

## Serious incident report no. 10437/2019

Report date and time (UTC)	2019-10-24 21:24
Reporting person	██████████
Last modification date and time (UTC)	2020-02-04 05:44
Last modification done by	██████████
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	Suspected serious violation of multiple Fundamental Rights with harmful consequences during Return operation RO-01202
Joint operation	
JORA incident number	
Original source of information	FReM from FRONTEX Pool engaged by OMS
Frontex SIR Coordinator	
Frontex resources involved	No
Incident dates (UTC)	2019-10-21 10:00
Detection date (UTC)	2019-10-22 10:00
Location of the incident	
Latitude	0.0000000000
Longitude	0.0000000000
Reference to the operational area	No
Type of resources / involvement	
Dead persons	
Injured persons	
Missing persons	
<b>Details</b>	
Information/Allegations	Foreigners Dpt. of Hamburg (ABHH) arrested the day before commencing the operation (Oct. 21st) 11 individuals plus in the morning of the JRO (Oct. 22nd) an unknown number of individuals inside Hamburg territory, all on no notice. The FReM

**Final outcome**

## Documents

<b>Serious incident document</b>	
<b>No.</b>	1
<b>Title</b>	SIR Preparation
<b>Name</b>	SIR Preparation.pdf
<b>Date</b>	2019-10-24
<b>Serious incident document</b>	
<b>No.</b>	2
<b>Title</b>	182010_0100__20200106_Statement_SIR891 R
<b>Name</b>	182010_0100__20200106_Statement_SIR891 R.pdf
<b>Date</b>	2020-02-04
<b>Serious incident document</b>	
<b>No.</b>	3
<b>Title</b>	FRO questions
<b>Name</b>	FRO questions.pdf
<b>Date</b>	2020-02-04
<b>Serious incident document</b>	
<b>No.</b>	4
<b>Title</b>	182010_0100__20200106_Statement_SIR891 R
<b>Name</b>	182010_0100__20200106_Statement_SIR891 R.pdf
<b>Date</b>	2020-02-04

	<p>witnessed the arrival of an unknown number of arrested persons out of whom 26 Returnees have been presented to the German Federal Police (BPol) at Hamburg airport. The limit from Ghanaian authorities is set to 25 on each flight. However, ABHH pressed BPol to accept 26 but failed.</p>
Measures	<p>3 Returnees already checked in were sent outside again due to sudden discovery of a different situation (ticket already booked by ABHH for next week, successful urgent court appeal of pending case, plane full).</p> <p>FReM investigated the reasons behind the current situation in dialog with staff from ABHH, BPol, Diakonie (airport monitor):</p> <p>The Medical Doctor provided missing prescribed drugs out of his stock and triggered an emergency delivery of insulin from a pharmacy. The Medical Doctor worked hard to obtain information from the family doctors of the disabled and sick Returnees since 3 medical cases have been envisaged only but 8 presented in reality. The German Embassy to Ghana in Accra was briefed on the situation upon arrival by the EL and one copy of the passenger manifest was handed over to the Embassy in order to assist the Returnees and their families in Germany in retrieving their belongings and property. One Returnee without any cash was provided with 50 € from BPol in order to survive after arrival.</p>
Assessment	<p>Result: Challenging situation mentally and organizationally for the entire personnel from BPol, Admin, airport employees, Escorts, FReM, Paramedic and Medical Doctor subsequently</p> <p>On 28/11/19 FRO asked 3 questions to the Bundespolizeipräsidium. Please see attachments with questions and answers named 182010_0100__20200106_Statement_SIR891 R.</p>

<b>Serious Incident Report</b>		Serial Number:
<b>Subject</b>	Suspected Consequences, SIR Category 4	
<b>Joint Operation</b>	RO-01202 JRO by Air to Ghana, OMS Germany (HAM-ACC)	
<b>Location</b>	State of Hamburg (Freie und Hansestadt Hamburg)	
<b>Incident date/time</b>	21 <sup>st</sup> and 22 <sup>nd</sup> of October 2019, different times (multiple incidents)	
<b>Finding date/time</b>	22 <sup>nd</sup> and 23 <sup>th</sup> of October 2019	
<b>Reporting unit/person</b>	FReM from FRONTEX Pool engaged by OMS/ [REDACTED]	

### 1. Facts of the case

Foreigners Dpt. of Hamburg (ABHH) arrested the day before commencing the operation (Oct. 21<sup>st</sup>) 11 individuals plus in the morning of the JRO (Oct. 22<sup>nd</sup>) an unknown number of individuals inside Hamburg territory, all on no notice. The FReM witnessed the arrival of an unknown number of arrested persons out of whom 26 Returnees have been presented to the German Federal Police (BPol) at Hamburg airport. However, ABHH pressed BPol to accept 26 but failed.

and BPol. 3 Returnees already checked in were sent outside again due to sudden discovery of a different situation (ticket already booked by ABHH for next week, successful urgent court appeal of pending case, plane full).

