

## Serious Incident Report no. 652

**Reporting date:** 24/10/2017 05:06 PM

**Last modification date:** 07/01/2018 09:48 AM

**Reporting person:** Text Removed -  
Justification 1

**Last modification done by:** Text Removed -  
Justification 1

FSC SIR Category	2 Fundamental Rights
Subject	MSF reports violence at HUN-SRB border
Type of SIR	2 Formal SIR
JORA Incident number (if any)	
Joint Operation	Text Removed - Justification 2
Frontex SIR Coordinator	
Incident date/time	13/06/2017 12:00 AM
Detection date/time	13/06/2017 12:00 AM
Original source of the information	Open source: Médecins Sans Frontières, Twitter
Location of the incident	Hungarian-Serbian border
Is latitude unknown	Yes
Latitude	
Is longitude unknown	Yes
Longitude	
Reference to the operational area	No
Frontex resources involved (Human resources / co-financed technical equipment)	No
Type of resources / involvement	
Dead persons	
Injured persons	
Missing persons	

**Information/allegations**

The Médecins Sans Frontières (MSF) published on their Twitter account photos and testimonies of migrants who allegedly had been violently pushed back off the HUN-SRB border by Hungarian border officials.

**Measures**

The initial SIR was sent on 13/06/2017. The Frontex Fundamental Rights Officer is proposed to act as the coordinator.

**Assessment****Final outcome**

## Serious Incident Report no. 676

**Reporting date:** 12/12/2017 10:54 AM

**Last modification date:**

**Reporting person:** Text Removed -  
Justification 1

**Last modification done by:**

<b>FSC SIR Category</b>	2 Fundamental Rights
<b>Subject</b>	Alleged violation of fundamental rights - unprocessed return
<b>Type of SIR</b>	2 Formal SIR
<b>JORA Incident number (if any)</b>	
<b>Joint Operation</b>	Text Removed - Justification 2
<b>Frontex SIR Coordinator</b>	FRO
<b>Incident date/time</b>	11/12/2017 04:40 PM
<b>Detection date/time</b>	11/12/2017 04:40 PM
<b>Original source of the information</b>	Text Removed - Justification 2/ Turkish media articles
<b>Location of the incident</b>	Alleged Evros River
<b>Is latitude unknown</b>	Yes
<b>Latitude</b>	
<b>Is longitude unknown</b>	Yes
<b>Longitude</b>	
<b>Reference to the operational area</b>	No
<b>Frontex resources involved (Human resources / co-financed technical equipment)</b>	No
<b>Type of resources / involvement</b>	
<b>Dead persons</b>	
<b>Injured persons</b>	
<b>Missing persons</b>	

### Information/allegations

On 09 December 2017 the article from Turkish news magazine Milliyet was provided Text Removed - Justification 2 regarding to alleged unprocessed return of irregular migrants. The original translated text mentions: Irregulars sent back by Greece crossed over to Turkey in a boat. Irregulars in Edirne, illegally crossing over to Greece, were captured and beaten at the border by the Greek police, and then sent back to Turkey in a boat. Recording on a mobile their return on a boat on the River Maritza (Evros), the irregulars said they had been exposed to violence by the Greek police. ... 4 irregulars --one a woman-- recorded on their mobile phones, the footage of them being sent back by the Greek police, which is claimed to have beaten up the asylum seekers crossing into their country irregularly. According to the claims of the irregulars, who use the River Maritza to illegally cross to the Greek side, they had been exposed to violence by the Greek police, then were placed in a boat and sent off to Turkey. The video footage shows that returning back to Turkey in a boat, the irregulars are helped out by the villagers to the shore and then were taken into custody by the border patrol. After a medical check, whereby it is determined that they had been battered, the irregulars were then handed over to Edirne Migration Management Directorate for the completion of procedures.

### Measures

Text Removed - Justification 2 has been addressed by the operational team with the request for possible information on the allegation.

### Assessment

The article does not provide concrete information on the date or the exact location where the alleged incident has taken place and at the same time, there is no mention of presence of Frontex deployed TM and assets. The photos in the article show one wooden boat (a typical fisherman boat in the area) with 5 persons in civilian clothes inside. There are no visible signs that these persons are law enforcement officers (i.e. no weapons are visible); it is not possible to identify from the photos which side of Evros river the photos were taken from (if at all the photos are from Evros river). Source: <http://www.milliyet.com.tr/yunanistan-in-geri-gonderdigi-gundem-2569546/>. The video available (<http://aa.com.tr/tr/vg/video-galeri/yunanistan-kacaklari-illegal-geri-itiyor->) also does not provide support to the allegation since it only shows one boat approaching a river bank but no signs of verbal or physical violence are present. Within the established coordination structure for the JO no such information has been received.

