

## Serious incident report no. 12604/2020

Report date and time (UTC)	2020-10-30 21:50
Reporting person	Text removed (personal data)
Last modification date and time (UTC)	2020-11-25 13:51
Last modification done by	Text removed (personal data)
SIR Status	Ongoing
FSC SIR Category	4 - Situations of alleged violations of Fundamental Rights or international protection obligations
Type of SIR	1 Initial SIR
Subject	Observations regarding migrants who already had crossed the border to Hellenic territory in rubberboat
Joint operation	Poseidon 2020
JORA incident number	0
Original source of information	Text removed (personal data) - Commanding Officer text removed (technical equipment)
Frontex SIR Coordinator	HoO.FRO
Frontex resources involved	No
Incident dates (UTC)	2020-10-30 21:34
Detection date (UTC)	2020-10-30 21:34
Location of the incident	
Latitude	Text removed (reference to operational area)
Longitude	Text removed (reference to operational area)
Reference to the operational area	Yes
Type of resources / involvement	Text removed (technical equipment)
Dead persons	0
Injured persons	0
Missing persons	0

### Details

Fact of the case	We started our patrol at Chios Port at 04.50 and went out to the southern part of our OA. When we reached 1 NM distance from the border, we observed an echo on the radarscreen. It was close to us, coming from the E on its way to the W (towards Chios
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	<p>Port). It was dark outside, we could see it only on the radarscreen. The echo was moving fast, and when it was very close in front of us, we put the searchlight on it and realized that it was an inflatable rubber boat powered by an outboard engine, carrying migrants. They were told to stop, but they proceeded further towards the port. It took several minutes till the boat stopped, and then our position was approximately 1,5 nautical miles from the Turkish borderline. The estimated number of migrants was at least 20 (men, women, children). The boat was all black and had no light on; it was fully afloat and manoeuvrable, they were not in distress.</p> <p>At this moment our LO had called the HCG and confirmed that they were on their way out. We were ordered to keep the blulights on. Soon I saw a vessel coming from Chios Port heading straight towards us. It was the HCG. When they arrived at the scene, we were told that they handled the situation from now on and needed no further help. We were ordered to continue our patrol direction N, which we did. Before we left the scene, I saw one crewmember standing on foredeck on HCG vessel handling ropes/moring lines, and another crewmember stood on the aft deck on HCG vessel also handling ropes/moring lines. What they used it for, I did not see.</p> <p>On the radarscreen we could follow the echo from the HCG Vessel, slowly moving towards the TUR borderline and not the other direction (to port). Therefore we followed the radarecho from their vessel. There is no possibility that it was any other vessel we followed on the radarscreen. The echo stopped moving at the borderline.</p> <p>No SAR-operation was initiated as we know. Confirmed that no migrant/rubberboat with migrants has arrived to Chios during the day of October 30th 2020, as we know.</p>
Measures	On the 25.11.2020 Hellenic Coast Guard has sent an email in response to the FRO. As the text is rather long and it doesn't fit in the field, please refer to the attached email.
Assessment	n/a
Final outcome	n/a

## Documents

<b>Serious incident document</b>	
No.	1
Title	EXTERNAL SIR - Text removed (personal data) Commanding Officer SWE Text removed (technical equipment) .msg
Name	EXTERNAL SIR - Text removed (personal data) Commanding Officer SWE Text removed (technical equipment) .msg
Date	2020-10-30
<b>Serious incident document</b>	
No.	2
Title	12604 2020 JO Poseidon 2020 - Serious Incident Report - Possible violation of Fundamental Rights or international protection obligations .msg
Name	12604 2020 JO Poseidon 2020 - Serious Incident Report - Possible violation of Fundamental Rights or international protection obligations .msg
Date	2020-10-30
<b>Serious incident document</b>	
No.	3
Title	20201125 Hellenic Coast Guard response to FRO SIR 12604 2020 Chios.msg
Name	20201125 Hellenic Coast Guard response to FRO SIR 12604 2020 Chios.msg
Date	2020-11-25



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**Subject:** FW: 12604/2020 JO Poseidon 2020 - Serious Incident Report – Possible violation of Fundamental Rights or international protection obligations

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**From:** text removed (reporting tool)

**Sent:** Friday 30 October 2020 23:03

**To:** text removed (reporting tool)

**Cc:** text removed (reporting tool)

**Subject:** 12604/2020 JO Poseidon 2020 - Serious Incident Report – Possible violation of Fundamental Rights or international protection obligations

**12604/2020 JO Poseidon 2020 - Serious Incident Report - Observations regarding migrants who already had crossed the border to Hellenic territory in a rubber boat. Possible violation of Fundamental Rights or international protection obligations**

The Commander (CO), of the [text removed \(technical equipment\)](#), has informed on the following:

