











Procedure file

Basic information	
INI - Own-initiative procedure	2023/2087(INI)
Negotiations on a status agreement on operational activities carried out by the European Border and Coast Guard Agency (Frontex) in Mauritania	
Subject 7.10.04 External borders crossing and controls, visas	
Geographical area Mauritania	
Procedure completed	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 STRIK Tineke	05/06/2023
		Shadow rapporteur	
		 ZDECHOVSKÝ Tomáš	
		 BIELOWSKI Theresa	
		 OETJEN Jan-Christoph	
		 WIŚNIEWSKA Jadwiga	
		 ERNST Cornelia	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Foreign Affairs (Associated committee)	 OETJEN Jan-Christoph	26/04/2023

Key events			
15/06/2023	Committee referral announced in Parliament		
15/06/2023	Referral to associated committees announced in Parliament		
26/10/2023	Vote in committee		
14/11/2023	Committee report tabled for plenary	A9-0358/2023	

22/11/2023	Results of vote in Parliament		
22/11/2023	Decision by Parliament	T9-0428/2023	Summary

Technical information	
Procedure reference	2023/2087(INI)
Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 57; Rules of Procedure EP 54; Rules of Procedure EP 114
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/9/12232

Documentation gateway					
Committee draft report		PE749.932	13/06/2023	EP	
Amendments tabled in committee		PE751.722	13/07/2023	EP	
Committee opinion	AFET	PE749.910	21/09/2023	EP	
Committee report tabled for plenary, single reading		A9-0358/2023	14/11/2023	EP	
Text adopted by Parliament, single reading		T9-0428/2023	22/11/2023	EP	Summary
Commission response to text adopted in plenary		SP(2024)25	22/03/2024	EC	

Negotiations on a status agreement on operational activities carried out by the European Border and Coast Guard Agency (Frontex) in Mauritania

The European Parliament adopted by 390 votes to 135, with 15 abstentions, a recommendation concerning negotiations on a status agreement between the European Union and the Islamic Republic of Mauritania on operational activities carried out by the European Border and Coast Guard Agency (Frontex) in the Islamic Republic of Mauritania.

Parliament acknowledged that Frontex deployment in Mauritania, acting in line with the EU acquis, has the potential to have a positive effect on respect for fundamental rights. However, it expressed deep concern about the situation of fundamental rights in Mauritania, especially for migrants and refugees, and considered that the possible conclusion of a status agreement between the EU and Mauritania providing for the exercise of executive powers by Frontex in Mauritania would entail a high risk of violations of fundamental rights and international protection obligations that are of a serious nature and likely to persist.

Parliament considered that provisions of the model status agreement must be improved in order to address the abovementioned serious concerns that could lead to severe accountability gaps in the event of fundamental rights violations, which should be properly addressed.

The Commission and Frontex are strongly urged to adopt the following measures without further delay, should negotiations for a status agreement continue:

The European Commission should, inter alia:

- include explicit safeguards allowing deployed officers to disregard orders issued by Mauritania's authorities that contradict Frontex's fundamental rights obligations that derive from EU and international law;
- refrain from including specific provisions allowing for the agreement to be provisionally applied before the European Parliament assesses whether to give its consent to it;
- ensure that Frontex staff who are granted immunity for their activities in Mauritania must continue to be held accountable under EU or Member State laws in order to guarantee legal certainty;
- ensure sufficient and accessible internal and external mechanisms for non-EU individuals and ensure that Frontex develops mechanisms to receive complaints in the first instance, in line with the recommendations of the EU Ombudsman;
- include provisions and guarantees for adequate human rights protection in the status agreement in order to ensure that the Mauritanian authorities respect fundamental rights during operations;
- keep the European Parliament fully and regularly informed on all steps of the negotiations process and, in general, inform the European Parliament before opening negotiations with third countries on a status agreement.

For its part, Frontex should inter alia:

- ensure effective, proactive and timely consultation with the FRO when deciding whether to launch a joint operation in Mauritania;
- involve the Frontex Consultative Forum on developments related to the status agreement and consult with it, in line with its working methods and mandate, including on the possible organisation of an on-the-spot visit to Mauritania;
- ensure adherence to Frontex rules on waiving immunity for deployed staff;
- include special guidelines for the processing of asylum requests from vulnerable migrants, most notably children, unaccompanied minors, women, LGBTQI+ persons and members of communities that face targeted violence or discriminatory prosecution in their country of origin;
- conduct periodical evaluations of joint operations in third countries, including in Mauritania, with a focus on fundamental rights, share them with the European Parliament and the Council and make them publicly available;

Lastly, Parliament emphasised the responsibility of Frontex to address any human rights violations by its staff in Mauritania and to ensure accountability.

Transparency				
STRIK Tineke	Rapporteur	LIBE	04/07/2023	Commission Nationale des Droits de l'Homme ? CNDH
OETJEN Jan-Christoph	Shadow rapporteur	LIBE	04/07/2023	President of the National Right Commission of Mauritania
STRIK Tineke	Rapporteur	LIBE	25/04/2023	Human Rights Watch
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