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Answer given by Ms Johansson

on behalf of the European Commission

(23.9.2021)

The management of EU external borders and placement of infrastructure are Member State responsibilities. According to the Schengen Borders Code[[1]](#footnote-1), external borders may be crossed at border crossing only and border control should be carried out in a professional and respectful manner and be proportionate to objectives pursued.

The Commission encourages Member States to use efficient and proportionate instruments based on risk analysis, cooperation and information exchange. Under EU law, border control must be exercised in a proportionate manner, with respect for fundamental rights, including human dignity, in compliance with the principle of *non-refoulement*, and without prejudice to the rights of persons requesting international protection. The use of any devices should be arranged in respect of these criteria.

The Commission inquired with Greek authorities about the long-range acoustic devices, or ‘sound cannons’, reported by media. Said devices have never been used by their forces at the Evros border line area, in connection with border surveillance activities.

The Commission supports Member States financially to improve the management of the EU’s external borders under the Internal Security Fund. Regulation (EU) No 513/2014[[2]](#footnote-2) provides that actions financed by this Fund must be implemented in full compliance with the EU Charter of Fundamental Rights. If ineligible expenditure is detected, misspent EU resources are recovered. The Commission does not fund long-range acoustic devices in Greece.

Under the Pact on Migration and Asylum[[3]](#footnote-3), the Commission is proposing a dignified and humane migration management system, including fast and fair procedures and a monitoring mechanism at the external borders to ensure compliance with EU law.

1. Regulation (EU) No 2016/399 [of](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0399&from=EN) the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ L 77, 23.3.2016, p. 1–52. [↑](#footnote-ref-1)
2. Article 3(5) of the Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA, OJ L 150, 20.5.2014, p. 93–111. [↑](#footnote-ref-2)
3. COM/2020/609 final. [↑](#footnote-ref-3)