

**Priority question for written answer P-000220/2024
to the Commission**

Rule 138

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Subject: Memorandums of understanding with non-EU countries

In recent years, the EU has increasingly turned to soft law mechanisms in its management of migration with non-EU countries, including Turkey, Libya, Tunisia and Egypt. This shift has come under particular scrutiny owing to soft-law tools' potential to weaken the enforceability of obligations, diminish democratic accountability and human rights, and undermine the rule of law. Notably, the distinction in legal status and enforceability sets memorandums of understanding (MoUs) apart from formal international agreements when it comes to cooperation on migration. Additionally, MoUs often lack safeguards for human rights, raising concerns about potential breaches of international obligations regarding the treatment of migrants and the respect for their human rights.

1. How does the Commission assess the effectiveness of MoUs in comparison to traditional international agreements, which differ in legal status and enforceability? Can it provide insight into the factors and considerations that led to this choice of instrument to manage cooperation on migration with non-EU countries, especially in light of the limitations associated with MoUs compared to formal international agreements?
2. As part of the planned MoU with Egypt, will the Commission conduct a human rights impact assessment, which has not been part of previous MoUs?

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