive director to guarantee the independence of the fundamental rights officer in accordance with Regulation (EU) 2019/1896 despite several warnings and comments by the Commission;

Or. en

Amendment 44
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh

Motion for a resolution
Paragraph 11 c (new)

Motion for a resolution

11 c. Regrets the fact that contrary to the provisions of Regulation (EU) 2019/1896, which entered into force in December 2019, the actions of the executive leadership have resulted in the delay of recruiting and appointing three deputy executive directors; calls on the Agency to proceed with the required recruitments as soon as possible and to report back to the discharge authority about the progress achieved in this area by June 2021;

Or. en

Amendment 45
Monika Hohlmeier, Tomáš Zdechovský

Motion for a resolution
Paragraph 11 a (new)
Motion for a resolution

11 a. Notes that the implementation of Regulation (EU) 2018/1896 brought changes to organisational structure of the Agency; notes that the portfolio of the three deputy executive directors had to be defined and assessed; notes that the Management board adopted in December 2020 an amended organisational structure of the Agency; emphasizes that the three deputy executive directors need clearly defined competences and areas of responsibilities to increase transparency and capacity to act;

Or. en

Amendment 46
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 11 b (new)

Motion for a resolution

11 b. Deplores the delays in the recruitment procedure of the deputy executive director;

Or. en

Amendment 47
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh, Martina Dlabajová

Motion for a resolution
Paragraph 11 b (new)

Motion for a resolution

11 b. Encourages the Agency to pursue the development of a long term human resources policy framework which addresses the work-life balance, the
lifelong guidance and career development, the gender balance, the teleworking, the geographical balance and the recruitment and integration of people with disabilities;

Amendment 48
Lara Wolters

Motion for a resolution
Paragraph 12 a (new)

12 a. Is concerned about the Agency's procurement of military drone surveillance equipment totalling EUR 100 million, from Airbus and two arms companies\textsuperscript{1a}; is also surprised to note that the director of Airbus Defence & Space stated that the Agency is its only non-military client; recalls that a crucial part of the Agency's mission is to rescue migrants in distress at the external borders; urges the Agency to revise its procurement strategy;

\textsuperscript{1a}

Amendment 49
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh

Motion for a resolution
Subheading 5

Prevention and management of conflicts of interest and transparency

Prevention and management of conflicts of interest, ethics and transparency;
Amendment 50
Sándor Rónai, Isabel García Muñoz, Maria Grapini, Tsvetelina Penkova

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Acknowledges the Agency’s existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interest, and whistleblower protection; notes that the whistleblowing policy was adopted on 18 July 2019 and entered into force on 1 August 2019; notes that not all management board member CVs and declarations of interest are published on the Agency’s website; calls on the Agency, with the aim of increasing transparency, to publish the CVs and declarations of interest for all members of its management board, the executive director, and the deputy executive director;

Amendment

13. Acknowledges the Agency’s existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interest, and whistleblower protection; notes that the whistleblowing policy was adopted on 18 July 2019 and entered into force on 1 August 2019; notes that not all management board member CVs and declarations of interest are published on the Agency’s website; calls on the Agency, with the aim of increasing transparency, to publish the CVs and declarations of interest for all members of its management board, the executive director, and the deputy executive director and to report to the discharge authority on the measures taken in that regard;

Or. en

Amendment 51
David Lega

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Acknowledges the Agency’s existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interest, and whistleblower protection; notes that the whistleblowing policy was adopted on 18 July 2019 and entered into force on 1

Amendment

13. Notes the deficiency of the Agency’s existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interest, and whistleblower protection; notes that the whistleblowing policy was adopted on 18 July 2019 and entered into force on 1
August 2019; notes that not all management board member CVs and declarations of interest are published on the Agency’s website; calls on the Agency, with the aim of increasing transparency, to publish the CVs and declarations of interest for all members of its management board, the executive director, and the deputy executive director;

