Drafting and submitting a report

FReM III, National training on escorted return operations and forced-return monitoring mechanisms

Cyprus, 9-10 May 2019

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EUROPEAN BORDER AND COAST GUARD AGENCY

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Outline

- Main principles of reporting
- What should I write?
- How should I write it?
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- And then, what?
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Main principles of reporting

- **Accuracy**
  - distinction between facts and allegations
  - precise, concise and brief
  - all relevant details should be reported
- **Confidentiality**
  - no disclosure of information to third parties
- **Impartiality and non-discrimination**
  - no unsubstantiated judgements
  - all data shall be properly documented
  - no prejudice and/or discrimination towards anyone based on their sex, nationality, religion or role in the operation

What should I write? (i)

- Facts
- First hand observations by phase and incident
- Second hand information, indicating the source
- Opinions/Allegations, indicating the source
- Assessment of reactions/measures for compliance with the principles of legality, necessity and proportionality
- Recommendations
- Summary of operation (date, time, places, numbers, persons, positive/negative points, recommendations)

What should I write? (ii)

The report should, in particular, include information on:

- Operation data (itinerary, date, parties, nationalities etc)
- Preparations
- Incidents (causes, reactions, consequences)
- Restraints used indicating constant/individual assessment
- Force applied
- Treatment of children and vulnerable persons
- Complaints
- Helpful actions, positive initiatives

How should I write it? (i)

- Template – FRONTEX or other
- Use clear, short sentences and always indicate
  - time reference / sequence of events
  - phases/incidents
  - parties involved
  - applicable rules/procedures
- Focus on the returnees, not the monitor or any other party
- Cross check facts, notes, data
- Check against debriefing notes

How should I write it? (ii)

Refrain from

- expressing personal views
- taking sides
- making assumptions
- rushing to unsubstantiated judgements
- using excessive/colorful language
- revealing personal data
- missing or misrepresenting facts

Where do I send it to? (and when?)

The forced-return monitor shall submit a report on each forced-return operation (within two weeks) to:

- the executive director,
- the fundamental rights officer and
- the competent national authorities of all the Member States involved in the given operation.

Art.28.6 of Regulation 2016/1624

And then, what? (i)

- If necessary, appropriate follow-up shall be ensured by the executive director and competent national authorities respectively.

  Art.28.6 of Regulation 2016/1624

- If the Agency has concerns regarding the respect of fundamental rights in respect of return operation, it shall communicate them to the participating Member States and to the Commission.

  Art.28.7 of Regulation 2016/1624

And then, what? (ii)

- The executive director shall evaluate the results of the return operations.

- Every six months, he or she shall transmit a detailed evaluation report covering all return operations conducted in the previous semester to the management board, together with the observations of the fundamental rights officer.

- The executive director shall make a comprehensive comparative analysis of those results with a view to enhancing the quality, coherence and effectiveness of future return operations.

- The executive director shall include that analysis in the Agency's annual activity report.

Art.28.8 of Regulation 2016/1624

Examples, questions, discussion

"Exercises in style" - by Raymond Queneau

A simple story told in 99 different ways

A man with a hat and a long neck gets into a bus. He accuses another passenger of treading on his toes on purpose. A little later, the man with the hat is seen talking to another man, close to a railway station. The other man is heard to give him advice about his coat.

"I've loved *Exercises in Style* for years. This translation is impeccable, extraordinary"
PHILIP PULLMAN

RAYMOND QUENEAU

EXERCISES IN STYLE
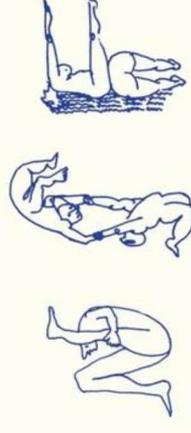
FOREWORD BY UMBERTO ECO
WITH AN ESSAY BY ITALO CALVINO

Precision

In a bus of the S-line, 10 metres long, 3 wide, 6 high, at 3 km, 600 m. from its starting point, loaded with 48 people, at 12.17 p.m., a person of the masculine sex aged 27 years 3 months and 8 days, 1 m. 72 cm tall and weighing 65 kg, and wearing a hat 35 cm. in height round the crown of which was a ribbon 60 cm. long, interpellated a man aged 48 years 4 months and 3 days, 1 m. 68 cm tall and weighing 77 kg., by means of 14 words whose enunciation lasted 5 seconds and which alluded to some involuntary displacements of from 15 to 20 mm. Then he went and sat down about 1 m. 10 cm. away.