### Final outcome

## Serious Incident Report no. 788

**Reporting date:** 18/11/2018 06:10 PM

**Last modification date:** 13/02/2020 01:11 PM

**Reporting person:** Text Removed -  
Justification 1

**Last modification done by:** Text Removed -  
Justification 1

FSC SIR Category	2 Fundamental Rights
Subject	Possible violations of Fundamental Rights / Push Back - assault - theft in Evros area
Type of SIR	3 Updated SIR
JORA Incident number (if any)	
Joint Operation	Text Removed - Justification 2
Frontex SIR Coordinator	FRO Text Removed - Justification 1
Incident date/time	07/11/2018 12:00 AM
Detection date/time	18/11/2018 12:00 PM
Original source of the information	Text Removed - Justification 2
Location of the incident	Alexandroupolis - Evros area
Is latitude unknown	Yes
Latitude	
Is longitude unknown	Yes
Longitude	
Reference to the operational area	Yes
Frontex resources involved (Human resources / co-financed technical equipment)	No
Type of resources / involvement	
Dead persons	
Injured persons	
Missing persons	

### Information/allegations

On 16-11-2018 during a debriefing in Alexandroupoli region , the interviewee stated that he was pushed back, assaulted, treated inhumanly and robbed. First time the event happened in the night from November 7th 2018. After landing the interviewee and other migrants were attacked by people wearing uniform. Interviewee speaks from a “military commando” that exists out of people from 7 countries. They (migrants) were forced to go back through the river after their valuables were taken away, after the men were stripped naked and after they were beaten. On November 10th 2018 interviewee crossed the river again with other people. According to the interviewee they were intercepted again by the “commando”. They were beaten, valuables were stolen and they had to undress again. Afterwards they were pushed back again through the river.

Update: see the annex (too long text to include it here)

### Measures

- Text Removed - Justification 2,4 was informed by phone and email by debriefer. Initial Sir has been made.
- Text Removed - Justification 2, 4 was notified by phone and email.

### Assessment

The migrant (interviewee) was apprehended Text Removed - Justification 2 on 14.11.2018, hidden in a truck trailer together with four other migrants, coming from TUR. The interview was performed Text Removed - Justification 2, 4 on 16/11/2018. The interviewee was informed Text Removed - Justification 2 about the possibility to submit a Complaint as described in the Debriefing Guidelines. No such intention was expressed. The interviewee couldn't provide any additional detailed information which would support the identification of the location of the alleged unprocessed return and the description of the persons involved in the alleged incidents. Text Removed - Justification 2, 3 it seemed that he was scared to add more information considering the presence of the Hellenic authorities during the interview. The presence of the host MS team leader is stipulated in OPLAN. Additionally, in clarification of interviewee's statements, Text Removed - Justification 2 had doubt about the translation of statements, in which the interviewee stated that the military commando was consisted of several persons coming from 7 different countries. Later, the interviewee reported that one of the persons from the group (“military commando”) spoke a little Farsi, all of the them wore military uniforms, but due to the limited visibility (too dark), he didn't focus more on details and he was also very scared.

### Final outcome

## Serious Incident Report no. 798

**Reporting date:** 05/12/2018 12:48 PM

**Last modification date:** 21/12/2018 12:36 AM

**Reporting person:** Text Removed -  
Justification 1

**Last modification done by:** Text Removed -  
Justification 1

FSC SIR Category	2 Fundamental Rights
Subject	Bodies of three migrants found in Turkey allegedly forced back by Greece
Type of SIR	1 Initial SIR
JORA Incident number (if any)	
Joint Operation	Text Removed - Justification 2
Frontex SIR Coordinator	Fundamental Right Officer
Incident date/time	04/12/2018 06:00 PM
Detection date/time	04/12/2018 06:00 PM
Original source of the information	Open source
Location of the incident	Evros River - Edirne (Turkey)
Is latitude unknown	Yes
Latitude	
Is longitude unknown	Yes
Longitude	
Reference to the operational area	No
Frontex resources involved (Human resources / co-financed technical equipment)	No
Type of resources / involvement	
Dead persons	3
Injured persons	
Missing persons	