Amendment 52
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh

Motion for a resolution
Paragraph 13

13. Acknowledges the Agency’s existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interest, and whistleblower protection; notes that the whistleblowing policy was adopted on 18 July 2019 and entered into force on 1 August 2019; notes that not all management board member CVs and declarations of interest are published on the Agency’s website; calls on the Agency, with the aim of increasing transparency, to publish the CVs and declarations of interest for all members of its management board, the executive director, and the deputy executive director;

13. Acknowledges the Agency’s existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interest, and whistleblower protection; notes that the whistleblowing policy was adopted on 18 July 2019 and entered into force on 1 August 2019; regrets that not all management board member CVs and declarations of interest are published on the Agency’s website; urges the Agency, with the aim of increasing transparency, to publish the CVs and declarations of interest for all members of its management board, the executive director, and the deputy executive director;

Amendment 53
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 13
13. **Acknowledges** the Agency’s existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interest, and whistleblower protection; notes that the whistleblowing policy was adopted on 18 July 2019 and entered into force on 1 August 2019; notes that not all management board member CVs and declarations of interest are published on the Agency’s website; calls on the Agency, with the aim of increasing transparency, to publish the CVs and declarations of interest for all members of its management board, the executive director, and the deputy executive director;

Amendment 54
Monika Hohlmeier, Tomáš Zdechovský

Motion for a resolution
Paragraph 13 a (new)

13 a. **Highlights the increased involvement of the Agency in new types of procurements and tenders for services, equipment, outsourced projects and studies in order to fulfil the provisions of Regulation (EU) 2019/1896; recalls that the Agreement between the European Parliament and the European Commission on the transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation (the ‘2014 Interinstitutional Agreement’) is based on Article 295 of the Treaty on the Functioning of the European Union; recalls that the 2014 Interinstitutional Agreement binds the Parliament and the Commission; recalls that paragraph 35 of the 2014 Interinstitutional Agreement**
invites the European Council and the Council to join the register and encourages other Union institutions, bodies, offices and agencies to use the framework created by that agreement; notes that the Agency never officially informed the Joint Secretariat about a decision to use the transparency register; calls on the Agency to establish a coherent and official register to provide transparency regarding its interactions with third-party stakeholders as provided for in Article 118 of Regulation (EU) 2019/1896; welcomes the fact that the Agency is currently developing its own transparency register in order to avoid ambiguities regarding its interactions with third-party stakeholders related to procurements and tenders for services, equipment or outsourced projects and studies; calls on the Commission to assist the Agency in defining an adequate framework for the register that provides legal clarity regarding transparency rules while taking into account the special sensitivity and security requirements that the nature of activities of the Agency demands;


Amendment 55
Ramona Strugariu, Alin Mituţa, Olivier Chastel, Katalin Cseh

Motion for a resolution
Paragraph 13 c (new)

Motion for a resolution

13 c. Notes with great concern that according to journalistic investigations based on documents made available by the Agency under the relevant legislation on the freedom of information, between 2018 and 2019, the Agency has conducted
several meetings with representatives of industries relevant to its field of work, 70% out of which being meetings with representatives of companies that are not listed in the Union transparency register; notes that the Agency does not employ an equivalent transparency register and that information about lobby meetings can only be obtained upon request; calls on the Agency to refrain from meeting representatives of companies not listed in the Union transparency register; calls on the Agency to develop and implement a policy aimed at disclosing data concerning the meetings between its representatives and the representatives of relevant industries, listing the scope, duration and occasion of the meetings; calls on the Agency to report to the discharge authority on the progress made in this regard by June 2021;

Amendment 56
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 13 a (new)

13 a. Notes that the Agency held meetings with multiple companies in the field of military technology in 2019, including with companies that have failed to register in the Union transparency register; deplores the fact that the Agency failed to provide the Parliament with the correct information regarding meeting with lobbyists in 2019; calls on the Agency to update its transparency policy to ensure systematic publication of information on meetings with lobbyists and to refrain from meeting with companies that are not registered in the
Amendment 57
Lara Wolters

Motion for a resolution
Paragraph 13 a (new)