57 minutes later he was 10 metres away from the suburban entrance to the gare Saint- Lazare and was walking up and down over a distance of 30 m. with a friend aged 28, 1m. 70 cm. tall and weighing 71 kg, who advised him in 15 words to move by 5 cm. in the direction of the zenith a button which was 3 cm. in diameter.

Litotes

Some of us were traveling together. A young man, who didn't look very intelligent, spoke to the man next to him for a few moments, then he went and sat down. Two hours later I met him again; he was with a friend and was talking about clothes.

Retrograde

You ought to put another button on your overcoat, his friend told him. I met him in the middle of the Cour de Rome, after having left him rushing avidly towards a seat. He had just protested against being pushed by another passenger who, he said, was jostling him every time anyone got off. This scraggy young man was the wearer of a ridiculous hat. This took place on the platform of an S bus which was full that particular midday.

Personally

That's something I do understand: a chap who goes out of his way to tread on your toes, it makes you go bloody wild. But after you've made a fuss about it to go and sit down like a bloody coward, that personally I don't understand. I saw it with my own eyes the other day on the back platform of an S bus. Personally I thought the young man's neck was somewhat long and I also thought that kind of plait thing round his hat was bloody silly. Personally I would never dare to show myself in such a get-up. But anyway, like I said, when he'd moaned at another passenger was was treading on his toes, this chap went and sat down and that was that. Personally I would have clipped him one, any bastard that trod on my toes. [...]

Free verse

the bus full

the heart empty

the neck long

the ribbon plaited

the feet flat

flat and flattened

the place vacant

and the unexpected meeting near the station with its thousand

extinguished lights of that heart, of that neck, of that ribbon, of those

feet

of that vacant place, and of that button.

Reactionary

Naturally the bus was pretty well full and the conductor was surly. You will find the cause of these things in the 8-hour day and the nationalization schemes. And then the French lack organization and a sense of their civic duties otherwise it wouldn't be necessary to distribute numbered tickets to keep some semblance of order among the people waiting to get on the bus--order is the word all right! That day there were at least ten of us waiting in the blazing sun, and when the bus did arrive there was only room for two, and I was the sixth. Luckily I said "On Government business" and showed a card with my photo and a tricolour band across it-- that always impresses conductors--and I got on. [...]

Abusive

After a stinking wait in the vile sun I finally got into a filthy bus where a bunch of bastards were squashed together. The most bastardly of these bastards was a pustulous creature with a ridiculously long windpipe who was sporting a grotesque hat with a cord instead of a ribbon. [...]

Two hours later, my unlucky day, I came upon the same bastard holding forth with another bastard in front of that nauseating monument they call the gare Saint-Lazare. They were yammering about a button. Whether he has his furuncle raised or lowered, I said to myself, he'll still be just as lousy, the dirty bastard.

Probabilist

The contacts between inhabitants of a large town are so numerous that one can hardly be surprised if there occasionally occurs between them a certain amount of friction which generally speaking is of no consequence. […] This was a man who was still young, but whose neck was of a length which was probably above the average and whose hat-ribbon had been replaced by a plaited cord. Curiously enough I saw him again two hours later engaged in listening to some advice of a sartorial order which was being given to him by a friend in the company of whom he was walking up and down, rather nonchalantly I should have said.

There was not much likelihood now that a third encounter would take place […]

Haiku

Summer S long neck

plait hat toes abuse retreat

station button friend

Summing up

The monitor's report must be:

- Structured
- Comprehensive
- Detailed
- Accurate
- Timely

Thank you for your attention