

# LIBE's draft written questions to Commissioners-designate

**Magnus Brunner**

**Commissioner-designate for Internal Affairs and Migration**

**(5 questions from LIBE)**

## **1. Migration and Asylum**

The new Pact on Migration and Asylum introduces a legislative framework that establishes a comprehensive system in the areas of asylum and migration management, balancing between solidarity and fair sharing of responsibility in accordance with Article 80 of the Treaty on the Functioning of the European Union (TFEU) and protecting fundamental rights, while reinforcing mutual trust between Member States.

How will you monitor the timely progress of the administrative, operational, and legal steps required to be taken by Member States and EU agencies for the full entry into force of the Pact by summer 2026, and how will you address any delays in meeting the Common Implementation Plan benchmarks? What steps do you plan to take to ensure sufficient and timely EU funding for Member States and agencies for the smooth application of the Pact? Given that accurate data from Member States to EU agencies and the Commission is vital for identifying the preparedness and the actual needs of each Member State to be able to manage a situation of migratory pressure or crisis, what actions will you take to foster a culture of data sharing and mutual trust?

Working with Member States on a stronger coordination of rescue operations is also part of your mission letter. How do you see your role and that of the EU in this area?

According to your mission letter you should be developing a new common approach to the return of irregularly staying migrants based on modern rules; what legislative steps do you intend to take? What role do you consider mutually recognised return decisions to play in this context, and how will you strengthen readmission policies to ensure effective returns? How will you ensure that migration issues are an operational part of our comprehensive partnerships with third countries while fully respecting fundamental rights and how will you involve the Parliament, ensuring that it is able to exercise effective oversight and its budgetary prerogatives? What is your understanding of 'innovative operational solutions to counter irregular migration' that your mission letter requires you to steer reflection on? What steps do you plan in the fight against migrant smugglers and human traffickers?

A successful EU common approach on migration needs to be complemented by safe and viable legal pathways, including resettlement for refugees and their successful integration in communities and labour markets. What steps will you take to ensure that Member States participate fully and meaningfully in the EU Resettlement Framework?

As regards legal migration, your mission letter states that you will work on how to attract third-country nationals with the right skills to match local labour market needs in the EU; what steps will you take to support the co-legislators in their work on the establishment of an EU Talent Pool, the promotion of measures simplifying the recognition of foreign qualifications, and the finalisation of the negotiations on the Long-Term Residents Directive? Which other steps, legislative or non-legislative, do you plan to take in this area?

## **2. External borders**

With a view to securing stronger external borders and strengthening Frontex, Commission President von der Leyen intends to triple the number of European border and coast guards reaching a Standing Corps of 30,000. You would be responsible for overseeing this process and promoting integrated border management. How do you assess the impact of providing Frontex with those additional resources on enhancing the EU's ability to address current and emerging threats at its external borders? What changes to the mandate of Frontex, if any, do you consider necessary to accompany the planned growth of the agency, while maintaining its accountability to the Parliament?

What counter measures and steps are you planning to undertake, working closely with Member States and stakeholders to prepare and respond to hybrid attacks and the instrumentalisation of migrants at the EU's external borders?

How do you envisage to observe the use of technologies in compliance with primary law and the AI Act in the context of the European digital border management? What steps will you take to avoid further delays to the start of operation of the Entry/Exit System and the European Travel Information and Authorisation System and to the implementation of the overall reform of the EU information systems for borders, security and migration?

What measures should, in your view, be part of the announced visa policy strategy? In this context, what initiatives do you envisage in order to guarantee that visa-free travel into the EU is not abused, including by visa-free third countries operating investor citizenship schemes, and to preserve the social and economic benefits of visa-free travel? Are you ready to act against the risks of so-called “golden visa” programmes adopted by some Member States, as requested by the European Parliament?

## **3. Internal borders**

The Schengen area is one of the most valued achievements of the Union. Yet several Member States have reintroduced and maintained border control at internal borders since 2015. How do you intend to ensure that the integrity of the Schengen area is restored and preserved? What steps do you envisage in order to reinforce sincere cooperation and mutual trust among the Member States and to ensure that all Member States fully respect the Schengen acquis? Will those measures include infringement proceedings against the Member States that do not respect the rules of the recently amended Schengen Borders Code? What steps will you propose that will lead to the lifting of controls at the internal land borders with Bulgaria and Romania?