Amendment

13 a. Notes that the Agency held meetings with lobbyists from the weapons, surveillance and biometrics industries during its so-called Industry Days, a majority of which were unregistered in the transparency register; recalls the Parliament’s request to publish a lobbying transparency register; calls on the Agency to provide full disclosure of its meetings with lobbyists, and to refrain from meeting with unregistered lobbyists;

Amendment 58
Sándor Rónai, Isabel García Muñoz, Maria Grapini, Tsvetelina Penkova, Lara Wolters

Motion for a resolution
Paragraph 13 a (new)

Amendment

13 a. Notes with concern that the Agency does not report the meetings that the Agency’s staff has with external stakeholders, in particular the executive director’s meetings with organisations and self-employed individuals; calls on the Agency to report, and to make available the information, on the meetings on the Agency’s website in order to enhance the transparency of the Agency’s activities and to report to the discharge authority on the measures taken in that
Amendment 59
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 13 b (new)

Motion for a resolution

13 b. Notes the important function of the Agency's consultative forum of non-governmental, international organisations and Union bodies, offices and agencies which has to assist the Agency by providing independent advice on fundamental rights matters, including on the implementation of the fundamental rights strategy, the functioning of the complaints mechanism, codes of conduct and on the common core curricula; notes with concern that the Platform for International Cooperation on Undocumented Migrants (PICUM), which has been a member of the consultative forum since 2012, recently withdrew its membership because the working methods did not allow for its meaningful participation; notes with concern that the inputs within the consultative forum are strongly limited by a very strict confidentiality clause, which entailed risks of criminal liability if members of the forum shared sensitive or non-public information with their organisations;

Amendment 60
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13 a. Expresses great concern over reports from journalistic investigations regarding the attitude of high ranking officials towards lower ranking staff; highlights in particular its concerns over reports of insulting and disrespectful behaviour towards staff, as well as of the fact that control mechanisms at the Agency are becoming less effective; notes that the Agency had not reported any official complaints about those actions; is concerned over the fact that this disparity may suggest a lack of efficiency of internal procedures in that field;

Or. en

Amendment 61
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh

Motion for a resolution
Paragraph 13 b (new)

Motion for a resolution

Amendment

13 b. Underlines the fact that the current ethical framework applicable to the Union institutions, bodies, offices and agencies suffers from considerable drawbacks due to its fragmentation and lack of coordination between existing provisions; highlights that those issues should be addressed by setting up a common ethical framework, ensuring the application of high ethical standards for all Union institutions, bodies, offices and agencies; considers that public officials are not in a position to conduct self-assessments regarding ethical situations or in instances of conflicts of interest; believes that this should fall under the competences of an independent specialised third party; calls, under those circumstances, for the creation of an
Amendment 62
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh

Motion for a resolution
Paragraph 17

17. Notes regarding follow-up from the Court’s findings of the previous year that the Agency does not have a “sensitive post” policy that would identify sensitive functions, keep them updated and define appropriate measures to mitigate the risks of vested interests; acknowledges from the Agency’s reply that a draft policy was finalised in 2019 but in view of a possible reassessment was suspended and will be considered for adoption in the third quarter of 2020; calls on the Agency to adopt and implement the policy as soon as possible in order to comply with the Agency’s internal control standards;

17. Deplores the fact that regarding follow-up from the Court’s findings of the previous year that the Agency does not have a “sensitive post” policy that would identify sensitive functions, keep them updated and define appropriate measures to mitigate the risks of vested interests; acknowledges from the Agency’s reply that a draft policy was finalised in 2019 but in view of a possible reassessment was suspended and was to be considered for adoption in the third quarter of 2020; urges the Agency to adopt and implement the policy as soon as possible in order to comply with the Agency’s internal control standards; calls on the Agency to report to the discharge authority of the progress made in that field by June 2021;

Amendment 63
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 17 a (new)

