

(English version)

**Question for written answer E-000386/25
to the Commission**

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(28 January 2025)

Subject: Recent judgment of the European Court of Human Rights regarding the systematic practice of pushbacks in Greece

In its judgment of 7 January 2025 in the case of *A.R.E. v Greece* (¹), the ECtHR unanimously found a violation of Articles 3 and 13 of the European Convention on Human Rights on account of the applicant's pushback to Türkiye. The ECtHR took into consideration the large number of official reports from national and international institutions, which detail a standard practice of pushbacks in Greece, as well as complaints and testimonies received. The significant number, variety and concordance of the relevant sources led the ECtHR to find that there was a systematic practice of pushbacks by the Greek authorities.

1. What concrete implications will the Commission draw from this ECtHR judgment, both for its engagement with the Greek authorities directly and in relation to Frontex support being provided to the Greek authorities?
2. Considering the ECtHR's findings on the systematic nature of pushback practices, will the Commission launch infringement proceedings against Greece based on the prohibition of refoulement, as laid down in Article 78(1) of the Treaty on the Functioning of the European Union, Article 18 of the Charter of Fundamental Rights of the European Union and the EU asylum and Schengen acquis?
3. If not, how does the Commission justify the lack of enforcement action against such a well-documented, and now also ECtHR-confirmed, systematic pushback practice?

Submitted: 28.1.2025

Answer given by Mr Brunner on behalf of the European Commission
(15 May 2025)

1. The Commission is not competent to supervise or enforce compliance with European Court of Human Rights (ECtHR) judgments. The monitoring of the execution of ECtHR judgments falls under the competence of the Committee of Ministers of the Council of Europe. The Commission considers the implementation of leading judgments of the ECtHR an important indicator for the functioning of the rule of law in a country and reports on it in the context of its Rule of Law Report. The Commission will continue monitoring the situation in Greece, including as regards the follow-up to ECtHR judgments, to address any challenges.
2. Full respect of fundamental rights in the management of external borders is a key requirement under EU law, in particular under the Charter of Fundamental Rights of the EU. Member States must investigate and address reports of fundamental rights violations. Constant dialogue with Member States is necessary to foster a common understanding and ensure effective implementation of EU law. Infringement procedures are one of the tools to ensure such implementation. If the Commission concludes that any Member State has failed to fulfil its obligations under the EU *acquis*, including in terms of adopting legislation that would be incompatible with the *acquis* or in terms of non-compliance with the EU legislation in their administrative practice, it may decide to initiate infringement procedures.
3. According to the Treaties, the Commission has a discretionary power to launch infringement procedures. The Commission will continue monitoring the situation in Member States, including Greece, to ensure that oversight mechanisms are in place to enable efficient follow-up and effective investigations into alleged fundamental rights violations.

⁽¹⁾ European Court of Human Rights, case of *A.R.E. v Greece* (application no 15783/21), [https://hudoc.echr.coe.int/#/%22itemid%22:\[%22001-238636%22\]](https://hudoc.echr.coe.int/#/%22itemid%22:[%22001-238636%22]).