## **4. Security**

According to your mission letter, one of your most urgent tasks will be to design a new European Internal Security Strategy, which should include strengthening Europol's mandate and resources. What measures would you propose to effectively combat serious and organised crime, terrorism and cybercrime? What legislative initiatives would you consider in this area? How do you plan to make Europol into ‘a truly operational police agency’, while ensuring that it does not overlap with national and other EU Agencies' competences, and that the Parliament has effective oversight? What role would you foresee for Eurojust in this context? Can we also expect legislative proposals to enable law enforcement and judicial authorities to cooperate better across borders in countering criminal networks? What do you plan to include in the new Counter-Terrorism Agenda and how do you plan to address radicalisation and violent extremism?

As the Commissioner in charge for a safer and more secure Europe, how do you view your role in ensuring the effective implementation and updating of the EU strategies aiming to combat antisemitism and anti-Muslim hatred and to foster integration? How will you cooperate with the Commissioner for Equality in this field?

## **5. Access to data for law enforcement purposes**

How do you propose to address the key challenge of ensuring effective access to personal data in order to prevent, detect, investigate and prosecute criminal offences, while simultaneously complying with the principles of necessity and proportionality and upholding privacy and data protection rights? Which safeguards do you envisage in order to ensure full compliance with the European Court of Justice rulings on data retention and access to data for law enforcement purposes? Will you also address encryption when proposing rules on access?

How do you plan to unblock the Child Sexual Abuse online proposal to ensure that its main goal of protecting children is fulfilled and the concerns about safeguarding the right to privacy are addressed? Should there not be a Regulation on this file prior to the lapse of the second extension of the Interim Regulation, due on 3 April 2026, how will you propose to proceed to avoid the legislative gap?

**Michael McGrath**

**Commissioner-designate for Democracy, Justice and the Rule of Law  
(3 questions from LIBE)**

## **1. Fundamental rights, civil society, and data protection**

As the Commissioner responsible for monitoring the application of the Charter of fundamental rights, how will you engage with Member States to ensure the promotion and respect of fundamental rights, including through the implementation of the relevant EU Court of Justice and ECHR case law? Do you envisage further measures to develop the link between potential breaches of the Charter and of the principles of democracy and the EU budget? Will you engage in annual reporting to the European Parliament on the application of the Charter? What actions do you envisage to enhance the protection of civic space, including through the Union values strand of the Citizens, Equality, Rights and Values programme and the new Civil Society Platform envisaged in your mission letter? What are your plans to ensure the efficiency and transparency of EU funding for the civil society? Considering the recent Court of Justice judgement in the EUlex Kosovo case, what is your strategy for completing the EU accession to the European Convention on Human Rights?

How will you ensure that the EU Agency for Fundamental Rights is provided with the resources it needs to carry out all the tasks according to its mandate? Will you commit that FRA is systematically consulted in law-making and impact assessments in areas that address or impact fundamental rights?

Data protection is one of the fundamental rights in the EU legal order and the GDPR is the EU's most powerful tool to safeguard it. Generally, how do you view the enforcement of the GDPR, particularly in cross-border cases? How do you see the relationship between GDPR enforcement and the enforcement of other EU digital laws, such as the DSA, DMA, and the AI Act? Regarding artificial intelligence, how, in your view, should the relationship between safeguarding fundamental rights and fostering innovation look? Do you find the EU data protection legislation efficiently fulfilling its goal in today's time or do you see a need for

reflection on that matter? Given the previous concerns of the Parliament regarding several of the adequacy decisions of the European Commission, and a number of relevant CJEU judgments, what are your plans with respect to the international flows of personal data? How do you plan to address these concerns, taking into account the importance of global data flows for EU companies? How do you see the role of the Commission in promoting international cooperation on the protection of personal data?