17 a. Calls on the Agency to urgently
take corrective action with regard to all outstanding observations of the Court, including the adoption and implementation of a sensitive posts policy in line with its own internal control standards, addressing the risk of double funding from the Internal Security Fund, managed by the Commission, and the Agency’s funding, and addressing the level of carry-overs, which remains high;

Or. en

Amendment 64
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

17 a. Reiterates its call on the Agency to ensure in all its activities, full transparency and full respect for fundamental rights; stresses that the reinforced mandate of the Agency should go hand in hand with strengthening of mechanisms to ensure full respect of fundamental rights;

Or. en

Amendment 65
Tomáš Zdechovský, Monika Hohlmeier, Jeroen Lenaers

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

17 a. Notes that law enforcement relies on public trust and requires transparency; stresses furthermore, that the exercise of power is commensurate with a high-level of responsibility and due diligence;
reminds all parties involved to mutually respect their competences and engage in constructive cooperation to overcome challenges related to the fast expansion of the Agency and to fulfil further the mission and strategic objectives of the Agency;

Amendment 66
Ramona Strugariu, Alin Mituța, Olivier Chastel, Katalin Cseh

Motion for a resolution
Paragraph 18 a (new)

Motion for a resolution
18 a. Calls on the Agency to continue to increase cooperation and exchange of good practices with other Union bodies, offices and agencies with a view to improve efficiency as regards human resources, building management, IT services and security;

Amendment 67
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 19

Motion for a resolution
19. Notes that all four pending legal cases reached a resolution by the end of 2019 and that for all of the cases the result was in the Agency’s favour and the legal costs that were borne by the Agency are to be recovered;

Amendment
19. Notes that all four pending legal cases reached a resolution by the end of 2019 and that for all of the cases the result was in the Agency’s favour; is deeply concerned that the Agency has ordered to recover legal fees in the amount of EUR 23,700 from two individuals in the General Court case T-31/18 regarding requests for access to documents;
highlights that charging civil society with excessively high legal fees has a chilling effect on civil society’s access to justice in the field of access to documents which is a fundamental right laid down in Article 42 of the Charter of Fundamental Rights of the European Union (the 'Charter') and undermines their right to an effective remedy under Article 47 of the Charter; calls on the Agency to withdraw its demand for recovering of the costs in this case and to refrain from seeking to recover the costs of external lawyers from applicants in court cases based on access to information requests in the future;

Amendment 68
Tomáš Zdechovský, Monika Hohlmeier, Jeroen Lenaers

Motion for a resolution
Paragraph 19 a (new)

19 a. Notes repeated allegations concerning the Agency’s involvement regarding violations of fundamental rights and the allegations concerning its involvement in migrant’s pushbacks; notes the establishment of the Working Group on Fundamental Rights and Legal Operational Aspects in the Aegean Sea (WG FRaLO); notes that WG FRaLO identified 13 relevant incidents which were later examined - 8 were clarified to satisfaction and 5 still under consideration; supports the recommendations of the WG FRaLO for a revision of the reporting system and for swift enhancement on the fundamental rights framework; reminds the Agency to make full use of the Frontex Guidelines on Whistleblowing and strengthened role of the inspection and control office; calls on the Agency to also cooperate with the European Union Agency for
Fundamental Rights in this regard; calls on the Agency to regularly inform the Parliament about the Agency’s work at the external borders, including critical events requiring an adaptation of the legal or organisational framework;

Amendment 69
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 19 a (new)

19 a. Expresses concern over the allegations of complicity of the Agency in fundamental rights violations by the Greek authorities; recalls that the Agency is mandated to control borders while ensuring that border controls are conducted in accordance with the fundamental rights, the Convention relating to the Status of Refugees, as provided in Regulation (EU) 2016/399 of the European Parliament and of the Council\(^a\) and Regulation (EU) 2019/1896, which in its Article 46 obliges the executive director to suspend, terminate or not launch activities in case of fundamental rights violations; notes that the management board launched an internal inquiry after claims that the Agency was involved in pushbacks of migrants at Greece’s external borders, yet without the assistance of the European Union Agency for Fundamental Rights or other independent legal experts;

