



Border Violence Monitoring Network

c/o MDR
88 Fleet Street
London, EC4Y 1DH
UK

8 June 2021

To: complaints@frontex.europa.eu

CC: frontex@frontex.europa.eu, consultative.forum@frontex.europa.eu

Dear Mr Grimheden,

Dear Mr Leggeri,

Dear Members of the Consultative Forum on Fundamental Rights,

We are writing to you to express our concern about a number of reported incidents in which officials deployed on Frontex missions are alleged to have participated in, or been present during, violence against third country nationals on North Macedonian territory. We consider it imperative that you launch an investigation into the matter.

The incidents in question were recounted to members of *Border Violence Monitoring Network*. You will find the relevant excerpts from those reports below (we have added emphasis).

Around midnight, 8 September 2019, north of Gevgelija¹

*“The police officers checked the respondent’s pockets and found 500 euros, which they took along with his bag that contained his clothes and food. The police beat the respondent using batons and kicked him. They used an electric taser to shock the respondent as well. **The respondent alleges that the officers were wearing Frontex uniforms** and explains that some of them were wearing balaclavas. He explains that if you looked at the officers faces who were not wearing the balaclavas, they would push his head down and hit him. After this, the police officers took the respondent to the border and pushed him back to Greece.”*

¹ <https://www.borderviolence.eu/violence-reports/september-8-2019-0000-10km-into-north-macedonian-interior-north-of-gevgelija/>

Around 2 AM, 14 August 2020, near Gevgelija²

“...the van brought the group to the bank of the Vardar river, where the officers took their shoes, bags, and extra clothes and threw everything into the river. The officers also took their mobile phones and money, stating that it was to prevent them from crossing the border into North Macedonia again right away. According to the respondent, the group was beaten brutally with metal electroshock batons and some people were thrown into the river by the police. One person was thrown in despite crying and begging not to be thrown in.

“Reportedly, Frontex officers were present during this operation. The respondent described seeing foreign officers wearing uniforms with the European Union flags on their shoulders, described by our interlocutor as the “European Union police were observing the violence.”

Around 10 AM, 20 August 2020, near Gevegelija³

“According to the respondent, at around 8:00 in the morning on the 20th, three officers from what he inferred to be from Croatia, Slovenia, and the Czech Republic, as well as a single North Macedonia policeman (described as wearing clothes matching those typically worn by North Macedonian authorities) came approached and apprehended the group. The respondent described that he recognized the country of origin of first three officers due to seeing the flags from their respective countries, as well as EU flags, emblazoned on the officers’ uniforms.

“According to the respondent, the officers bounded them with zip ties and after beat them with batons (apart from the minor, who was not beaten). He described that the authorities also took several articles of clothes and shoes from the men, and additionally took pictures of them.”

Around 1 PM, 4 September 2020, near Gevgelija⁴

“According to the respondent, the officers were wearing dark blue police uniforms that had Czech and EU insignia. All of them were wearing Balaclavas and many were armed with guns. The respondent believes were Frontex. [sic]

“When you try to look at them, they put your head to the floor,’ he commented.

“The respondent was pushed to the ground and beaten by four of the alleged-Frontex officers with fists and batons, which were made of metal. He sustained extensive bruising on his arms, knees and his arm was broken.”

² <https://www.borderviolence.eu/violence-reports/august-14-2020-0200-gevgelija-area-near-the-border-north-macedonia/>

³ <https://www.borderviolence.eu/violence-reports/august-20-2020-1000-15-minutes-driving-the-north-macedonian-greek-border-near-gevgelija/>

⁴ <https://www.borderviolence.eu/violence-reports/september-4-2020-1300-gevgelija-north-macedonia/>

Around 7AM, 10 February 2021, near Gevgelija⁵

*“...the respondent and the same group of 11 crossed the border to North Macedonia in the same area again and walked further into the country throughout the night. On the morning of the 10th of February 2021 at around 7 a.m., the group was sleeping in a forest when three male German police officers approached them. **The officers wore dark blue uniforms and a light blue armband with the European Union flag.** They were different officers from the night before, according to the respondent.*

One officer pointed the gun directly at him. The respondent believed that the gun was unloaded...

The German officers made a call and soon after three Macedonian police officers arrived in a van. One woman and two men... One officer then spat on the respondent...

Afterward, the group of 11 was ordered to line up. Two of the Macedonian officers formed a passage by standing opposite each other in front of the van. Each member of the group had to walk through one by one. The two officers hit each person repeatedly with their batons. When the respondent had to pass through he tried to protect himself by holding his arms around his head. Consequently, he was hit on his arms and shoulders. This resulted in broken bones in his left arm and the dislocation of his right shoulder. The other people did not suffer any substantial injuries.”

These are extremely serious allegations. Firstly, this violence is a clear breach of fundamental rights and should neither be carried out nor condoned by officials deployed on Frontex operations (nor any other officials, for that matter). Secondly, there is no legal authority for officials deployed by Frontex to act on North Macedonian territory.

It appears that your offices do not hold any records of these incidents. Last year, *Statewatch* made a request for all serious incidents reports held by Frontex relating to “Frontex’s activities... at Greece’s land borders with North Macedonia from 1 January 2020 to the present date [30 October 2020].”⁶ The response said that the agency held no such documents.

The Frontex press office, meanwhile, has confirmed to *Statewatch* that “Frontex does not have any operational activities at the land border from the North Macedonian side,” and “is only present on the Greek side of the border.”⁷

Taking fundamental rights seriously means taking allegations of rights violations seriously. Five separate reports allege that Frontex officers have engaged in or observed violent acts on North Macedonian territory, yet the agency has not received from the officers it deploys even a single serious incident report. This absence of official evidence should not be taken as evidence of absence – particularly given the Frontex Management Board finding that the

⁵ <https://www.borderviolence.eu/violence-reports/february-10-2021-0000-near-gevgelija-north-macedonia/>

⁶ DCGO/TO/PAD-2020-00167

⁷ Email of 6 May 2021.

serious incident reporting mechanism requires significant improvement. These allegations require a thorough investigation.

In accordance with Article 6 of the Frontex rules on the complaints mechanism,⁸ we request that you forward this letter to the relevant entity or unit within the agency and urge them to investigate further. The facts of the matter should be clarified and appropriate action against any individuals found to have engaged in, condoned or consented to violence and/or to have acted on North Macedonian territory, as recounted in the information we have supplied.

Yours sincerely,

Chris Jones
Director, Statewatch
chris@statewatch.org

Milena Zajović
Head of Advocacy, Border Violence Monitoring
Network
advocacy@borderviolence.eu

⁸ https://frontex.europa.eu/assets/Key_Documents/Complaints/Annex_1_-_Frontex_rules_on_the_complaints_mechanism.pdf