### Information/allegations

OPEN SOURCE: 3 dead migrants found in Turkey close to the Greek border. According to a migrant apprehended by Turkish authorities at least one of the dead migrants was part of a group of migrants who were forced back to Turkey by Greek Police after having reached Greece by crossing the Evros River. <https://www.turkishminute.com/2018/12/04/3-migrants-found-frozen-to-death-near-turkish-greek-border/>  
<https://www.dailysabah.com/turkey/2018/12/04/migrants-allegedly-forced-back-to-turkey-by-greece-found-frozen-to-death> <https://news.sky.com/story/three-migrants-found-frozen-to-death-in-turkey-11571382> <http://www.hurriyetdailynews.com/three-migrants-found-after-freezing-to-death-near-turkey-greece-border-139430>

### Measures

Text Removed - Justification 2 held a meeting on 05/12/2018. Outcome of the meeting is to send an Initia SIR Fundamental Rights. Updates have been sent on the 6th and 18th of December  
Text Removed - Justification 2.

### Assessment

### Final outcome

## Serious Incident Report no. 829

**Reporting date:** 08/04/2019 05:06 PM

**Last modification date:** 13/02/2020 01:12 PM

**Reporting person:** Text Removed -  
Justification 1

**Last modification done by:** Text Removed -  
Justification 1

FSC SIR Category	2 Fundamental Rights
Subject	Alleged Fundamental Right violation reported by an Afghan male migrant
Type of SIR	1 Initial SIR
JORA Incident number (if any)	
Joint Operation	Text Removed - Justification 2
Frontex SIR Coordinator	
Incident date/time	08/04/2019 12:30 PM
Detection date/time	08/04/2019 12:30 PM
Original source of the information	Text Removed - Justification 2, 4
Location of the incident	Greek/Turkish Land Border Section
Is latitude unknown	Yes
Latitude	
Is longitude unknown	Yes
Longitude	
Reference to the operational area	Yes
Frontex resources involved (Human resources / co-financed technical equipment)	Yes
Type of resources / involvement	Text Removed - Justification 4
Dead persons	
Injured persons	
Missing persons	

### Information/allegations

Information from an interview, performed with an Afghan male in the detection centre Text Removed - Justification 2, who was apprehended with other migrants on 27th of March 2019 in Text Removed - Justification 3 on the direction to Serbia border. On 24th of March 2019 at 08.30 PM the interviewee and others 10 Afghan male were taken from Istanbul by Afghan male (Text Removed - Justification 3) to the border with Greece. Text Removed - Justification 3. Text Removed - Justification 3, they were apprehended by Greek Police. On the Greek side Text Removed - Justification 3 Police Officers took from migrants their mobile phones. The interviewee emphasized that he didn't want to give them phone, because it was new one. Moreover, the Greek Police took mobile phones from 6 migrants, without giving any protocol or document describing that confiscation. Next, all 12 migrants, involving the guide (he pretended to be a regular migrant) were taken by Greek Police to Police Station. In this location migrants were not registered and didn't received any document concerning apprehension. On 25th March in the afternoon all migrant were taken by service bus to the another point, from where Greel Police Officers took them to the river bank of the river, migrants were taken to Turkish territory, the Greek police officers went back to the Greek territory. After a few hours migrants attempted to cross the border again.

### Measures

The migrant agreed to continue with the interview after he mentioned the alleged violation of fundamental right. Text Removed - Justification 2,3. The Text Removed - Justification 2, 4 informed the Bulgarian authorities about alleged violation of fundamental rights reported by the migrant during the interview.

### Assessment

### Final outcome

## Serious Incident Report no. 830

**Reporting date:** 09/04/2019 01:30 PM

**Last modification date:**

**Reporting person:** Text Removed –  
Justification 1

**Last modification done by:**

FSC SIR Category	2 Fundamental Rights
Subject	NGOs allegedly pushed back from Croatia to Bosnia and Herzegovina and Serbia
Type of SIR	1 Initial SIR
JORA Incident number (if any)	
Joint Operation	Text Removed – Justification 2
Frontex SIR Coordinator	Fundamental Rights Officer
Incident date/time	09/04/2019 01:21 PM
Detection date/time	09/04/2019 01:21 PM
Original source of the information	
Location of the incident	Croatia with Bosnia and Herzegovina and Serbia border
Is latitude unknown	Yes
Latitude	
Is longitude unknown	Yes
Longitude	
Reference to the operational area	No
Frontex resources involved (Human resources / co-financed technical equipment)	No
Type of resources / involvement	
Dead persons	
Injured persons	
Missing persons	

**Information/allegations**

According to Open Sources On 02/04/2019 A group of 30 MEP called upon the Commission to take action against alleged push-backs from Croatia to Bosnia and Herzegovina and Serbia. The requirement is based on some reports made by various NGOs including No Name Kitchen, Are you Syrious, Human Rights Watch, Border Violence Monitoring, Amnesty International and Médecins sans Frontières. The NGO Are You Syrious? said that 10,000 migrants were ejected from Croatia in 2018. The Centre for Peace Studies and the Welcome Initiative said to "All testimonies indicate that systematic and organized collective push-backs of refugees from EU territory are happening".