## **2. Rule of Law and media freedom**

As Commissioner in charge of rule of law, what is your plan to strengthen the impact of the annual Rule of Law report and how do you plan to address the impact of rule of law on the functioning of the Single Market? How do you respond to the Parliament's call for an enlarged scope of the annual rule of law report to all the values mentioned in Article 2 TEU and for the establishment of an EU mechanism on Democracy, the Rule of Law and Fundamental Rights governed by an interinstitutional agreement? What would be your concrete actions to support the Parliament's call to continue Article 7 TEU hearings in the case of Hungary and are you considering proposing a reform of this procedure? Are you committed to making full use of the enforcement tools, in particular expedited infringement procedures, applications for interim measures before the CJEU and systematic follow-up actions regarding the non-implementation of the CJEU's judgments? How do you plan to strengthen the application of the Rule of Law Conditionality Regulation and the coherence with other relevant legislative acts? What would be your position as regards the fulfilment of rule of law related milestones in the various Member State RRP as a condition for disbursing funding and how will you ensure that the defreezing of funds is done only when these conditions are fulfilled? How you would coordinate with the other Commissioners (e.g Budget) with responsibility for the application of these conditions and how do you intend to strengthen the rule of law dimension in the next MFF?

What are your plans to strengthen further the protection of independent media, journalists and human rights activists? What measures do you envisage to ensure the implementation of the EMFA, including on the protection of journalistic sources and confidential communication from intrusive surveillance? Will you present a legislative proposal to ensure that the use of intrusive surveillance tools by public and private actors is in conformity with democratic standards, principles of rule of law and the Charter, in line with EP recommendations? Which key proposals will the European Democracy Shield contain, including as regards safeguarding integrity of democratic processes and elections in the EU? Will you consider proposing legislation that expands the scope of SLAPP directive to include all SLAPP cases (including under criminal law)?

## **3. Criminal justice**

What will be your core priorities in the area of criminal justice? How you will ensure the full implementation of the legislative instruments adopted in the previous term, including the e-evidence package and what will be your role in ensuring consistency of instruments of criminal substantive law? How will you ensure that criminal justice keeps up with the development of digital technologies, including AI, both when it comes to the use of new technologies for a more efficient criminal justice system, but also when there is a need to criminalise very serious breaches (e.g. of data protection rules) that occurred by using technology?

What measures can be taken in order to improve even further the judicial cooperation between Member States, with the support of Eurojust, and to make the criminal justice system more efficient in combatting crime? One of your missions will be to strengthen the European Arrest

Warrant; would you do so by proposing a new legislative instrument or rather by focusing on a better application of the current legal framework?

What concrete steps are you planning to take to reinforce the EU anti-corruption approach and strengthen the coordination and synergies between the different EU bodies competent on anti-corruption and the Member States? Will you propose concrete legislation in this area? How do you intend to support EPPO, which is facing a number of practical challenges, notably staffing and budgetary constraints, which threaten its effectiveness? Will you commit to propose a revision of the EPPO Regulation, including the extension of its competences and, if so, to which crimes?

**Hadja Lahbib**

**Commissioner-designate for Preparedness and Crisis Management; Equality**  
**(3 questions from LIBE)**

### **1. Preparedness**

One of the priorities of your portfolio will be Preparedness and Crisis Management. This comes against the backdrop of emerging threats and hybrid attacks, both with an internal and external dimension that put at risk not only the functioning of our critical infrastructures and basic public services but also the security and the well-being of our citizens as well as our economic stability and prosperity. In this regard, you will be in charge of overseeing the development and implementation of an EU Preparedness Union Strategy, aiming at a potential EU Preparedness Law in the future. Which steps will you take to develop this strategy? While respecting national competence, how will you ensure that different levels of administration, private sector and civil society are fully involved in this strategy? And how will you plan to bolster an EU Culture of Preparedness in our public debate?

