

Serious Incident Report

Subject	Alleged violation of Fundamental Rights
Joint Operation	Joint Operation Flexible Operational Activities 2015 Land / South Eastern land borders (JO FOA 2015 land / SE)
Location of the incident	BCU Orestiada
Incident date/time	05/06.05.2015
Finding date/time	12.05.2015 12.00
Source of information	Joint Debriefing Team Orestiada (LCC Evros Greece)
Reporting unit/person	Frontex Operational Coordinator JO FOA 2015 land

1. Fact of the case

- On 11.05.2015 the Joint Debriefing Team in Orestiada, comprised of PRT SGO, Hellenic Police Debriefing Expert and interpreter performed an interview of a male Syrian national (claimed), aged 26 who had been apprehended during the previous night in the area of the trilateral border (Greece, Bulgaria and Turkey), close to BCP Ormenio (BGR - GRC) . The interviewee claimed to traveling with his family, his wife and a baby
- During the course of the interview, the migrant provided information of what it appears to be a violation of Fundamental Rights. More specific, the migrant claimed during the interview (extract from interview report):

“ ... By 00h00 whole group has crossed the river. The interviewee stated again the target / final destination was reach Svelinegrado. He never knew in what country arrived after crossing the river. Just they knew they would have to walk always along the river, and so they will arrive at the destination, Bulgaria.

They walked around 04h and because they were tired and was becoming the daylight, the group decided to stay in a house worth of agricultural support. He described as being where it connected the water to the fields. The group stayed at this location until 22:00. At this point the group thought to be in Greece for what they would have to continue to walk.

The group walked for a few hours, does not know exactly how many, and eventually lost on the way. On this trip they passed near a stopped car and a tent that judged to be police control because of the dark green outfits and the marks on the car. They did not see anyone and continued to travel without being detected. At this point they tried to continue the journey but as they were very tired the group decided to approach again the car and get help. Suddenly they saw torch lights and two policemen appeared. The group was identified as Syrians and they asked for help.

Commented [A1]: All the non-disclosed text contains sensitive information regarding the alleged behaviour of law enforcement officers. In accordance with the applicable law of the MS, the necessary procedures were initiated with the view to assess and determine personal responsibilities. The disclosure of such information would harm the investigations ongoing in the MS. In this regard the text is not disclosed pursuant to the exception laid down in the third indent of Article 4(2) of Regulation (EC) 1049/2001.

They were detained and after the arrival of another police car the group was divided. The interviewee and his family were placed in a police car. He does not know where they were going but after some time the car stopped and the police sent his family out. Then they indicated a way to go, always right, and also informed that they should follow the railway line. Not knowing what to do, they obeyed and were walking as ordered.

After some time to walking they were detected by Greek police who arrested them in Ormenio area as informed by the Greek Authorities.

The interviewee could not say what was the nationality of the police who they asked for help, they were in dark green uniform and he is sure that it was not the Greek Police. ...” ‘

- The interview has been assessed by the JDT as partly reliable.

2. Measures

LCC Coordinators in Elhovo and Evros are informed about the allegations of the migrant. SIR has been prepared on the basis of the interview report.

3. Assessment

- it is unclear when the group was detected for the first time by the police and at which country they were detected and divided as a group. The interviewee could not identify the nationality of the officers to whom the group addressed to for help but he was confident they were not from the Hellenic Police who stopped him and his family at later stage.

Please see below the information received from the FLO/FSO Intel ([REDACTED] [REDACTED]) regarding the activities performed by a Danish Debriefing expert deployed in Orestiada:

- Today the DAN Debriefing expert deployed in ORE, in cooperation with a local debriefer performed an interview to an Afghan migrant apprehended today (see below the extract of the interview template – containing alleged violation of FR and Unprocessed Return);

"They walked for 1-2 Hours until they reach the River. In one Boat, who made two Trips, they all went to the Bulgarian side of the River. They walked again, maybe for 11/2 Hours.

Suddenly they were surrounded by Bulgarian Police. They were about 18 Policemen in 4 Cars. 1 Model like a Jeep, another Model like a bigger 4 wheel-Drive Car. (From the Internet he was showed a Bulgarian Uniform and different Bulgarian Policecars, and he was sure they came from Bulgaria).