Amendment 70
Younous Omarjee

Motion for a resolution
Paragraph 19 b (new)

Motion for a resolution

19 b. Given the serious and repeated involvement of the Agency in pushbacks and violations of fundamental rights, considers that the Agency must immediately stop these violations; notes furthermore, that the Agency must carry out an independent investigation into those violations and reinforce internal reporting processes, ensuring concerns are effectively reported and not covered-up as it has been reported; insists that the Agency recruit the 40 fundamental rights monitors as required under Article 110(6) of Regulation (EU) 2019/1896 as a matter of urgency; calls on the Agency to establish a regular mechanism by which the Agency briefs Members of the European Parliament about ongoing operations including about serious incidents and other reports about violence and non-respect of fundamental rights at the external borders;

Amendment 71
Younous Omarjee

Motion for a resolution
Paragraph 19 c (new)

Motion for a resolution

19 c. Notes that the executive director
has failed to comply with his obligations under Article 46 of Regulation (EU) 2019/1896 to suspend or terminate any activity, in whole or in part, in case of violations of fundamental rights or international protection obligations that are of a serious nature or are likely to persist; stresses in that regard the urgent need to terminate operations in Hungary, Croatia and Greece; expresses strong concerns, in the case of operations in Hungary, regarding the repeated refusals of the executive director to do so despite emphasis by the fundamental rights officer of the high risks of fundamental rights violations and even after the judgment of the Court of Justice of 17 December 2020 in Case C-808/18 which declared that Hungary’s push-back legislation is in breach of Union law; calls on OLAF to investigate this matter further in its ongoing inquiry;

1a Judgment of the Court of Justice of 20 December 2020, Commission v Hungary, C-808/18, ECLI:EU:C:2020:1029.

Amendment 72
Younous Omarjee

Motion for a resolution
Paragraph 19 d (new)

Motion for a resolution

19 d. Believes that the seriousness of reports into the Agency's illegal actions and the ineffective human rights compliance mechanisms within the Agency shows the need for an independent monitoring mechanism outside the Agency for the purpose of providing assistance in carrying out budgetary proposals;
Amendment 73
Lara Wolters

Motion for a resolution
Paragraph 19 a (new)

19 a. Welcomes the Agency's decision to suspend its operations at the Hungarian border, following the judgment of the Court of Justice of 17 December 2020 in Case C-808/18; notes however that the allegations concerned on widespread illegal pushbacks of migrants by the Hungarian authorities were already well-documented by the NGO Hungarian Helsinki Committee; regrets therefore the slow pace of action taken by the Agency;

1a Judgment of the Court of Justice of 20 December 2020, Commission v Hungary, C-808/18, ECLI:EU:C:2020:1029.

Amendment 74
Tomáš Zdechovský, Jeroen Lenaers, Monika Hohlmeier

Motion for a resolution
Paragraph 19 c (new)

19 c. Takes note of the investigation on the Agency launched by OLAF; takes note of the fact that the Parliament's Committee on Civil Liberties, Justice and Home Affairs established a Frontex Scrutiny Working Group that will monitor all aspects of the functioning of the Agency; calls on the Agency to immediately brief Members of the European Parliament about the outcome
of the OLAF investigation in an appropriate and legal manner respecting the confidential nature of information and the rules of data protection;

Or. en

Amendment 75
Lara Wolters

Motion for a resolution
Paragraph 19 b (new)

19 b. Expresses its concern over allegations of financial irregularities, harassment, misallocation of funds and misconduct, as well as the Agency's involvement in illegal pushbacks of migrants; welcomes the investigation started by OLAF into those allegations; takes note of the Agency's statement that it will cooperate fully in the investigation;

Or. en

Amendment 76
Younous Omarjee

Motion for a resolution
Paragraph 19 a (new)

19 a. Notes with great concern the recent reports of allegations of harassment, misconduct and migrant pushbacks, which have led to the opening of an OLAF investigation;

Or. en

Amendment 77
Lara Wolters

Motion for a resolution
Paragraph 19 c (new)

