



Report on the inspection of documents on how the European Border and Coast Guard Agency (Frontex) complies with its fundamental rights obligations and ensures accountability in relation to its enhanced responsibilities

Correspondence - 18/02/2022

Case OI/4/2021/MHZ - **Opened on** 04/03/2021 - **Decision on** 17/01/2022 - **Institution concerned** European Border and Coast Guard Agency (No further inquiries justified) |

Case title : How Frontex complies with its fundamental rights obligations and ensures accountability in relation to its enhanced responsibilities

Date : Monday, 25 October 2021

Remote inspection arrangements (documents sent electronically)

Documents inspected and information provided:

Frontex sent two documents:

(1) a document about Frontex's fundamental rights due diligence procedure, dated 4 January 2021, and

(2) an expression of concern, dated 12 October 2021, as an example of the list of measures used to mitigate the fundamental rights risks identified.

Frontex classified both documents 1) and 2) as confidential.

Frontex explained in its accompanying email that document (1) is an internal draft document of the Fundamental Rights Officer (FRO) which is used as a basis for his fundamental rights assessments. This is relevant for decisions to be taken under Article 46 of Regulation 2019/1896 to suspend, terminate or not launch activities.

The possible measures that can be used to mitigate the fundamental rights risks are included in forty-three documents such as FRO expressions of concern (which document (2) is), FRO opinions, FRO notes to the Frontex Executive Director, FRO inputs to operational plans and FRO reports to the Frontex Management Board.



Strasbourg, 25 October 2021

Marta Hirsch-Ziembinska