- On the 30.10.2020 04:50LT, the SWE CPB started its patrol from Chios Port, towards the border at the Southern part of their operational area
- When reaching the mark of 1nm from the border line, the crew observed an echo in the radar. The radar echo indicated that the target was coming from east towards West (Chios Port)
- They intercepted the vessel and found out that it was an inflatable black rubber boat, with an outboard engine, transporting around 20 migrants
- The rubber boat stopped when it was 1.5 NM from the border line
- The rubber boat was fully operational and the assessment was that they weren't in distress
- The Greek Liaison on board contacted the Hellenic Coast Guard, which dispatched a patrol boat to the scene
- The SWE crew was informed by the Hellenic authorities that they were excused from the scene, once the HCG was taking over the situation
- Nevertheless, the SWE crew continued to monitor the situation and they saw the echo of the HCG patrol boat moving towards the border line, where it stopped moving.
- No SAR operation was initiated and no migrants' boat arrived to Chios today (30.10.2020).

DORD is assigned to coordinate it from the operational perspective; in parallel, FRO is assigned to coordinate it from the perspective of fundamental rights.

Please, find attached the SWE Commander's report.

Kind regards,

**Senior Duty Officer 24/7 service**

Monitoring Hub - Frontex Situation Centre  
Situational Awareness and Monitoring Division

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Serious Incident Report		
* Subject	Observations regarding migrants who already had crossed the border to Hellenic territory in rubberboat.	
Joint Operation	Poseidon	
JORA incident no. (if any)		
* Reporting unit/person	Text Removed - Technical Equipment / Text Removed - Personal Data	
FSC part	Category	Fundamental Rights
	Date of reporting	30/10/2020
	SIR coordinator	
	Log-No	
* Incident date/time	30/10/2020 05:13	
* Detection date/time	30/10/2020 05:13	
Original source of information	Crew on Text Removed - Technical Equipment when patrolling and having the incident	
* Location of the incident	Outside of/east of Chios Port, Chios, appr 1,5 nautical miles from the Turkish borderline	
Latitude / Longitude	Text Removed - Reference to Operational Area	
Reference to the operational area	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside	
* Involved Frontex resources (Human resources/co-financed technical equipment)	<input type="checkbox"/> Yes Type of resources/action performed  <input checked="" type="checkbox"/> No	
Applicable only if SIR related to SAR operation		
SAR activated date/time		
SAR activated by		
Boat in distress	Type	

	Flag, Name, IMO	
<b>Detected by</b>	Text Removed - Technical Equipment	Is Frontex asset <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Intercepted by</b>	Handed over to Hellenic coast guard	Is Frontex asset <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Estimated</b>	<b>People on board</b>	
	<b>Dead person</b>	
	<b>Missing person</b>	
	<b>Injured person</b>	
<b>Planned port of disembarkation</b>		
<b>Departure country</b>	Choose an item.	
<b>Involved authorities</b>		

## 1. Facts of the case

We started our patrol at Chios Port at 04.50, went out towards the border at the southern part of our operational area. Just when we reached the mark of 1 nautical mile distance from the border, we observed an echo on the radarscreen. It was close to us, coming from the east on it`s way to the west (towards Chios Port). It was dark outside, we could not see it outside, only on the radarscreen. The echo was moving fast, and when it was very close in front of us, we put the searchlight on it and realized that it was an inflatable rubber boat powered by an outboard engine, carrying migrants. They were told to stop, but they proceeded further towards the port. It took several minutes till the boat stopped, and then our position was approximately 1,5 nautical miles from the Turkish borderline. We could estimate the numbers of migrants to at least 20, men, women and children. The boat was all black and had no light on. Some of the migrants waved at us and shouted “my brother, my brother”. The boat were fully afloat and manouverable, and I made the assessment that they were not in distress.

At this moment our liaison officer (LO) had called the Hellenic Coastguard, and confirmed that they were on their way out. We were ordered to keep the blulights on so they could find us easyli. Soon I saw a vessel coming from Chios Port heading straight towards us. It was the Hellenic Coastguard`s vessel. When they arrived at the scene, we were told that they handled the situation from now on and needed no further help. We were ordered to continue our patrol direction north, which we did. Before we left the scene, I saw one crewmember standing on foredeck on HCG vessel handling ropes/moring lines, and another crewmember stood on the aft deck on HCG vessel also handling ropes/moring lines. What they used it for, I did not see.

On the radarscreen we could follow the echo from the Hellenic Coastguard Vessel, slowly moving towards the Turkish borderline and not the other direction (to port). Therefore we followed the radarecho from their vessel. There is no possibility that it was any other vessel we followed on the radarscreen. The echo stopped moving at the borderline.

No SAR-operation was initiated as we know.

Confirmed that no migrant/rubberboat with migrants has arrived to Chios during the day of October 30<sup>th</sup> 2020, as we know.

## 2. Measures

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## 3. Assessment