



## Press release No. 14/2012

# Ombudsman launches public consultation on Frontex and fundamental rights

### 19 July 2012

The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration.

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**The European Ombudsman, P. Nikiforos Diamandouros, has invited individuals, NGOs, and other organisations active in the area of fundamental rights protection to submit comments in his ongoing inquiry concerning the EU Borders Agency, Frontex. Frontex coordinates the operational cooperation between Member States in the field of border security. In March 2012, the Ombudsman asked Frontex a number of questions about the implementation of its fundamental rights obligations. Frontex replied in May 2012. Comments on Frontex's response can be submitted to the Ombudsman until 30 September 2012.**

#### **Fundamental rights organisations and NGOs invited to submit comments**

In 2009, the Charter of Fundamental Rights became legally binding on Frontex, which is based in Warsaw. Since then, a number of civil society organisations have questioned whether Frontex is doing enough to comply with the Charter, for example, in its deployment of EU border guards to Greece where migrant detainees were kept in detention centres under conditions which have been criticised by the European Court of Human Rights.

In October 2011, the European Parliament and the Council adopted a Regulation setting out additional specific fundamental rights obligations for Frontex. In March 2012, the Ombudsman asked Frontex a number of questions about how it is fulfilling these obligations, including the obligation to draw up a fundamental rights strategy, as well as codes of conduct applicable to its operations.

Frontex submitted its opinion in May 2012. It explained that, since 2010, it has developed a fundamental rights strategy, as well as a binding code of conduct for those participating in its activities. Frontex also listed other measures it is currently taking to ensure full respect for fundamental rights.

The Ombudsman considers that, before proceeding further, it would be useful to seek information and views from NGOs and other organisations active in the area of fundamental rights protection. He therefore invites interested parties to make observations on Frontex's opinion. The Ombudsman has also invited the EU Fundamental Rights Agency to give its views.

All documents related to the inquiry, including Frontex's opinion, are available at:  
<http://www.ombudsman.europa.eu/en/cases/correspondence.faces/en/11757/html.bookmark>