

**Question for written answer E-003881/2022
to the Commission**

Rule 138

Özlem Demirel (The Left)

Subject: Frontex checkpoints in Gibraltar

In future, the European Border and Coast Guard Agency (Frontex) could well be patrolling the external borders of Gibraltar, in order to integrate the British overseas territory into the Schengen Area. This would concern all travellers who enter through the ports and airports of a country that is not part of the Schengen Area. However, the Spanish Government insists that this is part of the Guardia Civil's remit.

1. Which discussions or negotiations with the Commission, Spain and the UK, regarding possible border controls in Gibraltar, did Frontex participate in and who took part in them?
2. What offers or scenarios did Frontex put forward at these discussions regarding its participation in border checkpoints in Gibraltar?
3. What assessments, analyses or other studies did Frontex carry out regarding border controls in Gibraltar, and who was responsible for them?

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Answer given by Ms Johansson
on behalf of the European Commission
(16.2.2023)

Frontex does not participate in the ongoing negotiations between the EU, represented by the Commission, and the United Kingdom on an agreement between the EU and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, in respect of Gibraltar. The negotiations are conducted on the basis of the negotiating directives adopted by the Council on 30 September 2021¹ and with due consideration to applicable EU law. The envisaged agreement aims at removing all current physical barriers between Gibraltar and the Schengen area for the circulation of persons.

Spain has expressed its intention to request Frontex assistance within the limits and conditions of Regulation (EU) 2019/1896 on the European Border and Coast Guard² in implementing the obligations under the future agreement with regard to external border controls during the initial four-year period.

Given that the negotiations on this envisaged agreement are ongoing, the Commission is not in a position to share additional information with the Honourable Member.

¹ Council Document 12178/21.

² Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624, OJ L 295/1, 14.11.2019.