

**Question for written answer E-002431/2022
to the Commission**

Rule 138

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Subject: The Spanish Government's consistent refusal to allow Frontex forces to play an active role on the land borders of the autonomous cities of Ceuta and Melilla

On 24 June 2022, a group of migrants attempted to enter Spain through the border of the Melilla enclave¹. Many of them were pushed back by the Moroccan police after they entered EU territory², in breach of the principle of non-refoulement (enshrined in Article 78(1) of the Treaty on the Functioning of the European Union and Article 4 of the Schengen Borders Code) and 37 people were killed³.

External border surveillance is an EU matter⁴, and this is therefore not just a bilateral issue between Morocco and Spain. Nevertheless, Spain refuses to allow Frontex to operate on the Ceuta and Melilla land borders.

Despite the failure of Frontex to appropriately respond to allegations of fundamental rights violations⁵, deploying the Frontex rapid border intervention team or establishing an operational partnership on the border in Ceuta and Melilla would ensure a minimum level of fundamental rights standards and accountability⁶.

1. Will the Commission invite Spain to establish a joint operation with Frontex in Ceuta and Melilla?
2. Will it suggest to the Frontex Management Board that Frontex's fundamental rights officer conduct a due diligence assessment of vulnerabilities at the Moroccan-EU borders relating to the protection of fundamental rights?

¹ <https://www.bbc.com/news/world-africa-61934163>

² <https://www.publico.es/sociedad/agentes-marroquies-cruzaron-valla-melilla-golpearon-migrantes-suelo-espanol-devolverlos-caliente.html>

³ <https://elpais.com/espana/2022-06-26/los-testigos-del-asalto-a-la-valla-de-melilla-todo-era-sangre.html>

⁴ Article 77(1)(b) of the Treaty on the Functioning of the European Union.

⁵ https://www.europarl.europa.eu/cmsdata/238156/14072021%20Final%20Report%20FSWG_en.pdf

⁶ Article 6 of the Frontex Regulation.