The Police was beating and kicking them. They collect all their SIM cards from the telephones.

In their Cars they went for about 10 Minuts. At the place they were let Free, the Bulgarian Police hit them with their Truncheons and pointed in one Direction. All of Them start to Run. They did not understand what they were saying, but they understood the Meaning.

They camp in the area. He was sure they were in Greece. They made a Fire, because it was very cold. The next Day, they rested all Day.

In the evening, when it has become Dark, they went back to Bulgaria. After 30-40 Minuts they were again surrounded by Bulgarian Police. They were beaten again. He recognized some of the Police Men from Yesterday Night.

They all went into the cars and they was driving for 20-30 Minutes. They arrived exact the same place as Yesterday.

They were again forced over the Border to Greece. They went for the same place as Yesterday, and made a Fire, because it was cold.

Suddenly the Bulgarian police came to their camp. He was sure they was in Greece. They started to hit them with their Truncheons and they all started to Run into the Fields. Some of them stopped to change some clothes, because it was wet, but the Bulgarian shouted "go, go go".

One of them said: "let us go to the Greek Police". But they only walked a few minutes, then the Greek Police came and arrested them. One of the Greek Policemen asked if any of them could English. Then he was asking why they were crying.

He told the Greek Policeman, that they have been beaten, and forced from Bulgaria to Greece.

The Greek policeman called the Bulgarian Police, and he was angry when he spoke with them.

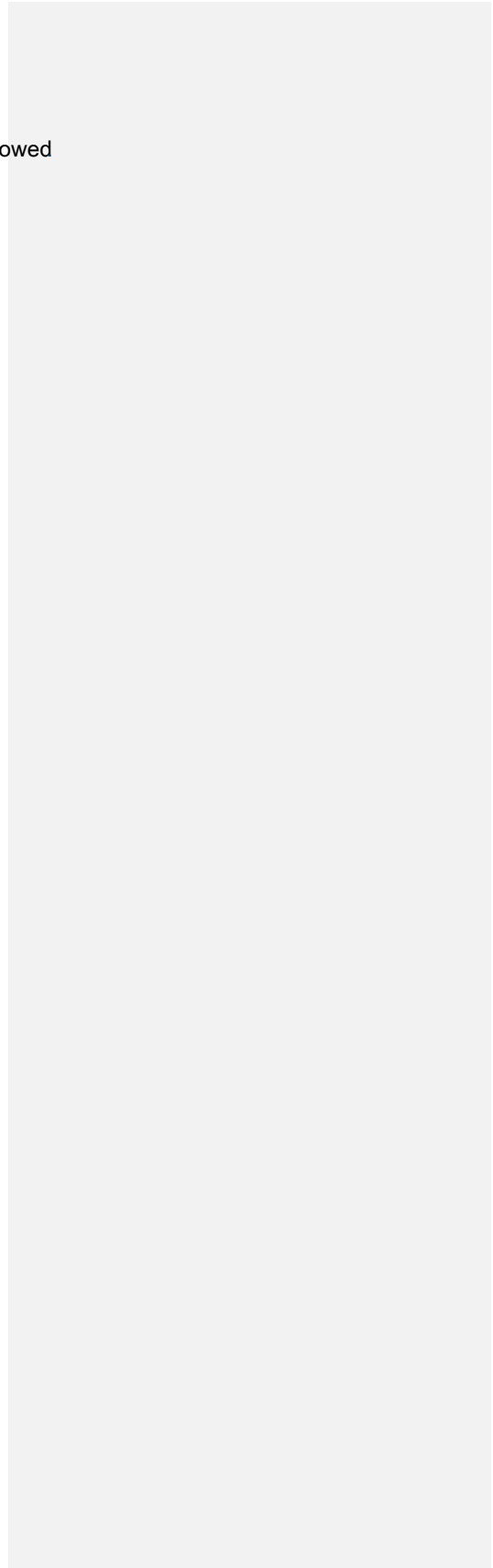
He could not say anything about names and places, but somewhere in the area he saw the Greek Flag, and nearby the Bulgarian Flag. " [REDACTED] [REDACTED] "

- The local authorities informed the FSO/FLO Intel about the willingness of the migrant to report officially the incident.
- The Debriefing expert firstly communicated the incident to the local authorities and afterwards to FSO/FLO Intel.