### 2. Measures

FReM investigated the reasons behind the current situation in dialog with staff from ABHH, BPol, Diakonie (airport monitor): No jail space for females in Hamburg available. Hence, hasty arrests on the day before and in the morning by ABHH. All participants contributed high effort around the ABHH staff to stem the (quote!) "unprecedented chaotic situation" and to minimize the delay to 1,5 hrs. only. The Medical Doctor provided missing prescribed drugs out of his stock and triggered an emergency delivery of insulin from a pharmacy.

The German Embassy to Ghana in Accra was briefed on the situation upon arrival by the EL and one copy of the passenger manifest was handed over to the Embassy in order to assist the Returnees and their families in Germany in retrieving their belongings and property. One Returnee without any cash was provided with 50 € from BPol in order to survive after arrival.

### 3. Assessment

Result: Challenging situation mentally and organizationally for the entire personnel from BPol, Admin, airport employees, Escorts, FReM, Paramedic and Medical Doctor subsequently almost everyone mentioning to the FReM her/his dissent and (quote!) "shame and anger" about the level of preparation, conduct and resulting situation for many of the individuals subject to that operation.

<b>Serious Incident Report</b>		Serial Number:
<b>Subject</b>	Suspected Consequences, SIR Category 4	
<b>Joint Operation</b>	RO-01202 JRO by Air to Ghana, OMS Germany (HAM-ACC)	
<b>Location</b>	State of Hamburg (Freie und Hansestadt Hamburg)	
<b>Incident date/time</b>	21 <sup>st</sup> or 22 <sup>nd</sup> of October 2019	
<b>Finding date/time</b>	22 <sup>nd</sup> of October 2019, 19:40 MEST	
<b>Reporting unit/person</b>	FReM from FRONTEX Pool engaged by OMS/ 	

### 1. Facts of the case

Foreigners Dpt. of Hamburg (ABHH) arrested the day before commencing the operation (Oct. 21 st ) 11 individuals plus in the morning of the JRO (Oct. 22 nd ) an unknown number of individuals inside Hamburg territory, all on no notice,

In the course of an informal brainstorming about the JRO between BTL, EL and FReM whilst waiting along the immigration process of the Returnees pieces of information gathered into a clearer picture:

### 2. Measures

FReM-Report and SIR.

### 3. Assessment



Monitor from FRONTEX Pool for OMS Germany at RO-01202

## Serious Incident Report

Serial Number:

<b>Subject</b>	Suspected, sequences, SIR Categorie 4
<b>Joint Operation</b>	RO-01202 JRO by Air to Ghana, OMS Germany (HAM-ACC)
<b>Location</b>	State of Hamburg (Freie und Hansestadt Hamburg)
<b>Incident date/time</b>	21 <sup>st</sup> or 22 <sup>nd</sup> of October 2019
<b>Finding date/time</b>	22 <sup>nd</sup> of October 2019, 19:40 MEST
<b>Reporting unit/person</b>	FReM from FRONTEX Pool engaged by OMS/ [REDACTED]

### 1. Facts of the case

Foreigners Dpt. of Hamburg (ABHH) arrested the day before commencing the operation (Oct. 21<sup>st</sup>) 11 individuals plus, in the morning of the JRO (Oct. 22<sup>nd</sup>) an unknown number of individuals inside Hamburg territory, all on no notice.

In the course of informal brainstorming about the JRO shortly to subside between BTL, EL and FReM whilst waiting along the immigration process of the Returnees some foggy pictures cleared up into conceivable cases.

and put her on the JRO where she arrived on crutches. Asked in the waiting area and midair by the Escorts about her future she explained to have no single relatives in Ghana but still a number of old female friend saved on her phone whom she is planning to call on arrival and then wait at the airport Accra until someone will arrive and pick her up once since she is not able to move.

### 2. Measures

FReM-Report and SIR.

### 3. Assessment

[REDACTED]

Monitor from FRONTEX Pool for OMS Germany at RO-01202

<b>Serious Incident Report</b>		<b>Serial Number:</b>
<b>Subject</b>	Suspected consequences, SIR Categorie 4	
<b>Joint Operation</b>	RO-01202 JRO by Air to Ghana, OMS Germany (HAM-ACC)	
<b>Location</b>	State of Hamburg (Freie und Hansestadt Hamburg)	
<b>Incident date/time</b>	21 <sup>st</sup> or 22 <sup>nd</sup> of October 2019	
<b>Finding date/time</b>	23 <sup>rd</sup> of October 2019, 15:20 MEST	
<b>Reporting unit/person</b>	FReM from FRONTEX Pool engaged by OMS/ 	

### 1. Facts of the case

Foreigners Dpt. of Hamburg (ABHH) arrested the day before commencing the operation (Oct. 21<sup>st</sup>) 11 individuals plus in the morning of the JRO (Oct. 22<sup>nd</sup>) an unknown number of individuals inside Hamburg territory, all on no notice.

During the debriefing of the JRO midair the return flight the BTL informed the rest of the participants that some of the escorts learned during midair chats with their assigned Returnee

### 2. Measures

FReM-Report and SIR.

