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Answer given by Mr Brunner  
on behalf of the European Commission  
(22.10.2026)

The Commission takes allegations of fundamental rights violations at the EU's external borders very seriously. Investigating individual allegations of violence, exploitation or other abuses, and establishing any criminal responsibility, falls primarily within the competence of the relevant national authorities, including the judicial authorities. All activities carried out by Member States in the context of border management must comply with EU and international law, including the principle of non-refoulement and respect for fundamental rights.

It is primarily for Member States to take the necessary measures to prevent, detect and address possible fundamental rights violations in the context of border management. The Pact on Migration and Asylum<sup>1</sup>, which entered into application on 12 June 2026, requires Member States to establish an independent monitoring mechanism covering screening<sup>2</sup> and the asylum border procedure<sup>3</sup> and to put in place the national arrangements necessary to ensure compliance with EU law. The Commission will monitor the implementation of these requirements and may, where appropriate, take action in accordance with its role as guardian of the Treaties.

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<sup>1</sup> [https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum\\_en](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum_en).

<sup>2</sup> Article 10 of Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817; ELI <http://data.europa.eu/eli/reg/2024/1356/oj>.

<sup>3</sup> Article 43 of Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU; ELI: <http://data.europa.eu/eli/reg/2024/1348/oj>.