Commented [A1]: The non-disclosed-text contains the name of an actor participating in Frontex activities. The disclosure of such information would undermine the protection of the privacy and the integrity of the individual, in particular in accordance with EU laws regarding the protection of personal data. In this regard the text is not disclosed pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) 1049/2001.

Commented [A2]: The non-disclosed text contains sensitive information regarding the behaviour of a law enforcement officer. In accordance with the applicable law of the MS, the necessary procedures were initiated with the view to assess and determine personal responsibilities. The disclosure of such information would harm the investigations ongoing in the MS. In this regard the text is not disclosed pursuant to the exception laid down in the third indent of Article 4(2) of Regulation (EC) 1049/2001.

- The FSO/FLO Intel also informed the local authorities on the process to be followed



Serious Incident Report

Serious Incident Report	
Subject	Unprocessed return to Greece by Bulgarian Police claimed by apprehended migrant during debriefing in Greece.
Joint Operation	JO Poseidon Land 2014
Location	Ormenio village (Greece, BCU Orestiada / LCC Orestiada)
Incident date/time	26/09/2014 11:00
Finding date/time	26/09/2014 15:30
Source of information	Interview of apprehended AFG migrant on 26/09/2014 in BCU Orestiada
Reporting unit/person	FSO LCC Orestiada JO Poseidon Land 2014

Commented [A1]: The non-disclosed text here and below contains information that allegedly constitutes a violation fundamental rights. The situation was communicated to the competent national authorities for further investigation. Disclosure of such information would undermine the purpose of national investigation procedures regarding this incident. In this regard the text is not disclosed pursuant to the exception laid down in the third indent of Article 4(2) of Regulation (EC) 1049/2001.

1. Fact of the case

On 26/09/2014 at 11:30 a group of 13 (11 AFG – 2 SYR) migrants were apprehended near Ormenio village by Greek Police. They were transported in BCU Orestiada where debriefing activities took place.

One of the migrants, speaking for what happened in Bulgaria, claimed that:

“After two Hours walking, suddenly they were stopped by two Bulgarian Police officers. The officers called for assistance, and a police minibus with two another Police officers came to them. Two Syrian Migrants were already In the vehicle. All 13 of them was brought back to the River. They were told to cross the River by foot to the Greek side.

After crossing the River, where the depth was 30-40 centimeters, they were arrested by the Greek police somewhere nearby the River.”

2. Measures

Orestiada Police Director was informed and the case is investigated for further details.

3. Assessment

The place where the migrants have been found is very close to the Greek – Bulgarian border and fits the description they gave.

A follow up report will be submitted if new evidence / information are available from Greek Police.

Serious Incident Report

Serious Incident Report

Subject	Unprocessed return to Greece by Bulgarian Police claimed by apprehended migrant during debriefing in Greece.
Joint Operation	JO Poseidon Land 2014
Location	Ormenio village (Greece, BCU Orestiada / LCC Orestiada)
Incident date/time	26/09/2014
Finding date/time	29/09/2014
Source of information	Interview of apprehended AFG migrant
Reporting unit/person	FSO LCC Orestiada JO Poseidon Land 2014

Commented [A1]: The non-disclosed text here and below contains sensitive information regarding the behaviour of undefined persons. In accordance with the applicable law of the MS, the necessary procedures were initiated with the view to assess and determine personal responsibilities. The disclosure of such information would harm the investigations ongoing in the MS. In this regard the text is not disclosed pursuant to the exception laid down in the third indent of Article 4(2) of Regulation (EC) 1049/2001.