### 3. Assessment



Monitor from FRONTEX Pool for OMS Germany at RO-01202

<b>Serious Incident Report</b>		Serial Number:
<b>Subject</b>	Suspected consequences, SIR Categorie 4	
<b>Joint Operation</b>	RO-01202 JRO by Air to Ghana, OMS Germany (HAM-ACC)	
<b>Location</b>	State of Hamburg (Freie und Hansestadt Hamburg)	
<b>Incident date/time</b>	22 <sup>nd</sup> of October 2019	
<b>Finding date/time</b>	22 <sup>nd</sup> of October 2019, 21:30 MEST	
<b>Reporting unit/person</b>	FReM from FRONTEX Pool engaged by OMS, [REDACTED]	

**1. Facts of the case**

Foreigners Dpt. of Hamburg (ABHH) arrested the day before commencing the operation (Oct. 21<sup>st</sup>) 11 individuals plus, in the morning of the JRO (Oct. 22<sup>nd</sup>) an unknown number of individuals inside Hamburg territory, all on no notice.

gathered into a clearer picture. pieces of information

**2. Measures**

FReM-Report and SIR.

**3. Assessment**

<b>Serious Incident Report</b>		<b>Serial Number:</b>
<b>Subject</b>	Incident with involvement of third country, SIR Category 2	
<b>Joint Operation</b>	RO-01202 JRO by Air to Ghana, OMS Germany (HAM-ACC)	
<b>Location</b>	State of Hamburg (Freie und Hansestadt Hamburg)	
<b>Incident date/time</b>	22 <sup>nd</sup> of October 2019, 19:17-20:55 hrs LT Accra	
<b>Finding date/time</b>	22 <sup>nd</sup> of October 2019	
<b>Reporting unit/person</b>	FReM from FRONTEX Pool engaged by OMS/ [REDACTED]	

### 1. Facts of the case

Arrival phase, handover in Accra: The limit from Ghanaian authorities is set to 25 on each flight. For any reason the local authorities in Ghana explained to have expected 23 nationals only. The JRO arrived more than 2 hrs. later (delay in departure, see below). After short contact on the doorstep of the aircraft between EL, [reporting tools and mechanisms]

to Ghana an unprecedented bunch of 18 Ghanaian officials entered the aircraft and disseminated throughout the aircraft. The disembarkation process was slowed down by IR temperature scan of each Returnee's front head outside the plane plus recording the result and each name on individual red templates. The Escorts and EL + BTL have been separated since the German leader of the operation was requested to accompany the Returnees to the old terminal in order to conduct the handover procedure there. EL, BTL, FReM, FLO and BLO were requested to wait for 1.5 hrs. alongside the Returnees during their immigration process. The Returnees were requested to fill in immigration cards.

After Returnees' end of immigration EL, BTL and FReM passed the old immigration counter but their official passports of the German government have been kept by immigration. The explanation was absence of the visa rubber stamp. The EL accompanied the immigration officer (IO) in charge to the new terminal where upstairs in the office a dispute between immigration officers and higher ranked officers was witnessed by the EL. The IO on duty apparently refused to stamp the 3 German Official Passports for a significant period.

### 2. Measures

FReM observed carefully, witnessed and documented thoroughly the developing situation in dialog with FLO, EL, BTL and BLO. The German Embassy to Ghana in Accra was briefed by EL on the situation upon arrival, handing over one copy of the passenger list to the Embassy in order to assist the Returnees and their families in Germany in retrieving their belongings and property (during preflight phase one Returnee without any cash was provided with 50 € from BPol in order to survive after arrival,

### 3. Assessment

Different IO in charge than usual. The request to the returning Ghanaian nationals to fill in immigration cards was perceived as an unusual move (Art. 13 (2) UN GENERAL ASSEMBLY RESOLUTION 217 A).

FReM's assessment of the developing atmosphere during the flight: In correlation to the progress of spreading knowledge between all participants of the operation an increased number of expressions of awkwardness,

[Redacted]

[Redacted]

[Redacted]

. It seems fair to presume the welcome procedure related to the overall situation and linked to the impression on the receiving end about FRONTEX/Germany/ABHH (quote!) "producing numbers at all costs" (some of the Returnees have been presented to Hamburg airport by ABHH

Medical Doctor provided missing prescribed drugs out of his stock and triggered an emergency delivery of insulin from a pharmacy. The Medical Doctor worked hard to obtain information from the family doctors of the disabled and sick Returnees since 3 medical cases have been envisaged only but 8 presented in reality. etc.), conjugated with massive time delay, improvised passenger list finished upon boarding in Hamburg (3 Returnees already checked in were sent outside again due to sudden discovery of a different situation b/c ticket already booked by ABHH for next week, successful urgent court appeal of pending case, plane full), tensioned climate around all Returnees, resulting in a challenging situation mentally and organizationally for the entire personnel

resulting out of the preparation level and conduct of ABHH, putting the entire handover at risk or at least the acceptance of individual Ghanaian nationals and led to a humiliating situation for the



Monitor from FRONTEX Pool for OMS Germany at RO-01202