ENE-006467/2020Answer given by Ms Johanssonon behalf of the European Commission(26.3.2021)

The Commission takes all reports of pushbacks allegations very seriously. The Commission does not have powers to investigate alleged misconduct of Member States’ law enforcement authorities, but it closely monitors the way in which fundamental rights are complied with and expects Member States to investigate and take action as appropriate. Frontex has no personnel or assets deployed at the external land borders of Croatia.

Respect of fundamental rights is an important part of the Schengen *acquis*. In its 2019 Communication[[1]](#footnote-1), the Commission concluded that Croatia has taken the measures needed to ensure that the necessary conditions for the application of the Schengen acquis are met. Croatia should continue working consistently on the implementation of all the ongoing actions to ensure these conditions continue to be met. On 17 November 2020 the Commission, together with the Fundamental Rights Agency carried out a monitoring visit in Croatia. Its main purpose was to assess the current situation and discuss the setting up of an effective and independent monitoring mechanism to deal in a coherent and transparent way with reported and possible future incidents of fundamental rights violations at the border.

In addition, the Commission has regular bilateral contacts with Croatia requesting information on the allegations and the investigations that the authorities must carry out. Regular meetings are organised also with the Croatian Ombudswoman, international or non-governmental organisations to receive updates about incidents.

The Commission is closely engaged with Croatia and relevant stakeholders with a view to setting up the independent monitoring mechanism and increase transparency in the follow-up of incidents.

1. COM(2019) 497 of 22 October 2019, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2019:0497:FIN> [↑](#footnote-ref-1)