

Mr Horst Seehofer  
Federal Minister of the Interior, Building and Community  
Presidency of the Council of the EU

Mr Margaritis Schinas  
European Commission Vice-President for Promoting the European Way of Life

Ms Ylva Johansson  
European Commissioner for Home Affairs

Mr Juan Fernando López Aguilar  
Chair of the Committee on Civil Liberties, Justice and Home Affairs

Our ref: CAB/ANRA/10561/2020  
Please quote when replying.

Warsaw, 27 November 2020

Dear Minister,  
Dear Vice-President,  
Dear Commissioner,  
Dear Chair,

In the context of yesterday's media reports including the leaks of parts of the report prepared by Frontex for the 82<sup>nd</sup> Management Board, I would like to share with you the full version of this document along with my letters to the Greek authorities to ensure transparency and provide you with a full picture as regards the situation related to the process of inquiring the media allegations on the so-called pushbacks in the Eastern Mediterranean.

As you are well aware, as a response to allegations as reported by several media outlets, the Agency has launched an internal inquiry to provide adequate information on the incidents in a transparent manner. The whole process has been divided into three phases due to its complexity and scope.

The first stage was completed on 10 November during the Extraordinary Management Board meeting when I provided a comprehensive overview of the incidents reported by the media.

The second stage included a follow-up report on the questions received by the Agency from the Commission, as well as Germany and Switzerland, which I presented during the 82<sup>nd</sup> Management Board meeting on 25 - 26 November 2020. Parts of this document were published by at least one journalist on social media.

The third stage of the process will be a further inquiry conducted by the Management Board Working Group on Fundamental Rights and Legal and Operational Aspects of Operations that has just been established during the 82<sup>nd</sup> MB meeting and that will review all the documents available to bring further transparency and clarity of the process.

At the same time, I would like to highlight the fact in regards to the specific case on 19 April cited by journalists - in that particular situation, I have reacted by addressing officially the Minister of Maritime Affairs and Insular Policy of Greece to express my concerns and asked for the Greek authorities to investigate the matter further, which was a necessary step taking into account that Frontex, under its current mandate, does not have the power to investigate on such matters. In his reply which I also attach for transparency, the Minister wrote that Greece had investigated the incident and assured me that the Hellenic Coast Guard had not violated the principle of non-refoulement.

I hope you will find these answers satisfactory in the process of further clarification of the allegations and I remain at your disposal for any further clarification as needed.

Yours sincerely,



Fabrice Leggeri  
*Executive Director*

CC: Ms Monique Pariat, Director-General, DG Migration and Home Affairs  
Ms Christine Roger, Director-General Justice and Home Affairs, Council of the EU  
Mr Marko Gašperlin, Chair of Frontex Management Board

List of Annexes:

- 1) Report on the questions received following the Extraordinary MB
- 2) Frontex Letter to Minister of Maritime Affairs and Insular Policy of Greece 08/05
- 3) Reply Letter received from the Minister of Maritime Affairs and Insular Policy of Greece
- 4) Frontex Letter to Vice Admiral H.C.G. of the Hellenic Coast Guard Commandant 06/08
- 5) Reply Letter received from Vice Admiral H.C.G. of the Hellenic Coast Guard Commandant 14/10