### **2. Anti-discrimination and other equality legislation**

How do you intend to address the gaps in existing EU anti-discrimination legislation and ensure effective enforcement of EU anti-racism and anti-discrimination legislation, as well as the strengthening of the rights of persons belonging to minorities? What are your plans to overcome the political blockage in the Council on the horizontal Anti-discrimination Directive and what are your intentions as regards the existing proposal, taking into account the EP position? How do you plan to unblock the proposal for extending the list of EU crimes to hate speech and hate crime, and what additional measures will you take to combat these offenses? How will you monitor the implementation of the Directive on combating violence against women and domestic violence in line with the Istanbul Convention? Do you plan to review the scope of the Directive to include a consent-based definition of rape? Will you support extending the current list of 'EU crimes' as outlined in Article 83 TFEU to explicitly include "gender-based violence" and what other actions are you planning to combat such violence, including gender-based cyber violence? What is your strategy against cyberbullying and, related to online threats, how will you approach the protection of children and other vulnerable groups online, in particular when it comes to dark patterns, deceptive and addictive designs and AI-generated content?

How will you collaborate with the other Commissioners in this field, in particular with the Commissioner for Internal Affairs and the Commissioner for Democracy, Justice and the Rule of Law?

### **3. Equality strategies, disability and equality data**

How will you collaborate with other EU Commissioners to ensure coherence and mainstreaming in other EU policies of various equality strategies, such as the LGBTIQ+ Strategy, the EU Gender Equality Strategy, the Strategy on Roma Equality and Inclusion Strategy, and the EU Anti-racism action plan and Anti-Racism Strategy? Do you envisage new legislative proposals when updating the equality and antidiscrimination strategies? How will you work to ensure that the EU remains a safe and inclusive space for all individuals, regardless of their sexual orientation or gender identity? Will you commit to the use of swift infringement procedures in cases of backsliding? What steps would you take to improve the collection of more and better equality data? Furthermore, what actions will you take to ensure the implementation of the UN CRPD within the Members States and within the EU institutions? Which steps will you take for the EU to join to the UN CRPD Optional Protocol?

**Henna Virkkunen**

**Executive Vice-President-designate for Tech Sovereignty, Security and Democracy  
(1 question from LIBE)**

Your portfolio encompasses a broad range of policy areas for which the LIBE Committee is competent, from border management, asylum and migration, freedom, security and justice, and the rule of law, to artificial intelligence and digital policy.

On the one hand, therefore, you will be in charge of overseeing the Commission's work on external borders and the implementation of the Pact on Migration and Asylum, as well as strengthening the rule of law – including in areas such as judicial independence, anticorruption and media freedom – in cooperation with the Commissioners responsible. In each of these areas, how will you guide that work and what will be your priorities?

On the other hand, you will be responsible for the implementation and enforcement of all major digital policy legislation adopted in the past years to address data-driven technological advances, such as the Digital Services Act, the Digital Markets Act and the Artificial Intelligence Act, all having a significant impact on the fundamental rights to data protection and privacy. How will you ensure that these different laws co-exist harmoniously and are implemented and enforced while preserving the EU standards for fundamental rights compliance? And how can competent authorities responsible for enforcing digital laws, but also the GDPR and e-Privacy directive, collaborate effectively?

**Dubravka Šuica**

**Commissioner-designate for Mediterranean  
(1 question from LIBE)**

According to your mission letter, you should work on building comprehensive and mutually beneficial partnerships with third countries in the region you are responsible for, that would include migration aspects such as operationalising ‘border controls and the fight against smugglers’, in full respect of human rights. What measures will you undertake to ensure that this operationalisation takes place effectively? How will you ensure that Parliament can exercise its oversight throughout the process of building such partnerships, especially when some of their aspects could impact its legislative prerogatives?

**Jozef Síkela**

**Commissioner-designate for International Partnerships  
(1 question from LIBE)**

According to your mission letter, you should work on building comprehensive and mutually beneficial partnerships with third countries with an integrated approach so that economic, humanitarian, development, peace and security policies all contribute to strengthening these partnerships. The aim is to address the root causes and key drivers of irregular migration and to fight the networks of smugglers in full respect of human rights. What measures will you undertake to ensure that, particularly in the area of migration, these partnerships function effectively? How will you ensure that Parliament can exercise its oversight throughout the process of building such partnerships, especially when some of their aspects could impact its legislative prerogatives?