**Measures**

FRO is proposed to act as SI-Coordinator

**Assessment****Final outcome**

## Disclaimers of Non-disclosure

1	Personal Data	<p>Names and/or contact details</p> <p>The non-disclosed text contains personal data, in particular, the name of an individual. Its disclosure would affect the privacy and integrity of the individual and is therefore precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.<sup>1</sup></p> <p>Medical data</p> <p>The non-disclosed text contains information about the medical condition of an individual participating in Frontex activities. The disclosure of such information would undermine the protection of the privacy and the integrity of the individual as protected by European Union laws regarding the protection of personal data. In this regards the text is not disclosed pursuant to the exception laid down in Article 4(1) (b) of Regulation (EC) No 1049/2001.<sup>2</sup></p> <p>(plural)</p> <p>Names and/or contact details</p> <p>The non-disclosed text contains personal data, in particular the names of individuals. Its disclosure would affect the privacy and integrity of the individuals and is therefore precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.<sup>3</sup></p> <p>Medical data</p> <p>The non-disclosed text contains information about the medical condition of the individuals participating in Frontex activities. The disclosure of such information would undermine the protection of the privacy and the</p>
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<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

<sup>2</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

<sup>3</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

		integrity of the individuals as protected by European Union laws regarding the protection of personal data. In this regards the text is not disclosed pursuant to the exception laid down in Article 4(1) (b) of Regulation (EC) No 1049/2001. <sup>4</sup>
2	Reporting tools and methods used by law enforcement officials	The non-disclosed part contains detailed information related to reporting tools and methods used by law enforcement officials to conduct border control tasks and counter criminal activities. Its disclosure would jeopardize the implementation of ongoing and future operations, and thus facilitate irregular migration and trafficking in human beings as the effectiveness of law enforcement measures would be significantly reduced. As disclosing this information would undermine the protection of the public interest as regards public security, this part is not disclosed pursuant to Article 4(1)(a) first indent of Regulation (EC) No 1049/2001 <sup>5</sup> .
3	Sensitive operational information	<p>The non-disclosed text cannot be released as it refers to details crucial for situational awareness at the external borders of the European Union which is used by Frontex to conduct its operational activities and to develop risk analyses. The disclosure of this information would hamper the effectiveness of Frontex operations and jeopardise the efforts carried out by the European Union and Member States to curtail criminal activities at the external borders. It would thus benefit criminal networks especially those involved in people smuggling and trafficking in human beings, which would put the life of migrants in danger. Hence, the disclosure of the information pertaining to this variable would undermine the protection of the public interest as regards public security and has to be refused based on Article 4(1)(a) first indent of Regulation (EC) No 1049/2001.</p> <p>The information related to this non-disclosed text is also used for the development of risk analyses, which constitute a specific form of internal decision-making processes based on the intelligence derived from previous and presently ongoing activities and have a bearing on the conduct of current and future operations. Being an important base for determining the strategic orientation of the Agency, the possibility to conduct such analyses without interference is crucial for Frontex to effectively exercise its mandate. Consequently, releasing this information would enable third parties to gain insights into this decision making process and, with ascertainable likelihood, result in depriving Frontex of the possibility to conduct such analyses wholly independently, free from any external pressure or third-party influence. In sum, releasing this information would seriously undermine Frontex internal decision making-processes. As no overriding public interest that is objective and general in nature and not indistinguishable from individual or private</p>

<sup>4</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

<sup>5</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

		interests for the release of this information is ascertainable in the present case, information pertaining to this variable cannot be released based on Article 4(3) of Regulation (EC) No 1049/2001.
4	Number and profile of Human Resources	The non-disclosed parts contain information regarding the number and profiles of officers deployed in the operational area. Disclosing such information would be tantamount to disclosing the weaknesses and strengths of Frontex operations and pose a risk to their effectiveness. As a result, the course of ongoing and future similar operations would be hampered, ultimately defeating their purpose to counter and prevent cross-border crime and unauthorized border crossings. Consequently, the disclosure of such information would undermine the protection of the public interest as regards public security as laid down Article 4(1)(a) first indent of Regulation (EC) 1049/2001 <sup>6</sup> .

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<sup>6</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