1. Fact of the case

On 29/09/2014 during an interview performed by the HP debriefing team to a minor (16 yrs old) Afghani migrant, the latter claimed that:

On the 26th of September 2014, after illegally crossing the border from Turkey to Bulgaria together with other 19 people they were suddenly intercepted by two jeep cars of green color. Around six men, wearing green uniforms and carrying on guns, torches and sticks approached them and started shouting against them. After some minutes the men in uniforms collected all the mobile devices and also their personal bags, and put them into the two jeeps. They were taken to the Bulgarian-Greek border without knowing details about the second jeep. The men in uniforms pushed them and said them not to come back again to Bulgaria country. Some minutes later, they left without giving back their mobile phones. The group of eight migrants walked until Greek territory and went on foot to the BCU of Ormenio. The Greek flag and the European flag were placed next to the building. The Greek police arrested all of them around 06:30 on the 29th of September 2014.

2. Measures

3. Assessment

Serious Incident Report

Serious Incident Report

Subject	Unprocessed return to Bulgaria by Greek Police claimed by apprehended migrant during debriefing in Elhovo (BGR).
Joint Operation	JO Poseidon Land 2014
Location	BCU Soufli (Greece / LCC Orestiada)
Incident date/time	26/09/2014
Finding date/time	01/10/2014
Source of information	Interview of apprehended IRQ migrant
Reporting unit/person	FLO/FSO INTEL - JO Poseidon Land 2014

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1. Fact of the case

On 01/10/2014 during an interview performed by Debriefing Team (DT) Elhovo (Hungarian SGO and BG BP debriefer) to a Iraqi migrant, the latter claimed that:

On the 26th of September 2014, after illegally crossing the border from Turkey to Greece, he was apprehended by Greek authorities and in particular, BCU Soufli Officers. Later-on, he was put in a group (about 70 people) of migrants and, without being processed, they were all transferred by a mini van to the Bulgarian – Greek border and in particular Ivailovgrad area, where they were apprehended by the Bulgarian authorities.

The DT, following the debriefing guidelines, asked the migrant whether he would like to report anything officially but the migrant stated clearly that he did not want to make official report. Local authorities were firstly informed and afterwards FLO/FSO Intel.

2. Measures

3. Assessment

Serious Incident Report

Serious Incident Report	
Subject	Unprocessed return to Greece by Bulgarian Police claimed by apprehended migrant during debriefing in Greece.
Joint Operation	JO Poseidon Land 2014
Location	Fylakio (Greece, BCU Orestiada / LCC Orestiada)
Incident date/time	02/10/2014
Finding date/time	11/10/2014
Source of information	Interview of apprehended Syrian migrant
Reporting unit/person	FSO FLO JO Poseidon Land 2014

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1. Fact of the case

On 02.10.2014, a Syrian national was interviewed in Fylakio by the Danish Debriefer in cooperation with a Greek debriefer and interpreter. The migrant was apprehended the same day. As informed by the local authorities, the migrant wanted to provide the information officially.

The following part was included in the interview:

"The Turkish Driver drove them to the area of Edirne, but somewhere outside the town. It maybe took about 3 Hours to reach the area near the BCP to Bulgaria.

There was a Guy waiting where they stopped. And they called for another Guy to come and help them.

They went all into two small Boats. The boats went back for another group.

There was a Forrest on Both sides of the River. They were told to wait in 3 Hours to 0200 AM. At this time they walked for 15 minutes to a little Village.

There was no car for them. They have to wait.

Suddenly the Bulgarian police arrived.

All the Migrants were running, but the 5 policemen found some of them in the Forrest.

They who was arrested by the Police was in a police Car going to a Place somewhere in the Forrest. They were split in two Groups by the Police. Families to one side, and singles to the other side.

They were all together 17 Persons.

They were all 17 guided by foot by the Bulgarian Policemen to a certain place.

The policemen said: "Just follow this way and go back to Istanbul".

They all walked in the direction the Police said. They passed no River.

They walked, but no one off them knew where they were.

They saw a Village, and they would ask some people how to go to Istanbul.

They were told, that they was in Greece, but the people could not help them to Turkey.

They told them to go to the church in the Village, the Police was there, and maybe they could help them back to Turkey.

They went to the Church, and the Police came and arrested them."

2. Measures

3. Assessment

The alleged violation of fundamental rights was not reported from the operational area. The information was discovered during analysing the interviews in the HQ (RAU). Due to this mentioned reasons the reporting is delayed.