**Motion for a resolution**

**Amendment**

19 c. Is deeply concerned by repeated and widespread allegations concerning the Agency's involvement in fundamental rights violations against migrants, including illegal pushbacks; notes that the Agency's response to the allegations has been unsatisfactory so far; expects the Agency to cooperate fully with the recently created Frontex Scrutiny Working Group in the Parliament's Committee on Civil Liberties, Justice and Home Affairs;

Or. en

Amendment 78
Lara Wolters

Motion for a resolution
Paragraph 19 d (new)

**Motion for a resolution**

**Amendment**

19 d. Deplores the repeated denials by the Agency regarding its awareness of illegal pushbacks taking place, as its internal communication shows the contrary; calls on the Agency to provide full disclosure of its communication and decision-making in this regard to the Frontex Scrutiny Working Group;

Or. en

Amendment 79
Bas Eickhout
on behalf of the Greens/EFA Group

Motion for a resolution
Paragraph 19 c (new)

Motion for a resolution

19 c. Notes that Parliament has established a Frontex Scrutiny Group; calls on the Agency to fully cooperate with the investigations by the Parliament and ensure a speedy implementation of all recommendations;

Amendment 80
Tomáš Zdechovský, Monika Hohlmeier, Jeroen Lenaers

Motion for a resolution
Paragraph 19 b (new)

Motion for a resolution

19 b. Finds disconcerting the Commission’s reaction to allegations of fundamental rights violations by the Agency; expresses its uneasiness about the apparent lack of constructive and effective communication as well as cooperation between the Commission and the Agency; urges the Commission and the Agency to enhance their communication and cooperation without undue delay; calls on the Commission to provide legal guidance to ensure appropriate, lawful and timely procedures for critical situations at external (sea) borders given the complex geopolitical challenges of those operations;

Amendment 81
Tomáš Zdechovský, Monika Hohlmeier, Jeroen Lenaers

Motion for a resolution
Paragraph 19 d (new)
19 d. Observes, that besides the significant growth in size of the Agency, both in terms of its budget and staff, the Agency has also undergone a fundamental change in nature, which is best characterised by the ability of Category 1 of the standing corps to carry weapons and wear uniforms; notes that those unique attributes make the Agency distinct among all other Union bodies, offices and agencies; therefore calls on the Commission and Member States in coordination with Schengen Associated Countries to define a profound legal framework that provides clear guidance regarding all aspects of those specific and unique activities of the Agency;

Or. en

Amendment 82
Bas Eickhout
on behalf of the Greens/EFA Group

19 b. Notes that the European Ombudsman opened an inquiry on her own initiative into the Agency's complaints mechanism for those who believe their fundamental rights have been breached in the context of an Agency operation; calls on the Agency to fully cooperate with that inquiry and to report on how it will implement recommendations of the European Ombudsman;

Or. en
Younous Omarjee

Motion for a resolution
Paragraph 19 e (new)

Motion for a resolution

Amendment

19 e. Welcomes the investigations launched by the European Ombudsman into the malpractices of the Agency as regards public access to documents; urges the Agency to comply with its legal and moral obligations by granting access to, and publishing, its available documents;

Or. en

Amendment 84
Lara Wolters

Motion for a resolution
Paragraph 19 e (new)

Motion for a resolution

Amendment

19 e. Takes note of the inquiry started by the European Ombudsman into the handling by the Agency of complaints on alleged breaches of fundamental rights and the independence of the fundamental rights officer; calls on the Agency to cooperate fully;

Or. en

Amendment 85
Ádám Kósa

Motion for a resolution
Paragraph 19 a (new)

Motion for a resolution

Amendment

19 a. Points out that a complex approach is needed in order to make the websites of the Union institutions, bodies,
offices and agencies accessible to persons with all kinds of disabilities as provided for in Directive (EU) 2016/2102 of the European Parliament and of the Council\(^1\), including the availability of national sign languages; suggests that organisations representing disabled persons are involved in that process;


Or. en