**Piotr Serafin**

**Commissioner-designate for Budget, Anti-Fraud and Public Administration  
(1 question from LIBE)**

How will you plan to continue enforcing the Rule of Law Conditionality Regulation, especially regarding inconsistencies in evaluating rule of law benchmarks under the Common Provisions Regulation, the RRF Regulation and the newly recast Financial Regulation? Are you prepared to commit to use these instruments fully, subject to the other conditions provided by these instruments being fulfilled, for instance in cases where the Commission itself identifies the breaches of Union values (such as in the Rule of Law Report or other reports) and where Member States do not comply with the Commission's recommendations or relevant EU Court of Justice and ECHR case law. What improvements will you propose for this legal framework ahead of the new Multiannual Financial Framework? How will you ensure that the de-freezing of funds is done only when the related Rule of Law milestones in the Member States RRFs are fulfilled? How will you ensure a coherent anti-fraud architecture and an effective cooperation between the different actors at EU level, including the European Public Prosecutor's Office (EPPO) and OLAF? What actions will you take to combat fraud affecting the Union's financial interests through criminal law, particularly to strengthen the EPPO in terms of subject-matter competence and resources? How will you ensure effective cooperation between law enforcement, national, and EU prosecutors, especially regarding information sharing?

**Glenn Micallef**

**Commissioner-designate for Intergenerational Fairness, Youth, Culture and Sport  
(1 question from LIBE)**

Your mission focuses on the implementation of the 2021 EU Strategy on the Rights of the Child as well as on the adoption of initiatives ensuring that young people can help shape the future of the Union. Which specific steps will you take to strengthen children and youth participation in the decision-making process and, above all, to harmonise it throughout the Union? Are you considering a follow-up mechanism of participatory processes for children and young people, which would ensure that child and youth consultation processes are meaningful? Could you please elaborate more on the concept of 'youth check' and the structure of the 'Youth Policy Dialogues'? Which actors will be involved in them? Which areas/topics

will you target? Your mission seems to lack references to initiatives on children in the digital era. Are you considering to take concrete initiatives on this issue?

For instance, what is your strategy for reducing cyberbullying, and do you believe that information campaigns, education, and media literacy are effective tools to tackle excessive screen time and negative effects of social media for young people? What would be the ideal outcomes of an EU inquiry into the broader impact of social media, and do you anticipate any differing results compared to previous studies? Additionally, which steps are you prepared to take to ensure the protection of child victims of cyberbullying in the context of the implementation of the EU Strategy on the Rights of the Child?

**Roxana Mînzatu**

**Executive Vice-President-designate for People, Skills and Preparedness  
(1 question from LIBE)**

Given the urgent need for an EU culture of preparedness facing emerging threats that may affect our security and the safety of our society, how will you plan to contribute to build up our EU capabilities, to improve threat detection and to operationalise a coordinated crisis response in a swift and effective manner?

**Maria Luís Albuquerque**

**Commissioner-designate for Financial Services and the Savings and Investments Union  
(1 question from LIBE)**

Your mission will be to continue working on digital finance, as well as on the implementation of the new anti-money laundering package.

What steps do you envisage to take in order to assess the deployment of AI systems in the financial sector, including their compliance with the specific requirements for high-risk AI systems provided for in the AI Act (such as risk management systems or fundamental rights impact assessments)? Which priority steps do you intend to take in order to effectively implement the new AML single rulebook, in particular with regard to financial sector, but also non-financial sector as well as new powers, competences and tools provided to the Financial intelligence units in order to prevent, detect and combat money-laundering and terrorist financing?

**Marta Kos**

**Commissioner-designate for enlargement  
(1 question from LIBE)**

Your mission statement foresees that a special emphasis will be put on rule of law and fundamental values in your action and that you will contribute to the annual Rule of Law report for accession countries. How do you plan to ensure that the accession countries follow up on the issues identified in the annual Rule of law report? Do you envisage including specific benchmarks in the relevant negotiation chapters? How do you plan to engage with the Parliament in this process and how you will cooperate with the other Commissioners with competences in this area?